

Commissioner Meeting Minutes Feb. 8, 2010

Category : Commissioner Minutes 2010

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MADISON COUNTY COMMISSIONERS

MEETING AGENDA

February 8, 2010 8:00 a.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

Minutes: January 4, 2010, January 11, 2010 & January 25, 2010

Certificate of Residency: Hillary L. Montierth

Insurance Wellness - Jeff Cook

9:00 a.m. Rick Miller and Ted Hendricks - The Development Company

Re: Signatures for Fire Station Application

9:30 a.m. Dick Jackson Re: Tax Consideration

10:00 a.m. Planning and Zoning Findings of Fact for the Following:

Williams Family Comprehensive Plan and Zone Change

Benson Subdivision - Vacate Lots

10:30 a.m. Treasurer Sherry Arnold Re: Tax cancellations & Quarterly Report

11:00 a.m. County Business:

Eastern Idaho Fair Board Appointment

County Fair Parade Presentation

11:30 a.m. Riverwoods HOA Re: Taxes not assessed correctly

12:00 Noon LUNCH BREAK

1:30 p.m. Larry Edwards, Road Dept. Re: 5000 South Project

2:00 p.m. Kelly Anderson, Zion's Bank

2:30 p.m. Gary Archibald Re: ICRMP Insurance

3:00 p.m. Paul Sorensen, IT Manager Re: Remote Access Licenses

& Financial Reports

3:30 p.m. Ron Dickemore, Forest Service Re: Road Maintenance

4:00 p.m. Human Resources Position Rating Proposals

4:30 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.
MADISON COUNTY
COMMISSIONERS WORK MEETING MINUTES
February 8, 2010 8:00 a.m.
COMMISSIONERS ROOM

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

Welfare and Indigent: Commissioner Hansen made a motion to go into Executive Session at 8:05 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 Meeting at 8:10 a.m.

Commissioner Ricks made a motion to sign a lien for Case Number 2010017, deny Case Numbers 2010014 and 2010015, approve Case Number 2010012, release lien for Case Numbers 2010009, 970727 and 2005073, Commissioner Weber seconded and voting was unanimous.

County Business:

Commissioner Weber reviewed the meeting he had attended with Rick Fawcett from Whisper Mountain regarding Madison County Waste being shipped to Clark County. The company has asked for a Letter of Intent from Madison County for a one year commitment by March 4, 2010.

Attorney Troy Evans reported that he is working with the Fair Board to write new By-Laws.

Commissioner Hansen reported that on March 8, 2010, a meeting had been set up for the Jefferson County Commissioners, Sheriff Klingler, Sheriff Olsen, Corps of Engineers, Brent McFadden, Flood Plains Coordinator, FEMA representatives, Homeland Security Representatives, BLM Representatives, and Homeland Security representatives to review adjoining County issues.

Jeff Cook, Black Ink Solutions reported that the wellness blood draws are scheduled the week of March 15, 2010. The insurance premiums will be based on health goals being met from last year. Anyone who met their health goals would receive the lowest premium, those who did not meet their goal would receive a medium rate and those not tested would be the highest rate. Commissioner Ricks made a motion to support the letter regarding the new premium be included with the next payroll information, Commissioner Weber seconded and motion passed.

Certificate of Residency: Commissioner Hansen made a motion to approve a Certificate of Residency for Hillary Montierth, Commissioner Weber seconded and voting was unanimous.

Claims: After review of the claims submitted by the Elected Officials and Department Heads in the amount of \$401,824.88, for February 8, 2010, Commissioner Ricks made a motion to approve, Commissioner Hansen seconded and motion passed.

Ted Hendricks and Rick Miller, The Development Company, presented the following updates regarding grant submissions: 1) The Sugar City Fire Station. Community Block Grant proposal will be submitted in March. 2) The Economic Development Grant for the Co-op property will only be submitted if the agreement with Morgan Construction is finalized by March. 3) The Commissioners need to rate the Administrative Proposals for the Senior Citizens Center and submit them

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to the Development Center. 4) The original agreement for the Sugar City Business Park is being amended and will need approval at the next Commissioners Meeting.

5) A Public Hearing for the Senior Citizens Center Proposal is scheduled for February 22, 2010 at 9:30 a.m.

Commissioner Hansen made a motion to approve the Fire Station Contract between the Development Company and Madison County (contingent upon review by Attorney Troy Evans), Commissioner Ricks seconded and voting was unanimous.

Dick Jackson, 351 Talon Drive, Rexburg, ID: Mr. Jackson purchased his neighbors home at 367 Talon Drive which was recorded on October 13, 2009. The previous owner's bank received the tax notice and nothing was forwarded to him regarding the amount of the taxes owed. He asked that the interest and penalty be forgiven due to the error. After review of the notification error, Commissioner Ricks made a motion to cancel the penalty and interest for the 2009 tax year, Commissioner Hansen seconded and voting was unanimous.

Planning and Zoning Findings of Facts:

Present: Brent McFadden, Planning and Zoning Administrator

Benson Subdivision - Vacation of Lots 21-28

Commissioner Hansen entered the Findings of Fact for the Benson Subdivision into record.

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

RE: Benson Subdivision Vacation of Lots 21-28

The Madison County Planning and Zoning Commission held a public hearing on January 14, 2010 at 7:15 p.m. at the Commissioner's Room in the Madison County Courthouse, Rexburg, Idaho to consider the Ricky King, Dean Davies, Tom Zollinger, William Teuscher, and Dean Wilson requests to vacate lots 21-28 in the Benson Subdivision. This subdivision is located at 1650 W. 5500 S. 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: Acting Chairman Dean Peterson, Vice Chairman Millie Andrus, Max Clements, Anthony Merrill, Barrett Wilcox, Kay Burrell and Bradley Petersen. Those unable to attend: Chairman Ed Williams, Jolene Sutton, Bill Squires and Todd Smith. 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 Acting Chairman Peterson. Shauna J. Ringel acted as clerk for the meetings. Acting

Chairman Peterson 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 Chairman asked if there were any conflicts of interest. None were stated.

Brent McFadden gave the presentation on behalf of the Lot Vacation of the Benson Subdivision. The presenter 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 Lot Vacation for the Benson Subdivision Subdivision, the Chairman asked for those in favor, in neutral, or opposed to the proposal to come forward and be heard. The Chairman reminded the citizens in attendance that they would need to sign up on the appropriate lists if they wished to speak at the hearing.

Those in favor were:

Dean Davies, 1830 W. 5500 S., Rexburg
William Teuscher, 1776 W. 5500 S., Rexburg
Shane Reubsh, 1893 W. 5300 S., Rexburg

Those in neutral were: None

Those opposed were: None

A summary of this discussion at the hearing is attached hereto and incorporated herein.

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 Benson Subdivision Vacation of Lots 21-28. 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 January 14, 2010 to take the testimony on a requested Vacation of Lots. This proposed amendment is consistent with the goals and objectives of the Comprehensive Plan.

2) Notice was published in the legal County newspaper, the Standard Journal January 2nd and 9th, 2010 as required. The published notice

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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 300 feet, as required, on

January 4, 2010.

4) At the beginning of the hearing, Acting Chairman Peterson 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 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.

7) Madison County's Zoning Ordinance No. 176 outlines the purposes of a conditional use permit standards as follows:

- A. To protect property rights and enhance property values;
- B. To provide for the protection and enhancement of the local economy;
- C. To ensure that important environmental features are protected and enhanced;
- D. To encourage the protection of prime agriculture lands for the production of crops;
- E. To avoid undue concentration of population and overcrowding of land;
- F. To ensure the development on land is commensurate with the physical characteristics of the land;
- G. To protect life and property in areas subject to natural hazards and disasters;
- H. To protect recreational resources;
- I. To avoid undue water, air and noise pollution;
- J. To ensure safety from fire and provide adequate open spaces for light and air; and
- K. To implement the Madison County Comprehensive Plan.

