

October 25, 2010

Category : Commissioner Minutes 2010

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MADISON COUNTY COMMISSIONERS 10/20/2010

MEETING AGENDA

October 25, 2010 8:00 p.m.

COMMISSIONERS ROOM

Madison County Commissioners

Kimber Ricks Robert Hansen, Chairman Jon O. Weber

8:00 a.m. Health and Welfare - Executive Session (Idaho Code 67-2345-1(d), exempt records)

8:15 a.m. County Business:

 Claims – October 25, 2010

 Minutes – October 4, 2010, August 17, 2010

 Memorandum of Agreement between Shadowhawk Enterprises

& Madison County

10:00 a.m. Meeting with Staff from Assessor's Office, Treasurer's Office and Clerk

Re: Tax Cancellation Protocol

10:30 a.m. Bill Moss Re: Resolution regarding Scout Awards

11:00 a.m. Jim Mullen & Todd Tuckett, Keller & Assoc.

Re: East Parkway Corridor & 1000 East Bridge

11:45 a.m. Assessor's Office Re: Tom Jones Tax Cancellation Consideration

11:55 a.m. Randi Bryan Fogle Re: Tax Cancellation Consideration

12:10 Noon Lunch Break

2:00 p.m. Planning and Zoning Business:

1. Findings of Fact for Jeff Hamblin

2. UDC Updates for the following: CUP, Variance, Filing Fee, Definitions and Wind Turbine, Chapter 10

3:00 p.m. Joseph Ostergar Re: Tax Cancellation Consideration

3:15 p.m. Dave Walrath Re: Grader Leases

3:30 p.m. Adjourn

NOTICE: Meeting is Open to the Public Except For Executive Sessions.

ANY PERSON NEEDING SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THE ABOVE NOTICED MEETING SHOULD CONTACT THE MADISON COUNTY CLERKS 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

Add the following items by motion: Fairgrounds & Sheriff's Office Bldg.

MADISON COUNTY

COMMISSIONERS MEETING MINUTES

October 25, 2010 8:00 A.M.

COMMISSIONERS' ROOM

Present: Chairman Robert Hansen, Commissioner Kimber Ricks, Commissioner Jon O. Weber, Attorney Troy Evans and Clerk Marilyn Rasmussen

Welfare and Indigent – (Deputy Welfare Clerk, Liz Boyce): Commissioner Hansen made a motion to go into Executive Session at 8:07 a.m., pursuant to Idaho Code 67-2345-1(d), exempt records, Purpose of Executive Session: Health and Welfare cases. (Commissioner Hansen – yes, Commissioner Ricks – yes, Commissioner Weber - yes), Commissioner Hansen returned to Open Session at 8:31 a.m. Commissioner Ricks made a motion to approve a notice for an appeal hearing for Case Number 2010048, sign lien for Case Number 2011002, sign order of reimbursement for Case Numbers 2010049 and 2010042, approve non-medical claims for Case Numbers N2011001, N2011002 and N2011003, Commissioner Weber seconded and voting was unanimous.

Commissioner Hansen made a motion to amend the agenda to add the following:

Sheriff's Office Medical Contract with Badger Medical, Fairgrounds assessment and Sheriff's Office Building plans, Commissioner Weber seconded and voting was unanimous.

Commissioner Weber reported that he had met with the Fair Board members and they were receptive to creating a committee to study the feasibility of moving the fairgrounds to a different location. This is an exploratory committee and it is only to create a plan for the future.

Commissioner Weber made a motion to approve the Jail Medical Contract with Badger Medical, Commissioner Ricks seconded and voting was unanimous.

Glen Pond met with the Commissioners to discuss the Urban Renewal request from the Commissioners for funds to support the Sheriff's Office Building to be constructed at the Sugar City Business Park. He stated that he would meet with the Urban Renewal Committee the first part of November to review the bid numbers.