7) The following points were factors in the recommendation by the Planning and Zoning Commission.

#1567; This request was to clean up an issue that was started when George Benson platted the Benson

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#1567; Subdivision. He had to have this thin strip of land for his set aside. This thin strip went across the applicant's property line when it was surveyed. Mr. Benson later deeded back to the property owners, but this still made the property owners part of the Benson Subdivision.

#1567; The property owners never have been nor do they want to be part of the Benson Subdivision.

8) Approval of the proposed Vacation of Lots 21-28 of the Benson Subdivision 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 Vacation of Lots 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 Vacation of Lots 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 Vacation of Lots, in accordance with the

requirements of Idaho Code §§ 67-6536.

4. The proposed Vacation of Lots is an appropriate exercise of the planning and zoning responsibilities established by Idaho Code §§ 67-6501 et. seq.

5. Approval of the proposed Vacation of Lots is in the best interest of the people of Madison County, Idaho, based upon the factors listed above.

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

Commission member Anthony Merrill made the motion to approve the Vacation of Lots 21-28 of the Benson Subdivision. Commission member Kay Burrell 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 Benson Subdivision Vacation of Lots 21-28.

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After review of the information presented by the Planning and Zoning Commission, Commissioner Hansen made a motion to approve the Findings of Fact for the Benson Subdivision regarding vacating lots, Commissioner Weber seconded and voting was unanimous.

Phyllis Williams Family Comprehensive Plan

Commissioner Hansen entered the Findings of Fact for the Phyllis Williams Family Comprehensive Plan into record.

The Madison County Planning and Zoning Commission held a public hearing on January 14, 2010 p.m. at the Commissioner's Room in the Madison County Courthouse, Rexburg, Idaho to consider the Phyllis Williams request for a change to the Madison County Comprehensive Plan Land Use Map from Agriculture to Transitional Agriculture Two usage. The property is located at 1152 East Butte Road, Mena on approximately 14 acres.

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: Acting Chairman Dean Peterson, Vice Chairman Millie Andrus, Max Clements, Anthony Merrill, Barrett Wilcox, Kay Burrell and Bradley Petersen. Those unable to attend were: Chairman Ed Williams, Jolene Sutton, Bill Squires and Todd Smith. 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 Acting Chairman Peterson. Shauna J. Ringel acted as clerk for the meetings. Acting Chairman Peterson 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 Chairman asked if there were any conflicts of interest. None were stated.

Tom Williams, 2059 W. Spruce Creek Lane, South Jordan, Utah gave the presentation on behalf of the Phyllis Williams Family Comprehensive Plan Land Use Map Change. (See minutes attached for complete testimony)

The presenter 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, and from the applicant the Chairman asked for those in favor, in neutral, or opposed to the proposal to come forward and be heard. The Chairman reminded the citizens in attendance that they would need to sign up on the appropriate lists if they wished to speak at the hearing.

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Those in favor were:

Doug Williams, 12555 N. Fallen Shadow Drive, Marana, Arizona

Marlis Williams, 11411 North 24th Street, Phoenix, Arizona

Don Mickelsen, 1260 Twin Butte Road, Menan

Those in neutral were: None

Those opposed were:

Tom Ryan, 1143 E. Butte Road, Menan

Dan Smith, 1162 E. Butte Road, Menan

Glen Heward, 1152 E. Butte Road, Menan

Charlton Mortensen, 1139 E. Butte Road, Menan

Richard Cannon, 1161 E. Butte Road, Menan

Marietta Ryan, 1143 E. Butte Road, Menan

Allan Stanger, 1124 E. Butte Road, Menan

Bebe Hitz, 2212 Belmont, Idaho Falls

Matt Beard, 1122 E. Butte Road, Menan

Neal Taylor, 1192 E. Butte Road, Menan

A summary of this discussion at the hearing is attached hereto and incorporated herein.

Written comments from the Phyllis Williams Family and Charles H. Howard were read into the record by Tom Williams and Glenn Heward. These letters are attached hereto and incorporated herein.

Thereafter, Tom Williams spoke in rebuttal on behalf of the proposed Phyllis Williams Family Comprehensive Plan Land Use Map Change. Those offering rebuttal were asked questions by the Commission.

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 Phyllis Williams Family request for a Comprehensive Plan Land Use Map Change from Agriculture to a Transitional Agriculture Two 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 hearings were held January 14, 2010 to take the testimony on a requested Comprehensive Plan Land Use Map Change. This proposed amendment is consistent with the goals and objectives of the Comprehensive Plan.

2) Notice was published in the legal County newspaper, the Standard Journal December 26, 2009 as required. The published notice included an appropriate and accurate summary of the issues to be heard. Copies of the notices were made available as requested

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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 300 feet, as required, on January 4, 2010.

3) At the beginning of the hearing, Acting Chairman Peterson 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.

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

5) 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.

6) Madison County's Zoning Ordinance No. 176 outlines the purposes of a Comprehensive Plan Land Use Map Change noted on the Comprehensive Plan Components, Idaho Code § 67-6508, as follows: The Commission, in deciding whether to approve or deny an application to amend the Madison County Comprehensive Plan (dated December 15, 2008), must analyze whether the amendment would be compatible with the individual components the legislature requires counties to consider when preparing, implementing, reviewing, and updating a comprehensive plan. Not all may apply.

A. Property Rights: An analysis of provisions which may be necessary to ensure that land use policies, restrictions, conditions and fees do not violate private property rights, adversely impact property values or create unnecessary technical limitations on the use of property and analysis as prescribed under the declarations of purpose in chapter 80, title 67, Idaho Code.

B. Population: A population analysis of past, present, and future trends in population including such characteristics as total population, age, sex and income.

C. School Facilities and Transportation: An analysis of public school capacity and transportation considerations associated with future development.

D. Economic Development: An analysis of the economic base of the area including employment, industries, economics, jobs and income levels.

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E. Land Use: An analysis of natural land types, existing land covers and uses, and the intrinsic

suitability of lands for uses such as agriculture, forestry, mineral exploration and extraction, preservation, recreation, housing, commerce, industry, and public facilities Comprehensive Plan Land Use Map Change. A map shall be prepared indicating suitable projected land uses for the jurisdiction.

F. Natural Resources: An analysis of the rivers and other waters, forests, range, soils, harbors, fisheries, wildlife, minerals, thermal waters, beaches, watersheds, and shorelines.

G. Hazardous Areas: An analysis of known hazards as may result from susceptibility to surface ruptures from faulting, ground shaking, ground failure, landslides or mudslides; avalanche hazards resulting from development in known or probable path of snow slides and avalanches, and floodplain hazards.

H. Public Services, Facilities, and Utilities: An analysis showing general plans for sewage, drainage, power plant sites, utility transmission corridors, water supply, fire stations and fire fighting equipment, health and welfare facilities, libraries, solid waste disposal sites, schools, public safety facilities and related services. The plan may also show locations of civic centers and public buildings.

I. Transportation: An analysis, prepared in coordination with the local jurisdiction(s) having authority over the public highways and streets, showing the general locations and widths of a system of major traffic thoroughfares and other traffic ways, and of streets and the recommended treatment thereof. This component may also make recommendations on building line setbacks, control of access, street naming and numbering, and a proposed system of public and other transit lines and related facilities including rights-of-way, terminals, future corridors, viaducts and grade separations. The component may also include port, harbor, aviation, and other related transportation facilities.