Sally Smith told the Commissioners that she was disappointed in how they had handled letting her know about why the road on their property had been upgraded. She reported that she had met with Dave Walrath and found out that it had cost \$3380 to upgrade this small area of road which she felt was not well traveled. She felt the funds could have been better used to upgrade some of the roads in the County that had higher use. She also voiced concern about information she had heard that Brent McFadden had had involvement in upgrading this road. She asked if the County was building an additional building for the Mosquito Department and was told that they are building a small building to house chemicals. She asked if Mr. McFadden was getting a raise as the Planning and Zoning Administrator as the 2010 Budget showed that funds had been budgeted for the increase and was told that he was not getting an increase. Sally Smith asked the Commissioners to remember that many residents in the Community are having a hard time due to the economic conditions and asked them to be careful as they allocated funds.

Minutes: Commissioner Hansen made a motion to approve the minutes for August 17, 2010, Commissioner Ricks seconded and motion passed.

Minutes: Commissioner Hansen made a motion to approve the minutes for October 4, 2010, Commissioner Weber seconded and motion passed.

Meeting with the Assessor's Office, Treasurer's Office and Clerk:

Assessor Brent Saurey reported that residents must sign up for the Homeowner's Exemption by April 15 of each year. If someone comes in after that date they do not get an exemption until the next year. They recently switched to the Computer Arts software and it will delete the homeowner's exemption if the home is sold, so it makes it more important for the resident to be sure that the exemption is signed. Commissioner Weber asked if the title companies know to advise the property owner that the documentation needs to be turned in immediately to the Assessor's Office. It was noted that some title companies do offer the exemption form. After discussion, it was decided that the following process will be followed: Residents will be informed twice of the deadline and if the resident appeals the Assessor's decision, the Commissioners will hear the appeal and a decision will be made after the resident leaves so they can review all of the information presented. The homeowner will then be notified in writing of the Commissioners decision.

Bill Moss reported that he has been involved in the Scouting movement for the last 37 years and during that time has lived in several areas where he has taken note of certain ways awards have been given to the Eagle Scouts. He suggested that when a young man completed his Eagle Scout award in Madison County that a resolution be prepared for the Commissioner's to sign and present to the scout. He found that this added a special part to the ceremony and was appreciated by the family. He was asked to work with Troy Evans to prepare an award.

Todd Tuckett and Jim Mullen, Keller and Associates, Dave Walrath, Public Works Director: Mr. Tuckett asked what the Commissioners wanted from Keller and Associates to support the Public Hearing for the East Parkway Corridor Plan. The public has been informed regarding the project, noting that the project is in the impact zone. The Public Hearing is scheduled for November 8, 2010, at 5:00 p.m. in the Commissioner's Room. After taking public input the Commissioner's will schedule a work meeting to make the Madison County final decision regarding the East Parkway Corridor Plan.

1000 East Bridge: Mr. Tucket reported that the Tuscano project now has the funding to purchase the 1000 East Bridge.

Richard T. Jones - Decision for Homeowner's Exemption: Commissioner Weber made a motion to deny the Homeowner's Exemption for 2009 and 2010 tax year, Commissioner Ricks seconded and voting was unanimous.

Randy Fogle – Hardship request: Commissioner Hansen made a motion to cancel the 2007 taxes and interest and penalty, Commissioner Ricks seconded and voting was unanimous.

Planning and Zoning Issues:

Also Present: Brent McFadden, Planning and Zoning Administrator and Shauna Ringel, Secretary

Commissioner Hansen entered the Findings of Fact for the Jeff Hamblin Conditional Use Permit into

record.

FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATIONS
OF THE MADISON COUNTY PLANNING AND ZONING COMMISSION

RE: Jeff Hamblin Conditional Use Permit

The Madison County Planning and Zoning Commission held a public hearing on October 15, 2010 at 7:15 p.m. at the Commissioner's Room in the Madison County Courthouse, Rexburg, Idaho to consider the Jeff Hamblin request for a Conditional Use Permit to build a commercial kitchen in an closed shop within the Agriculture zone. This building would be located at approximately 1439 N. 3000 E., Sugar City on 1.96 acres in the Moody area.