J. Recreation: An analysis showing a system of recreation areas, including parks, parkways, trail ways, river bank greenbelts, beaches, playgrounds, and other recreation areas and programs.

K. Special Areas and sites: An analysis of areas, sites, or structures of historical, archeological, architectural, ecological, wildlife, or scenic significance.

L. Housing: An analysis of housing conditions and needs; plans for improvement of housing standards; and plans for the

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provision of safe, sanitary, and adequate housing, including the provision for low-cost conventional housing, the siting of manufactured housing and mobile homes in subdivisions and parks and on individual lots which are sufficient to maintain a competitive market for each of those housing types and to address the needs of the community.

M. Community Design: An analysis of needs for governing landscaping, building design, tree planting, signs, and suggested patterns and standards for community design, development, and beautification.

N. Implementation: An analysis to determine actions, programs, budgets, ordinances, or other methods including scheduling of public expenditures to provide for the timely execution of the various components of the plan.

O. National Interest Electric Transmission Corridors: After notification by the Public Utilities Commission (PUC) concerning the likelihood of a federally designated national interest electric transmission corridor, prepare an analysis showing the existing location and possible routing of high voltage transmission lines, including national interest electric transmission corridors based up the United States Department of Energy's most recent national electric transmission congestion study pursuant to sections §368 and §1221 of the Energy

Policy Act of 2005. "High-voltage transmission lines" means lines with a capacity of one hundred fifteen thousand (115,000) volts or more supported by structures forty (40) feet or more in heights.

Nothing herein shall preclude the consideration of additional planning components or subject matter.

7) The following points were factors in the recommendation by the Planning and Zoning Commission for the approval of the County Commissioners.

 This was an appropriate action to take where it went along with the Comprehensive Plan Change Components.

8) Approval of the proposed Comprehensive Plan Land Use Map Change is in the best interests of the people of Madison County.

Commission member Kay Burrell made the motion to approve the motion for a comprehensive plan land use map change. Commission member Bradley Petersen seconded the motion. Vote in favor were: Bradley

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Petersen, Kay Burrell, Barrett Wilcox and Dean Peterson. Those opposed were: Millie Andrus, Max Clements and Anthony Merrill. They voted against because they did not see the request as a good use of the land. They also had issues with the inheritance issue not having enough merit for their approval. Motion to approve the Phyllis Williams Family Comprehensive Plan Land Use Change was passed.

CONCLUSIONS AND RECOMMENDATIONS

1. Notices of the Public Hearing held to consider approval of the Comprehensive Plan Land Use Map Change 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 Comprehensive Plan Land Use Map Change 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 Comprehensive Plan Land Use Map Change, in accordance with the requirements of Idaho Code §§ 67-6536.

4. The proposed Comprehensive Plan Land Use Map Change is an appropriate exercise of the planning and zoning responsibilities established by Idaho Code §§ 67-6501 et. seg.

5. Approval of the proposed Comprehensive Plan Land Use Map Change is in the best interest of the people of Madison County, Idaho, based upon the following:

a. It fits with the surrounding properties land use

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

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 Comprehensive Plan Land Use Map Change.

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 Madison County Zoning Ordinance, No. 176.

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After review of the information presented by the Planning and Zoning Commission, Commissioner Weber made a motion to approve the Findings of Fact for the Williams Comprehensive Plan Change, Commissioner Ricks seconded and voting was unanimous.

Phyllis Williams Family Zone Change

Commissioner Hansen entered the Findings of Fact for the Williams Family Zone Change into record.

The Madison County Planning and Zoning Commission held a public hearing on January 14, 2010 at 7:15 p.m. at the Commissioner's Room in the Madison County Courthouse, Rexburg, Idaho to consider the Williams Family request for a zone change from Agriculture to Transitional Agriculture Two zoning. The property is located at 1152 East Butte Road on approximately 14 acres. 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: Acting Chairman Dean Peterson, Vice Chairman Millie Andrus, Max Clements, Anthony Merrill, Barrett Wilcox, Kay Burrell and Bradley Petersen. Those unable to attend: Chairman Ed Williams, Jolene Sutton, Bill Squires and Todd Smith. 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 Acting Chairman Peterson. Shauna J. Ringel acted as clerk for the meetings. Acting Chairman Peterson 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 Acting Chairman asked if there were any conflicts of interest. None were stated.

Tom Williams, 2059 W. Spruce Creek Lane, South Jordon, Utah did not present any new testimony, but rather referred to his presentation for the Comprehensive Plan Land Use Map public hearing. A summary of this discussion at the hearing is attached hereto and incorporated herein.

After hearing from Mr. Williams the Chairman asked for those in favor, in neutral, or opposed to the proposal to come forward and be heard. The Chairman reminded the citizens in attendance that they

would need to sign up on the appropriate lists if they wished to speak at the hearing.

Those in favor were: None

Those in neutral were: None

Those opposed were: None

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No written comments were submitted.

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 Phyllis Williams Family request for a Zone Change from Agriculture to a Transitional Agriculture Two zone. 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:

- Minimum lot sizes given to the children are two acres
- Regulations on building footprints will be reviewed at the time of the building permit
- Appropriate for the zoning requested

FINDINGS OF FACT

- 1) Public hearings were held January 14, 2010 to take the testimony on a requested Zone Change. This proposed amendment is consistent with the goals and objectives of the Comprehensive Plan.
- 2) Notice was published in the legal County newspaper, the Standard Journal, December 26, 2009 as required. 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. Copies of the notice were sent to all residents within the 300 feet, as required, on January 4, 2010.
- 3) At the beginning of the hearing, Acting Chairman Peterson 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.
- 4) The Public hearing was scheduled at 7:15 p.m. all as set out in the published notices, as described above.
- 5) 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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- 6) Madison County's Zoning Ordinance No. 176 outlines the purposes of a Comprehensive Plan

Land Use Map Change noted on the Comprehensive Plan Components, Idaho Code § 67-6508, as follows: The Commission, in deciding whether to approve or deny an application to amend the Madison County Comprehensive Plan (dated December 15, 2008), must analyze whether the amendment would be compatible with the individual components the legislature requires counties to consider when preparing, implementing, reviewing, and updating a comprehensive plan. Not all may apply.

A. Property Rights: An analysis of provisions which may be necessary to ensure that land use policies, restrictions, conditions and fees do not violate private property rights, adversely impact property values or create unnecessary technical limitations on the use of property and analysis as prescribed under the declarations of purpose in chapter 80, title 67, Idaho Code.

B. Population: A population analysis of past, present, and future trends in population including such characteristics as total population, age, sex and income.

C. School Facilities and Transportation: An analysis of public school capacity and transportation considerations associated with future development.

D. Economic Development: An analysis of the economic base of the area including employment, industries, economics, jobs and income levels.

E. Land Use: An analysis of natural land types, existing land covers and uses, and the intrinsic suitability of lands for uses such as agriculture, forestry, mineral exploration and extraction, preservation, recreation, housing, commerce, industry, and public facilities Comprehensive Plan Land Use Map Change. A map shall be prepared indicating suitable projected land uses for the jurisdiction.

F. Natural Resources: An analysis of the rivers and other waters, forests, range, soils, harbors, fisheries, wildlife, minerals, thermal waters, beaches, watersheds, and shorelines.

G. Hazardous Areas: An analysis of known hazards as may result from susceptibility to surface ruptures from faulting, ground shaking, ground failure, landslides or mudslides; avalanche hazards resulting from development in known or probable path of snow slides and avalanches, and floodplain hazards.

H. Public Services, Facilities, and Utilities: An analysis showing general plans for sewage, drainage, power plant sites, utility transmission corridors, water supply, fire stations and fire fighting equipment, health and welfare facilities,

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libraries, solid waste disposal sites, schools, public safety facilities and related services. The plan may also show locations of civic centers and public buildings.

I. Transportation: An analysis, prepared in coordination with the local jurisdiction(s) having authority over the public highways and streets, showing the general locations and widths of a system of major traffic thoroughfares and other traffic ways, and of streets and the recommended treatment thereof. This component may also make recommendations on building line setbacks, control of access, street naming and numbering, and a proposed system of public and other transit lines and related facilities including rights-of-way, terminals, future corridors, viaducts and grade separations. The component may also include port, harbor, aviation, and other related transportation facilities.

J. Recreation: An analysis showing a system of recreation areas, including parks, parkways, trail ways, river bank greenbelts, beaches, playgrounds, and other recreation areas and programs.

K. Special Areas and sites: An analysis of areas, sites, or structures of historical, archeological, architectural, ecological, wildlife, or scenic significance.

L. Housing: An analysis of housing conditions and needs; plans for improvement of housing

standards; and plans for the provision of safe, sanitary, and adequate housing, including the provision for low-cost conventional housing, the siting of manufactured housing and mobile homes in subdivisions and parks and on individual lots which are sufficient to maintain a competitive market for each of those housing types and to address the needs of the community.

M. Community Design: An analysis of needs for governing landscaping, building design, tree planting, signs, and suggested patterns and standards for community design, development, and beautification.

N. Implementation: An analysis to determine actions, programs, budgets, ordinances, or other methods including scheduling of public expenditures to provide for the timely execution of the various components of the plan.

O. National Interest Electric Transmission Corridors: After notification by the Public Utilities Commission (PUC) concerning the likelihood of a federally designated national interest electric transmission corridor, prepare an analysis showing the existing location and possible routing

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of high voltage transmission lines, including national interest electric transmission corridors based on the United States Department of Energy's most recent national electric transmission congestion study pursuant to sections §368 and §1221 of the Energy Policy Act of 2005. "High-voltage transmission lines" means lines with a capacity of one hundred fifteen thousand (115,000) volts or more supported by structures forty (40) feet or more in heights.

Nothing herein shall preclude the consideration of additional planning components or subject matter.

7) Disapproval of the proposed Zone Change is in the best interests of the people of Madison County.

Commission member Anthony Merrill made the motion to deny the motion for a zone change. Commission member Max Clements seconded the motion. Vote was to deny was: Barrett Wilcox, Anthony Merrill, Max Clements and Vice Chairman Millie Andrus. Voting against the motion was: Kay Burrell and Bradley Petersen because they felt this was the proper use of the land. Motion passed to deny the Phyllis Williams Family Zone Change.

CONCLUSIONS AND RECOMMENDATIONS

1. Notices of the Public Hearing held to consider approval/ denial of the Zone Change was published and provided as is required by Idaho Code §§67-6509 and 67-6511.

2. The Public Hearing was held to consider approval/denial of the proposed Zone Change 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 Zone Change, in accordance with the requirements of Idaho Code §§ 67-6536.

4. The proposed Zone Change 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.

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 denial of the requested Zone Change.

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After review of the information presented by the Planning and Zoning Commission, Commissioner Weber made a motion to send the Zone Change request for the Phyllis Williams Family back to Planning and Zoning for a Public Hearing, Commissioner Ricks seconded and motion passed. (Commissioner Hansen voted no)

Personnel Action Approvals:

Name	Current Status	Proposed Status	Reason
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Juvenile Probation

Darrell Bostic	\$ 8.50/hr. - Tracker	New Hire	
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Sheriff's Office

Bruce S. Bowler	\$1,893.94/salary	Same salary	Acct. Change
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IT Department

Jason Wilburn	\$20.68/hr.	New Hire	
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Clerk's Office

Elizabeth Boyce	\$11.00 - \$12.00	New Hire	
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Commissioner Ricks made a motion to approve the above listed Personnel Actions, Commissioner Weber seconded and voting was unanimous.

Fair Grounds: Vickie Grover and LeAnn Ball

The Commissioners expressed their appreciation to Vickie Grover and LeAnn Ball for their organization of the Fair Board's Heritage Parade. They also discussed the upcoming Centennial Celebration for Madison County and how the committee could be organized to celebrate the event.

Riverwood Homeowners Association:

Kristin Nelson reported that the homeowners association is disputing the land classification for the 2006 tax year. The Commissioners asked her to work with Assessor Brent Saurey to find a resolution to their questions.

Larry Edwards, Road Department reviewed the following items of business with the Commissioners:

1) Progress report for Twin Bridges, 2) South Fork School speed zone sign options and 3) Safety classes.

Treasurer Sherry Arnold introduced representatives of Zion's Bank, Kelly Anderson, Regional Manager and Jesse Ronnow and Troy Gerber, Rexburg Branch Officers. They reported on the bond ratings and the financial stability of Zion's Bank and the service they were providing to Madison County. (Copy of presentation is on file)

Gary Archibald, Archibald Insurance Agency, reviewed the ICRMP liability insurance. He reported that the County inventory is reviewed quarterly with the Clerk's Office and once a year with each department and office. There are current training classes that can be offered to the County at no cost and he can assist in setting those up whenever the County feels there is a need. The ICRMP premiums are calculated from 80% of the payroll and 20% from property values and claims. The County had 154 claims during 2009. The Commissioners asked Mr. Archibald to meet with them each February for an update.

Paul Sorensen, IT Department reported that he is currently getting software licensing for Sheriff's

Office so they can have access to the financial reports. Alliance Title has requested access to recorded documents. After review of the contract, Commissioner Hansen made a motion to sign the remote access contract with Alliance Title, Commissioner Ricks seconded and voting was unanimous.

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Financial Reports: Commissioner Ricks asked that Paul Sorensen work with Computer Arts to get an answer to why some of the budget reports differ from year to year. Marilyn Rasmussen has been working on this question since last summer.

Ron Dickemore, Brent Larsen, Targhee Forest Representatives:

Mr. Dickemore stated that after his last meeting with the County he understood that the County would work with the Forest Service to design and install a bridge at Ruby Creek. Randy Johnson, Forsgren Engineering will engineer the project for Madison County. After review of the project, Commissioner Ricks made a motion to approve the design agreement for the Ruby Creek Bridge, Commissioner Hansen seconded and voting was unanimous.

Commissioner Ricks made a motion to amend the Agenda for a Planning and Zoning Appointment, Commissioner Weber seconded and voting was unanimous.

Commissioner Ricks made a motion to appointment of Doug Sakota to the Planning and Zoning Commission for a three year term, Commissioner Hansen seconded and voting was unanimous.

Human Resources Proposals: Three proposals for a County Step and Grade policy were received. Commissioner Weber was asked to review the proposals.

Minutes: Commissioner Ricks made a motion to approve the Minutes for the December 14, 2009 County Commissioners Meeting, with changes, Commissioner Weber seconded and voting was unanimous.

Commissioner Ricks made a motion to approve the Minutes for the January 4, 2010 County Commissioners Meeting, with changes, Commissioner Hansen seconded and voting was unanimous.

Commissioner Hansen made a motion to approve the Minutes for the January 25, 2010 County Commissioners Meeting, with changes, Commissioner Weber seconded and voting was unanimous.

Commissioner Hansen made a motion to adjourn at 5:15 p.m., Commissioner Ricks seconded.