The entire meeting was recorded to allow for preparation of a transcribable verbatim record of the hearing.

The following members of the Madison County Planning and Zoning Commission ("Commission") were present at the public hearing: Vice Chairman Millie Andrus, Bill Squires, Jolene Sutton, Doug Sakota, Barrett Wilcox, Kevin Willmore, Mike Munns, Anthony Merrill and Kay Burrell. Those unable to attend: Chairman Ed Williams, Dean Peterson and Bradley Petersen. Madison County Planning and Zoning Administrator Brent G. McFadden, Coordinator Shauna J. Ringel and Legal Counsel Troy Evans also attended.

No media were in attendance at the meeting.

The public hearing was called to order by Vice Chairman Andrus. Shauna J. Ringel acted as clerk for the meeting. Vice Chairman Andrus questioned Mr. McFadden as to whether or not notices of the hearing had been properly published, posted and provided. Mr. McFadden stated all required legal notices had been given. The Vice Chairman asked if there were any conflicts of interest. Anthony Merrill recused himself because he has been tentatively hired to do the construction of the proposed kitchen.

Jeff Hamblin, 1439 N. 3000 E., Sugar City gave the presentation on behalf of the Conditional Use Permit. He wishes to remodel a large shop and add a commercial kitchen. A large pressure tank is already in place

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from when the previous owner had the property. He has two separate septic systems and a new well on location; a new bathroom will be added with the kitchen. A required fire suppression system and an automatic shut off to the gas will be installed. Mr. Hamblin plans to manually turn off the gas when it is not in use. He will also have a grease disposal system. The presenter was asked questions by the Commission.

After hearing the presentation by Madison County officials, and from the applicant on behalf of the Jeff Hamblin Conditional Use Permit, the Vice Chairman asked for those in favor, in neutral, or opposed to the proposal to come forward and be heard. Vice Chairman Andrus reminded the citizens in attendance that they must sign up on the appropriate lists if they wished to speak.

Those in favor were: Judy Thomson, 1454 N. 3000 E., Sugar City is a neighbor and she was in favor of this request.

Those in neutral were: None
Those opposed were: None

A summary of this discussion at the hearing is attached hereto and incorporated herein.
No written comments were received.

There being no further comments, the public hearing was closed. The Planning and Zoning Commission noted that any recommendations they would make would be tentative, pending final approval from the Board of County Commissioners. The Commission then deliberated the John Hamblin request for a Conditional Use Permit to build a commercial kitchen in a closed shop in an Agriculture zone.

Having given due consideration to the application and evidence presented, the Planning and Zoning Commission hereby makes the following findings of fact:

FINDINGS OF FACT

1) Public hearing was held October 16, 2010 to take the testimony on a requested Conditional Use Permit. This proposed amendment is consistent with the goals and objectives of the Comprehensive Plan.

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2) Notice was published in the legal County newspaper, the Standard Journal, September 25, 2010 as required. The published notice

3) included an appropriate and accurate summary of the issues to be heard. Copies of the notices were made available as requested and were provided to political subdivisions within the planning jurisdiction at least 15 days prior to the hearings. Copies of the notice were sent to all residents within the 350 feet, as required, on September 30, 2010.

4) At the beginning of the hearing, Vice Chairman Andrus asked whether proper notice of the hearing had been provided. The Planning and Zoning staff answered in the affirmative, discussing what notices had been provided.

5) The Public hearing was scheduled at 7:15 p.m. all as set out in the published notices, as described above.