Approved:

Robert Hansen, Chairman

Kimber Ricks

Jon Weber

MADISON COUNTY COMMISSIONERS
MEETING AGENDA

February 8, 2010 8:00 a.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

Minutes: January 4, 2010, January 11, 2010 & January 25, 2010

Certificate of Residency: Hillary L. Montierth

Insurance Wellness - Jeff Cook

9:00 a.m. Rick Miller and Ted Hendricks - The Development Company

Re: Signatures for Fire Station Application

9:30 a.m. Dick Jackson Re: Tax Consideration

10:00 a.m. Planning and Zoning Findings of Fact for the Following:

Williams Family Comprehensive Plan and Zone Change

Benson Subdivision - Vacate Lots

10:30 a.m. Treasurer Sherry Arnold Re: Tax cancellations & Quarterly Report

11:00 a.m. County Business:

Eastern Idaho Fair Board Appointment

County Fair Parade Presentation

11:30 a.m. Riverwoods HOA Re: Taxes not assessed correctly

12:00 Noon LUNCH BREAK

1:30 p.m. Larry Edwards, Road Dept. Re: 5000 South Project

2:00 p.m. Kelly Anderson, Zion's Bank

2:30 p.m. Gary Archibald Re: ICRMP Insurance

3:00 p.m. Paul Sorensen, IT Manager Re: Remote Access Licenses
& Financial Reports

3:30 p.m. Ron Dickemore, Forest Service Re: Road Maintenance

4:00 p.m. Human Resources Position Rating Proposals

4:30 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.

MADISON COUNTY

COMMISSIONERS WORK MEETING MINUTES

February 8, 2010 8:00 a.m.

COMMISSIONERS ROOM

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

Welfare and Indigent: Commissioner Hansen made a motion to go into Executive Session at 8:05 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 Meeting at 8:10 a.m.

Commissioner Ricks made a motion to sign a lien for Case Number 2010017, deny Case Numbers 2010014 and 2010015, approve Case Number 2010012, release lien for Case Numbers 2010009, 970727 and 2005073, Commissioner Weber seconded and voting was unanimous.

County Business:

Commissioner Weber reviewed the meeting he had attended with Rick Fawcett from Whisper Mountain regarding Madison County Waste being shipped to Clark County. The company has asked for a Letter of Intent from Madison County for a one year commitment by March 4, 2010.

Attorney Troy Evans reported that he is working with the Fair Board to write new By-Laws.

Commissioner Hansen reported that on March 8, 2010, a meeting had been set up for the Jefferson County Commissioners, Sheriff Klingler, Sheriff Olsen, Corps of Engineers, Brent McFadden, Flood Plains Coordinator, FEMA representatives, Homeland Security Representatives, BLM

Representatives, and Homeland Security representatives to review adjoining County issues.

Jeff Cook, Black Ink Solutions reported that the wellness blood draws are scheduled the week of March 15, 2010. The insurance premiums will be based on health goals being met from last year. Anyone who met their health goals would receive the lowest premium, those who did not meet their goal would receive a medium rate and those not tested would be the highest rate. Commissioner Ricks made a motion to support the letter regarding the new premium be included with the next payroll information, Commissioner Weber seconded and motion passed.

Certificate of Residency: Commissioner Hansen made a motion to approve a Certificate of Residency for Hillary Montierth, Commissioner Weber seconded and voting was unanimous.

Claims: After review of the claims submitted by the Elected Officials and Department Heads in the amount of \$401,824.88, for February 8, 2010, Commissioner Ricks made a motion to approve, Commissioner Hansen seconded and motion passed.

Ted Hendricks and Rick Miller, The Development Company, presented the following updates regarding grant submissions: 1) The Sugar City Fire Station. Community Block Grant proposal will be submitted in March. 2) The Economic Development Grant for the Co-op property will only be submitted if the agreement with Morgan Construction is finalized by March. 3) The Commissioners need to rate the Administrative Proposals for the Senior Citizens Center and submit them

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to the Development Center. 4) The original agreement for the Sugar City Business Park is being amended and will need approval at the next Commissioners Meeting.

5) A Public Hearing for the Senior Citizens Center Proposal is scheduled for February 22, 2010 at 9:30 a.m.

Commissioner Hansen made a motion to approve the Fire Station Contract between the Development Company and Madison County (contingent upon review by Attorney Troy Evans),

Commissioner Ricks seconded and voting was unanimous.

Dick Jackson, 351 Talon Drive, Rexburg, ID: Mr. Jackson purchased his neighbors home at 367 Talon Drive which was recorded on October 13, 2009. The previous owner's bank received the tax notice and nothing was forwarded to him regarding the amount of the taxes owed. He asked that the interest and penalty be forgiven due to the error. After review of the notification error, Commissioner Ricks made a motion to cancel the penalty and interest for the 2009 tax year, Commissioner Hansen seconded and voting was unanimous.

Planning and Zoning Findings of Facts:

Present: Brent McFadden, Planning and Zoning Administrator

Benson Subdivision - Vacation of Lots 21-28

Commissioner Hansen entered the Findings of Fact for the Benson Subdivision into record.

**FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATIONS
OF THE MADISON COUNTY PLANNING AND ZONING COMMISSION
RE: Benson Subdivision Vacation of Lots 21-28**

The Madison County Planning and Zoning Commission held a public hearing on January 14, 2010 at 7:15 p.m. at the Commissioner's Room in the Madison County Courthouse, Rexburg, Idaho to consider the Ricky King, Dean Davies, Tom Zollinger, William Teuscher, and Dean Wilson requests to vacate lots 21-28 in the Benson Subdivision. This subdivision is located at 1650 W. 5500 S. 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: Acting Chairman Dean Peterson, Vice Chairman Millie Andrus, Max Clements, Anthony Merrill, Barrett Wilcox, Kay Burrell and Bradley Petersen. Those unable to attend: Chairman Ed Williams, Jolene Sutton, Bill Squires and Todd Smith. 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 Acting Chairman Peterson. Shauna J. Ringel acted as clerk for the meetings. Acting

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Chairman Peterson 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 Chairman asked if there were any conflicts of interest. None were stated. Brent McFadden gave the presentation on behalf of the Lot Vacation of the Benson Subdivision. The presenter 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 Lot Vacation for the Benson Subdivision Subdivision, the Chairman asked for those in favor, in neutral, or opposed to the proposal to come forward and be heard. The Chairman reminded the citizens in attendance that they would need to sign up on the appropriate lists if they wished to speak at the hearing.

Those in favor were:

Dean Davies, 1830 W. 5500 S., Rexburg
William Teuscher, 1776 W. 5500 S., Rexburg
Shane Reubsh, 1893 W. 5300 S., Rexburg

Those in neutral were: None

Those opposed were: None

A summary of this discussion at the hearing is attached hereto and incorporated herein.

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 Benson Subdivision Vacation of Lots 21-28. 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 January 14, 2010 to take the testimony on a requested Vacation of Lots. This proposed amendment is consistent with the goals and objectives of the Comprehensive Plan.

2) Notice was published in the legal County newspaper, the Standard Journal January 2nd and 9th, 2010 as required. The published notice

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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 300 feet, as required, on January 4, 2010.

4) At the beginning of the hearing, Acting Chairman Peterson 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 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.

7) Madison County's Zoning Ordinance No. 176 outlines the purposes of a conditional use permit standards as follows:

A. To protect property rights and enhance property values;

B. To provide for the protection and enhancement of the local economy;

- C. To ensure that important environmental features are protected and enhanced;
- D. To encourage the protection of prime agriculture lands for the production of crops;
- E. To avoid undue concentration of population and overcrowding of land;
- F. To ensure the development on land is commensurate with the physical characteristics of the land;
- G. To protect life and property in areas subject to natural hazards and disasters;
- H. To protect recreational resources;
- I. To avoid undue water, air and noise pollution;
- J. To ensure safety from fire and provide adequate open spaces for light and air; and
- K. To implement the Madison County Comprehensive Plan.

7) The following points were factors in the recommendation by the Planning and Zoning Commission.

 This request was to clean up an issue that was started when George Benson platted the Benson

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 Subdivision. He had to have this thin strip of land for his set aside. This thin strip went across the applicant's property line when it was surveyed. Mr. Benson later deeded back to the property owners, but this still made the property owners part of the Benson Subdivision.

 The property owners never have been nor do they want to be part of the Benson Subdivision.

8) Approval of the proposed Vacation of Lots 21-28 of the Benson Subdivision 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 Vacation of Lots 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 Vacation of Lots 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 Vacation of Lots, in accordance with the requirements of Idaho Code §§ 67-6536.
4. The proposed Vacation of Lots is an appropriate exercise of the planning and zoning responsibilities established by Idaho Code §§ 67-6501 et. seg.
5. Approval of the proposed Vacation of Lots is in the best interest of the people of Madison County, Idaho, based upon the factors listed above.
6. These Findings of Fact and Conclusions of Law are maintained and submitted in accordance with Idaho Code § 67-6509.

Commission member Anthony Merrill made the motion to approve the Vacation of Lots 21-28 of the Benson Subdivision. Commission member Kay Burrell 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 Benson Subdivision Vacation of Lots 21-28.

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After review of the information presented by the Planning and Zoning Commission, Commissioner Hansen made a motion to approve the Findings of Fact for the Benson Subdivision regarding vacating lots, Commissioner Weber seconded and voting was unanimous.

Phyllis Williams Family Comprehensive Plan

Commissioner Hansen entered the Findings of Fact for the Phyllis Williams Family Comprehensive Plan into record.

The Madison County Planning and Zoning Commission held a public hearing on January 14, 2010 p.m. at the Commissioner's Room in the Madison County Courthouse, Rexburg, Idaho to consider the Phyllis Williams request for a change to the Madison County Comprehensive Plan Land Use Map from Agriculture to Transitional Agriculture Two usage. The property is located at 1152 East Butte Road, Mena on approximately 14 acres.

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: Acting Chairman Dean Peterson, Vice Chairman Millie Andrus, Max Clements, Anthony Merrill, Barrett Wilcox, Kay Burrell and Bradley Petersen. Those unable to attend were: Chairman Ed Williams, Jolene Sutton, Bill Squires and Todd Smith. 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 Acting Chairman Peterson. Shauna J. Ringel acted as clerk for the meetings. Acting Chairman Peterson 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 Chairman asked if there were any conflicts of interest. None were stated.

Tom Williams, 2059 W. Spruce Creek Lane, South Jordan, Utah gave the presentation on behalf of the Phyllis Williams Family Comprehensive Plan Land Use Map Change. (See minutes attached for complete testimony)

The presenter 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, and from the applicant the Chairman asked for those in favor, in neutral, or opposed to the proposal to come forward and be heard. The Chairman reminded the citizens in attendance that they would need to sign up on the appropriate lists if they wished to speak at the hearing.

Those in favor were:

Doug Williams, 12555 N. Fallen Shadow Drive, Marana, Arizona
Marlis Williams, 11411 North 24th Street, Phoenix, Arizona
Don Mickelsen, 1260 Twin Butte Road, Menan

Those in neutral were: None

Those opposed were:

Tom Ryan, 1143 E. Butte Road, Menan
Dan Smith, 1162 E. Butte Road, Menan
Glen Heward, 1152 E. Butte Road, Menan
Charlton Mortensen, 1139 E. Butte Road, Menan
Richard Cannon, 1161 E. Butte Road, Menan
Marietta Ryan, 1143 E. Butte Road, Menan
Allan Stanger, 1124 E. Butte Road, Menan
Bebe Hitz, 2212 Belmont, Idaho Falls
Matt Beard, 1122 E. Butte Road, Menan
Neal Taylor, 1192 E. Butte Road, Menan

A summary of this discussion at the hearing is attached hereto and incorporated herein.

Written comments from the Phyllis Williams Family and Charles H. Howard were read into the record by Tom Williams and Glenn Heward. These letters are attached hereto and incorporated herein.

Thereafter, Tom Williams spoke in rebuttal on behalf of the proposed Phyllis Williams Family Comprehensive Plan Land Use Map Change. Those offering rebuttal were asked questions by the Commission.

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 Phyllis Williams Family request for a Comprehensive Plan Land Use Map Change from Agriculture to a Transitional Agriculture Two 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 hearings were held January 14, 2010 to take the testimony on a requested Comprehensive Plan Land Use Map Change. This proposed amendment is consistent with the goals and objectives of the Comprehensive Plan.
- 2) Notice was published in the legal County newspaper, the Standard Journal December 26, 2009 as required. 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. Copies of the notice were sent to all residents within the 300 feet, as required, on January 4, 2010.

3) At the beginning of the hearing, Acting Chairman Peterson 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.

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

5) 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.

6) Madison County's Zoning Ordinance No. 176 outlines the purposes of a Comprehensive Plan Land Use Map Change noted on the Comprehensive Plan Components, Idaho Code § 67-6508, as follows: The Commission, in deciding whether to approve or deny an application to amend the Madison County Comprehensive Plan (dated December 15, 2008), must analyze whether the amendment would be compatible with the individual components the legislature requires counties to consider when preparing, implementing, reviewing, and updating a comprehensive plan. Not all may apply.

A. Property Rights: An analysis of provisions which may be necessary to ensure that land use policies, restrictions, conditions and fees do not violate private property rights, adversely impact property values or create unnecessary technical limitations on the use of property and analysis as prescribed under the declarations of purpose in chapter 80, title 67, Idaho Code.

B. Population: A population analysis of past, present, and future trends in population including such characteristics as total population, age, sex and income.

C. School Facilities and Transportation: An analysis of public school capacity and transportation considerations associated with future development.

D. Economic Development: An analysis of the economic base of the area including employment, industries, economics, jobs and income levels.

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E. Land Use: An analysis of natural land types, existing land covers and uses, and the intrinsic suitability of lands for uses such as agriculture, forestry, mineral exploration and extraction, preservation, recreation, housing, commerce, industry, and public facilities Comprehensive Plan Land Use Map Change. A map shall be prepared indicating suitable projected land uses for the jurisdiction.

F. Natural Resources: An analysis of the rivers and other waters, forests, range, soils, harbors, fisheries, wildlife, minerals, thermal waters, beaches, watersheds, and shorelines.

G. Hazardous Areas: An analysis of known hazards as may result from susceptibility to surface ruptures from faulting, ground shaking, ground failure, landslides or mudslides; avalanche hazards resulting from development in known or probable path of snow slides and avalanches, and floodplain hazards.

H. Public Services, Facilities, and Utilities: An analysis showing general plans for sewage, drainage, power plant sites, utility transmission corridors, water supply, fire stations and fire fighting equipment, health and welfare facilities, libraries, solid waste disposal sites, schools, public safety facilities and related services. The plan may also show locations of civic centers and public buildings.

I. Transportation: An analysis, prepared in coordination with the local jurisdiction(s) having

authority over the public highways and streets, showing the general locations and widths of a system of major traffic thoroughfares and other traffic ways, and of streets and the recommended treatment thereof. This component may also make recommendations on building line setbacks, control of access, street naming and numbering, and a proposed system of public and other transit lines and related facilities including rights-of-way, terminals, future corridors, viaducts and grade separations. The component may also include port, harbor, aviation, and other related transportation facilities.