6) The meeting agenda was available prior to the meeting, and the public hearing followed the order of events listed on the agenda. The Planning and Zoning Administrator gave an explanation of the subject of the public hearing. An opportunity was provided for the applicant and members of the public to present testimony, which was followed by members of the Planning and Zoning Commission. Public testimony was closed after all present had been given an opportunity to submit oral or written testimony. Reasonable time limit was imposed on oral testimony.

7) Unified Development Code, Chapter 1 General Provisions, Section 1.4.3. outlines the purposes of a Conditional Use Permit standards as follows:

A. Will, in fact, constitute a conditional use as established in this Title for the zoning designation involved, in that it is not already defined as a permitted use.

B. Will be harmonious with and in accordance with the general objectives or with any specific objective of the Comprehensive Plan and/or the Unified Development Code.

C. Will be designed, constructed, operated and maintained to be harmonious and appropriate

in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.

D. Will not be hazardous or disturbing to existing or future neighboring allowed uses.

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E. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water, sewer and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.

F. Will not create excessive additional requirements at public cost for public facilities or services, and will not be detrimental to the economic welfare of the community.

G. Will not involve uses, activities, processes, materials, equipment or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

H. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.

I. Will not result in the destruction, loss or damage of a natural scenic or historical feature of major importance.

8) The following points were factors in the recommendation by the Planning and Zoning Commission to the County Commissioners.

• Eastern Idaho Public Health Department had already given their approval for the commercial kitchen.

• A fire suppression system will be built into the kitchen.

• A separate valve will be placed so the natural gas will always be turned off when not in use.

9) Approval of the proposed Conditional Use Permit change is in the best interests of the people of Madison County.

CONCLUSIONS AND RECOMMENDATIONS

1. Notices of the Public Hearing held to consider approval of the Conditional Use Permit was published and provided as is required by Idaho Code §§67-6509 and 67-6511.

2. The Public Hearing was held to consider approval of the proposed Conditional Use Permit and was conducted in accordance with the requirements of Idaho Code §§ 67-6509 and 6511 as well as Unified Development Code, Chapter 1

General Provisions, Section 1.4 Conditional Use Permits.

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3. A transcribable verbatim record was made and kept of the Public Hearing held to consider approval of the Conditional Use Permit, in accordance with the requirements of Idaho Code §§ 67-6536.

4. The proposed Conditional Use Permit is an appropriate exercise of the planning and zoning responsibilities established by Idaho Code §§ 67-6501 et. Seg.

5. These Findings of Fact and Conclusions of Law are

maintained and submitted in accordance with Idaho Code § 67-6509.

6. The following conditions were placed on the Conditional Use Permit:

- Must have a yearly inspection by the Administrator
- Must pay a yearly review fee
- Hours of operation will be 8 a.m. to 8 p.m.
- Monday through Saturday only
- Waste must be disposed of within 24 hours and must be contained in the closed shop

Commission member Doug Sakota made the motion to approve the Jeff Hamblin request for a conditional use permit. Commission member Jolene Sutton seconded the motion. The vote was unanimous.

CONCLUSION

Based upon the foregoing Findings of Fact, Conclusions and Recommendations, the planning and zoning procedures conducted

throughout the county, the comments received at the public hearing held hereon, and the deliberation of the Planning and Zoning Commission, the Commission hereby recommends approval of the requested Conditional Use Permit.

The applicant may appeal in writing this decision of the Commission relative to any action taken by the Commission, as long as the appeal is submitted to the Board of County Commissioners within then (10) days from such Commission action, per the Madison County Unified Development Code, Chapter 1 General Provision, Section 1.6 Appeals.

Commissioner Hansen made a motion to approve the Findings of Fact for Jeff Hamblin's Conditional Use Permit, Commissioner Weber seconded and motion

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passed. (Commissioner Ricks recused himself as he had church affiliations with Mr. Hamblin)

Findings of Fact, Conclusions and Recommendation of the Madison County Planning and Zoning Commission for the following the Unified Development Code Updates.

Commissioner Hansen entered the Findings of Fact for the Unified Development Code into record.

FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATIONS OF THE MADISON COUNTY PLANNING AND ZONING COMMISSION

Unified Development Code Updates

Chapter 1 General Provisions, Section 1.3 Filing Fee

Chapter 1 General Provisions, Section 1.4 Conditional Use Permit, 1.4.2 Filing Fee

Chapter 1 General Provisions, Section 1.5 Variances, 1.5.3 Filing Fee

Chapter 2 Definitions

Chapter 4, Section 4.2.6 Land Use Table
Chapter 10, Wind Turbine

The Madison County Planning and Zoning Commission held a public hearing on October 14, 2010 at 7:15 p.m. at the Commissioner's Room in the Madison County Courthouse, Rexburg, Idaho to consider the proposed Unified Development Code updates for:

Chapter 1 General Provisions, Section 1.3 Filing Fee
Chapter 1 General Provisions, Section 1.4 Conditional Use Permit, 1.4.2 Filing Fee
Chapter 1 General Provisions, Section 1.5 Variances, 1.5.3 Filing Fee
Chapter 2 Definitions
Chapter 4, Section 4.2.6 Land Use Table
Chapter 10, Wind Turbine

The entire meeting was recorded to allow for preparation of a transcribable verbatim record of the hearing.

The following members of the Madison County Planning and Zoning Commission ("Commission") were present at the public hearing: Vice Chairman Millie Andrus, Jolene Sutton, Bill Squires, Doug Sakota, Barrett Wilcox, Kevin Willmore, Mike Munns, Anthony Merrill and Kay Burrell.

Those unable to attend: Chairman Ed Williams, Dean Peterson and Bradley Petersen. Planning and Zoning Administrator Brent G. McFadden, Coordinator Shauna J. Ringel and Legal Counsel Troy Evans also attended.

No media were in attendance at the meeting.

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The public hearing was called to order by Vice Chairman Andrus. Shauna J. Ringel acted as clerk for the meetings. The Vice Chairman questioned Mr. McFadden as to whether or not notices of the hearing had been properly published, posted and provided. Mr. McFadden stated all required legal notices had been given. The Vice Chairman asked if there were any conflicts of interest. None were stated.

Brent McFadden gave the presentation on behalf of Planning and Zoning Department for the following items:

Chapter 1 General Provisions, Section 1.3 Filing Fee
Chapter 1 General Provisions, Section 1.4 Conditional Use Permit, 1.4.2 Filing Fee
Chapter 1 General Provisions, Section 1.5 Variances, 1.5.3 Filing Fee
Chapter 2 Definitions
Chapter 4, Section 4.2.6 Land Use Table
Chapter 10, Wind Turbine

Mr. McFadden was asked questions by the Commission. A summary of this discussion at the hearing is attached hereto and incorporated herein.

After hearing the presentation by Madison County officials on behalf of the Unified Development Code updates, Vice Chairman Andrus reminded the citizens in attendance that they would need to sign up on the appropriate lists if they wished to speak at the hearing. She then asked all those who wanted to speak in favor, in neutral, or opposed to the proposal to come forward and be heard.

Those in favor were: None

Those in neutral were: None
Those opposed were: None

No Written comments were received on this matter.

There being no further comments, the public hearing was closed. The Planning and Zoning Commission noted that any recommendations they would make would be tentative, pending final approval from the Board of County Commissioners. The Commission then deliberated the Unified Development Code updates:

Chapter 1 General Provisions, Section 1.3 Filing Fee
Chapter 1 General Provisions, Section 1.4 Conditional Use Permit, 1.4.2 Filing Fee
Chapter 1 General Provisions, Section 1.5 Variances, 1.5.3 Filing Fee
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Chapter 2 Definitions
Chapter 4, Section 4.2.6 Land Use Table
Chapter 10, Wind Turbine