J. Recreation: An analysis showing a system of recreation areas, including parks, parkways, trail ways, river bank greenbelts, beaches, playgrounds, and other recreation areas and programs.

K. Special Areas and sites: An analysis of areas, sites, or structures of historical, archeological, architectural, ecological, wildlife, or scenic significance.

L. Housing: An analysis of housing conditions and needs; plans for improvement of housing standards; and plans for the

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provision of safe, sanitary, and adequate housing, including the provision for low-cost conventional housing, the siting of manufactured housing and mobile homes in subdivisions and parks and on individual lots which are sufficient to maintain a competitive market for each of those housing types and to address the needs of the community.

M. Community Design: An analysis of needs for governing landscaping, building design, tree planting, signs, and suggested patterns and standards for community design, development, and beautification.

N. Implementation: An analysis to determine actions, programs, budgets, ordinances, or other methods including scheduling of public expenditures to provide for the timely execution of the various components of the plan.

O. National Interest Electric Transmission Corridors: After notification by the Public Utilities Commission (PUC) concerning the likelihood of a federally designated national interest electric transmission corridor, prepare an analysis showing the existing location and possible routing of high voltage transmission lines, including national interest electric transmission corridors based up the United States Department of Energy's most recent national electric transmission congestion study pursuant to sections §368 and §1221 of the Energy Policy Act of 2005. "High-voltage transmission lines" means lines with a capacity of one hundred fifteen thousand (115,000) volts or more supported by structures forty (40) feet or more in heights.

Nothing herein shall preclude the consideration of additional planning components or subject matter.

7) The following points were factors in the recommendation by the Planning and Zoning Commission for the approval of the County Commissioners.

 This was an appropriate action to take where it went along with the Comprehensive Plan Change Components.

8) Approval of the proposed Comprehensive Plan Land Use Map Change is in the best interests of the people of Madison County.

Commission member Kay Burrell made the motion to approve the motion for a comprehensive plan land use map change. Commission member Bradley Petersen seconded the motion. Vote in favor

Petersen, Kay Burrell, Barrett Wilcox and Dean Peterson. Those opposed were: Millie Andrus, Max Clements and Anthony Merrill. They voted against because they did not see the request as a good use of the land. They also had issues with the inheritance issue not having enough merit for their approval. Motion to approve the Phyllis Williams Family Comprehensive Plan Land Use Change was passed.

CONCLUSIONS AND RECOMMENDATIONS

1. Notices of the Public Hearing held to consider approval of the Comprehensive Plan Land Use Map Change 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 Comprehensive Plan Land Use Map Change 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 Comprehensive Plan Land Use Map Change, in accordance with the requirements of Idaho Code §§ 67-6536.
4. The proposed Comprehensive Plan Land Use Map Change is an appropriate exercise of the planning and zoning responsibilities established by Idaho Code §§ 67-6501 et. seg.
5. Approval of the proposed Comprehensive Plan Land Use Map Change is in the best interest of the people of Madison County, Idaho, based upon the following:
 - a. It fits with the surrounding properties land use
6. These Findings of Fact and Conclusions of Law are maintained and submitted in accordance with Idaho Code § 67-6509.

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 Comprehensive Plan Land Use Map Change.

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 Madison County Zoning Ordinance, No. 176.

Weber made a motion to approve the Findings of Fact for the Williams Comprehensive Plan Change, Commissioner Ricks seconded and voting was unanimous.

Phyllis Williams Family Zone Change

Commissioner Hansen entered the Findings of Fact for the Williams Family Zone Change into record.

The Madison County Planning and Zoning Commission held a public hearing on January 14, 2010 at 7:15 p.m. at the Commissioner's Room in the Madison County Courthouse, Rexburg, Idaho to consider the Williams Family request for a zone change from Agriculture to Transitional Agriculture Two zoning. The property is located at 1152 East Butte Road on approximately 14 acres. 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: Acting Chairman Dean Peterson, Vice Chairman Millie Andrus, Max Clements, Anthony Merrill, Barrett Wilcox, Kay Burrell and Bradley Petersen. Those unable to attend: Chairman Ed Williams, Jolene Sutton, Bill Squires and Todd Smith. 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 Acting Chairman Peterson. Shauna J. Ringel acted as clerk for the meetings. Acting Chairman Peterson 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 Acting Chairman asked if there were any conflicts of interest. None were stated.

Tom Williams, 2059 W. Spruce Creek Lane, South Jordan, Utah did not present any new testimony, but rather referred to his presentation for the Comprehensive Plan Land Use Map public hearing. A summary of this discussion at the hearing is attached hereto and incorporated herein.

After hearing from Mr. Williams the Chairman asked for those in favor, in neutral, or opposed to the proposal to come forward and be heard. The Chairman reminded the citizens in attendance that they would need to sign up on the appropriate lists if they wished to speak at the hearing.

Those in favor were: None

Those in neutral were: None

Those opposed were: None

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No written comments were submitted.

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 Phyllis Williams Family request for a Zone Change from Agriculture to a Transitional Agriculture Two zone. 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:

- Minimum lot sizes given to the children are two acres
- Regulations on building footprints will be reviewed at the time of the building permit
- Appropriate for the zoning requested

FINDINGS OF FACT

- 1) Public hearings were held January 14, 2010 to take the testimony on a requested Zone Change. This proposed amendment is consistent with the goals and objectives of the Comprehensive Plan.
- 2) Notice was published in the legal County newspaper, the Standard Journal, December 26, 2009 as required. 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. Copies of the notice were sent to all residents within the 300 feet, as required, on January 4, 2010.
- 3) At the beginning of the hearing, Acting Chairman Peterson 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.
- 4) The Public hearing was scheduled at 7:15 p.m. all as set out in the published notices, as described above.
- 5) 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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6) Madison County's Zoning Ordinance No. 176 outlines the purposes of a Comprehensive Plan Land Use Map Change noted on the Comprehensive Plan Components, Idaho Code § 67-6508, as follows: The Commission, in deciding whether to approve or deny an application to amend the Madison County Comprehensive Plan (dated December 15, 2008), must analyze whether the amendment would be compatible with the individual components the legislature requires counties to consider when preparing, implementing, reviewing, and updating a comprehensive plan. Not all may apply.

A. Property Rights: An analysis of provisions which may be necessary to ensure that land use policies, restrictions, conditions and fees do not violate private property rights, adversely impact property values or create unnecessary technical limitations on the use of property and analysis as prescribed under the declarations of purpose in chapter 80, title 67, Idaho Code.

B. Population: A population analysis of past, present, and future trends in population including such characteristics as total population, age, sex and income.

C. School Facilities and Transportation: An analysis of public school capacity and transportation considerations associated with future development.

D. Economic Development: An analysis of the economic base of the area including employment, industries, economics, jobs and income levels.

E. Land Use: An analysis of natural land types, existing land covers and uses, and the intrinsic suitability of lands for uses such as agriculture, forestry, mineral exploration and extraction, preservation, recreation, housing, commerce, industry, and public facilities Comprehensive Plan Land Use Map Change. A map shall be prepared indicating suitable projected land uses for the jurisdiction.

F. Natural Resources: An analysis of the rivers and other waters, forests, range, soils, harbors, fisheries, wildlife, minerals, thermal waters, beaches, watersheds, and shorelines.

G. Hazardous Areas: An analysis of known hazards as may result from susceptibility to surface ruptures from faulting, ground shaking, ground failure, landslides or mudslides; avalanche hazards resulting from development in known or probable path of snow slides and avalanches, and floodplain hazards.

H. Public Services, Facilities, and Utilities: An analysis showing general plans for sewage, drainage, power plant sites, utility transmission corridors, water supply, fire stations and fire fighting equipment, health and welfare facilities,

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libraries, solid waste disposal sites, schools, public safety facilities and related services. The plan may also show locations of civic centers and public buildings.

I. Transportation: An analysis, prepared in coordination with the local jurisdiction(s) having authority over the public highways and streets, showing the general locations and widths of a system of major traffic thoroughfares and other traffic ways, and of streets and the recommended treatment thereof. This component may also make recommendations on building line setbacks, control of access, street naming and numbering, and a proposed system of public and other transit lines and related facilities including rights-of-way, terminals, future corridors, viaducts and grade separations. The component may also include port, harbor, aviation, and other related transportation facilities.

J. Recreation: An analysis showing a system of recreation areas, including parks, parkways, trail ways, river bank greenbelts, beaches, playgrounds, and other recreation areas and programs.

K. Special Areas and sites: An analysis of areas, sites, or structures of historical, archeological, architectural, ecological, wildlife, or scenic significance.

L. Housing: An analysis of housing conditions and needs; plans for improvement of housing standards; and plans for the provision of safe, sanitary, and adequate housing, including the provision for low-cost conventional housing, the siting of manufactured housing and mobile homes in subdivisions and parks and on individual lots which are sufficient to maintain a competitive market for each of those housing types and to address the needs of the community.

M. Community Design: An analysis of needs for governing landscaping, building design, tree planting, signs, and suggested patterns and standards for community design, development, and beautification.

N. Implementation: An analysis to determine actions, programs, budgets, ordinances, or other methods including scheduling of public expenditures to provide for the timely execution of the various components of the plan.

O. National Interest Electric Transmission Corridors: After notification by the Public Utilities Commission (PUC) concerning the likelihood of a federally designated national interest electric transmission corridor, prepare an analysis showing the existing location and possible routing

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of high voltage transmission lines, including national interest electric transmission corridors based up the United States Department of Energy's most recent national electric transmission congestion study pursuant to sections §368 and §1221 of the Energy Policy Act of 2005. "High-voltage transmission lines" means lines with a capacity of one hundred fifteen thousand (115,000) volts or more supported by structures forty (40) feet or more in heights.

Nothing herein shall preclude the consideration of additional planning components or subject matter.

7) Disapproval of the proposed Zone Change is in the best interests of the people of Madison County.

Commission member Anthony Merrill made the motion to deny the motion for a zone change. Commission member Max Clements seconded the motion. Vote was to deny was: Barrett Wilcox, Anthony Merrill, Max Clements and Vice Chairman Millie Andrus. Voting against the motion was: Kay Burrell and Bradley Petersen because they felt this was the proper use of the land. Motion passed to deny the Phyllis Williams Family Zone Change.

CONCLUSIONS AND RECOMMENDATIONS

1. Notices of the Public Hearing held to consider approval/ denial of the Zone Change was published and provided as is required by Idaho Code §§67-6509 and 67-6511.
2. The Public Hearing was held to consider approval/denial of the proposed Zone Change 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 Zone Change, in accordance with the requirements of Idaho Code §§ 67-6536.
4. The proposed Zone Change 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.

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 denial of the requested Zone Change.

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After review of the information presented by the Planning and Zoning Commission, Commissioner Weber made a motion to send the Zone Change request for the Phyllis Williams Family back to Planning and Zoning for a Public Hearing, Commissioner Ricks seconded and motion passed. (Commissioner Hansen voted no)

Personnel Action Approvals:

Name	Current Status	Proposed Status	Reason

Juvenile Probation

Darrell Bostic \$ 8.50/hr. - Tracker New Hire

Sheriff's Office

Bruce S. Bowler \$1,893.94/salary Same salary Acct. Change

IT Department

Jason Wilburn \$20.68/hr. New Hire

Clerk's Office

Elizabeth Boyce \$11.00 - \$12.00 New Hire

Commissioner Ricks made a motion to approve the above listed Personnel Actions, Commissioner Weber seconded and voting was unanimous.

Fair Grounds: Vickie Grover and LeAnn Ball

The Commissioners expressed their appreciation to Vickie Grover and LeAnn Ball for their organization of the Fair Board's Heritage Parade. They also discussed the upcoming Centennial Celebration for Madison County and how the committee could be organized to celebrate the event.

Riverwood Homeowners Association:

Kristin Nelson reported that the homeowners association is disputing the land classification for the 2006 tax year. The Commissioners asked her to work with Assessor Brent Saurey to find a resolution to their questions.

Larry Edwards, Road Department reviewed the following items of business with the Commissioners:

1) Progress report for Twin Bridges, 2) South Fork School speed zone sign options and 3) Safety classes.

Treasurer Sherry Arnold introduced representatives of Zion's Bank, Kelly Anderson, Regional Manager and Jesse Ronnow and Troy Gerber, Rexburg Branch Officers. They reported on the bond ratings and the financial stability of Zion's Bank and the service they were providing to Madison County. (Copy of presentation is on file)

Gary Archibald, Archibald Insurance Agency, reviewed the ICRMP liability insurance. He reported that the County inventory is reviewed quarterly with the Clerk's Office and once a year with each department and office. There are current training classes that can be offered to the County at no cost and he can assist in setting those up whenever the County feels there is a need. The ICRMP premiums are calculated from 80% of the payroll and 20% from property values and claims. The County had 154 claims during 2009. The Commissioners asked Mr. Archibald to meet with them each February for an update.

Paul Sorensen, IT Department reported that he is currently getting software licensing for Sheriff's Office so they can have access to the financial reports. Alliance Title has requested access to recorded documents. After review of the contract, Commissioner Hansen made a motion to sign the remote access contract with Alliance Title, Commissioner Ricks seconded and voting was unanimous.

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Financial Reports: Commissioner Ricks asked that Paul Sorensen work with Computer Arts to get an answer to why some of the budget reports differ from year to year. Marilyn Rasmussen has been working on this question since last summer.

Ron Dickemore, Brent Larsen, Targhee Forest Representatives:

Mr. Dickemore stated that after his last meeting with the County he understood that the County would work with the Forest Service to design and install a bridge at Ruby Creek. Randy Johnson, Forsgren Engineering will engineer the project for Madison County. After review of the project, Commissioner Ricks made a motion to approve the design agreement for the Ruby Creek Bridge, Commissioner Hansen seconded and voting was unanimous.

Commissioner Ricks made a motion to amend the Agenda for a Planning and Zoning Appointment, Commissioner Weber seconded and voting was unanimous.

Commissioner Ricks made a motion to appointment of Doug Sakota to the Planning and Zoning Commission for a three year term, Commissioner Hansen seconded and voting was unanimous.

Human Resources Proposals: Three proposals for a County Step and Grade policy were received. Commissioner Weber was asked to review the proposals.

Minutes: Commissioner Ricks made a motion to approve the Minutes for the December 14, 2009 County Commissioners Meeting, with changes, Commissioner Weber seconded and voting was unanimous.

Commissioner Ricks made a motion to approve the Minutes for the January 4, 2010 County Commissioners Meeting, with changes, Commissioner Hansen seconded and voting was unanimous.

Commissioner Hansen made a motion to approve the Minutes for the January 25, 2010 County Commissioners Meeting, with changes, Commissioner Weber seconded and voting was unanimous.

Commissioner Hansen made a motion to adjourn at 5:15 p.m., Commissioner Ricks seconded.

Approved:

Robert Hansen, Chairman

Kimber Ricks

Jon Weber