A summary of this discussion at the hearing is attached hereto and incorporated herein.
Having given due consideration to the application and evidence presented, the Planning and Zoning Commission hereby makes the following findings of fact:

FINDINGS OF FACT

- 1) Public hearings were held October 14, 2010 to take the testimony on a proposed Unified Development Code updates. This proposed Code updates are consistent with the goals and objectives of the Comprehensive Plan.
Notice was published in the legal County newspaper, the Standard Journal, September 18th and 25th, 2010 as required. Said notice was also published in the Madison County Courthouse (2 locations), Madison County Administration Building, Madison County Public Library and Broulims Supermarket. The published notice included an appropriate and accurate summary of the issues to be heard. Copies of the notices were made available as requested and were provided to political subdivisions within the planning jurisdiction at least 15 days prior to the hearings.
- 2) At the beginning of the hearing, Vice Chairman Andrus asked whether proper notice of the hearing had been provided. The Planning and Zoning Staff answered in the affirmative, discussing what notices had been provided.
- 3) The Public hearing was scheduled at 7:15 pm all as set out in the published notices, as described above.
- 4) The meeting agenda was available prior to the meeting, and the public hearing followed the order of events listed on the agenda. The Madison County Planning and Zoning Administrator gave an explanation of the subject of the public hearing. An opportunity was provided for the applicant(s) and members of the public to present testimony, which was followed by members of the Madison County Planning and Zoning Commission. Public testimony was closed after all present had been given an opportunity to submit oral or written testimony. Reasonable time limit was imposed on oral testimony.

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- 5) The following points were factors in the recommendation by the Planning and Zoning Commission for the approval of the County Commissioners.
- a. The need for a yearly review fee for Conditional Use Permits
 - b. The addition on both the Conditional Use Permit and Variance wording under Filing Fees – The appeal fees as set forth in their respective Sections
 - c. The Land Use Table additions of and to the:

Assisted Living Housing – Major

Assisted Living Housing – Minor

Agriculture Related Structure

Automobile Service Station

Automobile Sales

Geothermal Power Plant

Wind Turbine, Commercial

- Updated Definitions
- Updated Wind Turbine Chapter

6) Approval of the proposed Unified Development Code updates is in the best interests of the people of Madison County.

CONCLUSIONS AND RECOMMENDATIONS

1. Notices of the Public Hearing held to consider approval of the proposed Unified Development Code updates was published and provided as is required by Idaho Code §§67-6509 and 67-6511.

2. The Public Hearing was held to consider approval of the proposed Unified Development Code updates and was conducted in accordance with the requirements of Idaho Code §§ 67-6509 and 6511 as well as Madison County Zoning Ordinance No. 176.

3. A transcribable verbatim record was made and kept of the Public Hearing held to consider approval of the Unified Development Code updates, in accordance with the requirements of Idaho Code §§ 67-6536.

4. The proposed Unified Development Code updates are an appropriate exercise of the planning and zoning responsibilities established by Idaho Code §§ 67-6501 et. seg.

5. Approval of the proposed Unified Development Code updates is in the best interest of the people of Madison County, Idaho, based upon the following:

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- d. The need for a yearly review fee for Conditional Use Permits
- e. The addition on both the Conditional Use Permit and Variance wording under Filing Fees – The appeal fees as set forth in their respective Sections
- f. The Land Use Table additions of and to the:

Assisted Living Housing – Major

Assisted Living Housing – Minor

Agriculture Related Structure

Automobile Service Station

Automobile Sales
Geothermal Power Plant
Wind Turbine, Commercial

- Update Definitions
- Update Wind Turbine Chapter

6. These Findings of Fact and Conclusions of Law are maintained and submitted in accordance with Idaho Code § 67-6509.

Commission member Doug Sakota made the motion to approve the Unified Development Code updates. Commission member Jolene Sutton seconded the motion. Vote in favor were: Anthony Merrill, Jolene Sutton, Doug Sakota, Barrett Wilcox, Mike Munns and Kay Burrell. Those against the Wind Turbine update were: Bill Squires and Kevin Willmore. They did not agree with the setbacks for the commercial wind turbine.

CONCLUSION

Based upon the foregoing Findings of Fact, Conclusions and Recommendations, the planning and zoning procedures conducted throughout the county, the comments received at the public hearing held hereon, and the deliberation of the Planning and Zoning Commission, the Commission hereby recommends approval of the requested Unified Development Code updates Madison County. Dated this 19th day of October, 2010.

Commissioner Ricks made a motion to approve the Findings of Fact, Conclusions and Recommendations of the Madison County Planning and Zoning Commission for Chapter 1, General Provisions, Section 1.3 Filing Fee, Commissioner Weber seconded and voting was unanimous.

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Commissioner Weber made a motion to approve the Findings of Fact, Conclusions and Recommendations of the Madison County planning and Zoning Commission for Chapter 1 General Provisions, Section 1.4 Conditional Use permit, 14.2 Filing Fee, Commissioner Ricks seconded and voting was unanimous.

Commissioner Weber made a motion to approve the Findings of Fact, Conclusions and Recommendations of the Madison County Planning and Zoning Commission for Chapter 1 General Provisions, Section 1.5 Variances, 1.5.3 Filing Fee, Commissioner Ricks seconded and voting was unanimous.

Commissioner Weber made a motion to approve the Findings of Fact, Conclusions and Recommendations of the Madison County Planning and Zoning Commission for Chapter 2 Definitions, Commissioner Ricks seconded and voting was unanimous.

Commissioner Weber made a motion to approve the Findings of Fact, Conclusions and Recommendations of the Madison County Planning and Zoning Commission for Chapter 4, Section 4.2.6 Land Use Table, Commissioner Hansen seconded and voting was unanimous.

Commissioner Ricks made a motion to approve the Findings of Fact, Conclusions and Recommendations of the Madison County Planning and Zoning Commission for Chapter 10, Wind Turbines, Commissioner Weber seconded and voting was unanimous.

Boy Scout Troop 156 from the Hibbard area visited the Commissioners Meeting and asked questions about County government.

Joseph Ostergar – Tax Cancellation Request: Commissioner Ricks made a motion to cancel the taxes equivalent to the amount of the Homeowner’s Exemption plus interest and penalty for tax years 2008, 2009 and 2010, Commissioner Hansen seconded and voting was unanimous.

Dave Walrath, Public Works Director reported that he had taken a traffic count on 3000 North in Sugar City. He was asked to return to a later meeting with a recommendation for this area of road. He reviewed current grader leases and presented the Commissioners with two options.

Commissioner Hansen made a motion to authorize Dave Walrath to lease three new machines and sell one machine to the City of Rexburg, Commissioner Ricks seconded and voting was unanimous.

Claims: After review of the claims submitted by the Elected Officials and Department Heads in the amount of \$634,128.87, for October 25, 2010, Commissioner Ricks made a motion to approve, Commissioner Hansen seconded and motion passed.

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Personnel Actions:

Name	Current Status	Salary	Proposed Status	Reason
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Sheriff’s Office

Doug Siepert	Capt. Men’s Facility	\$1829.60	\$1893.64	Birth date incorrect
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Virgil Ricks	\$14.38/hr	Detention Officer	New Hire	
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Clerk’s Office

Charlotte Haderlie	Deputy Clerk	\$12.00/hr.	PT FT – 32-40 Hr.	Additional hrs.
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Commissioner Hansen made a motion to approve the above listed Personnel Actions, Commissioner Ricks seconded and voting was unanimous.

Commissioner Hansen made a motion to adjourn at 4:56 p.m., Commissioner Ricks seconded.

Approved:

Robert Hansen, Chairman

Kimber Ricks

Jon O. Weber