



## Madison County Commissioners

### Meeting Minutes

**APRIL 23, 2012**

**8:00 AM**

**COMMISSIONERS ROOM**

#### **ATTENDEES**

**Commissioners: Chairman Kimber Ricks, Todd Smith and Jon Weber.  
Deputy Prosecuting Attorney: Troy Evans  
County Clerk: Kim Muir**

## **AGENDA TOPICS**

### **Health and Welfare (Deputy Clerk Liz Boyce):**

Commissioner Ricks made a motion to go into Executive Session at 8:07 a.m. Pursuant to Idaho Code 67-2345-(1)(d) exempt records. (Commissioner Ricks-yes, Commissioner Weber-yes, Commissioner Smith-yes) Commissioner Ricks returned to Open Session at 8:32 a.m. Commissioner Smith made a motion to sign Determination to Deny on Case No's 2012027, 2012020, 2012019, 2012024 and 2012021, sign Determination to Approve on Case No. 2012025 and sign liens on Case No's 2012028, 2012029 and 2012030. Case No. 2010026 is asking for a payoff figure. Commissioners felt that the property has the value and it can be sold. Their decision was to wait until the end of the summer to see if the property sells. Commissioner Weber seconded and voting was unanimous.

### **County Business:**

- The County has done everything they can on the Dean Davies Survey on 5500 South (Brent). The original survey was not done correctly, and there were errors involving the subdivision that were independent of each other. Commissioner Ricks noted that we continue to facilitate a proper conclusion.
- Jim Mullen will be meeting with Sugar City Council this week regarding East Parkway Corridor.
- GIS oversight committee was discussed. Commissioner Smith, Kim Muir and Brent Saurey were recommended and approved to be on the oversight committee. GIS having a separate budget was also discussed. Craig Rindlishbacher stated we can do the same system as Bonneville County by putting in addresses and being able to find precincts and maps to the polling places by November 1.
- Dave Walrath and Commissioner Weber attended the Utility Coordination Committee Meeting. The State has a grant, and they are traveling around the state meeting with utility installers. They meet monthly to correlate and discuss ongoing projects. Husk Crowther, from Forsgren Associates, is in charge of it in our area.
- Waste energy is moving forward by looking at turning waste into diesel. The board will travel to Pasco, Washington and visit a plant on Monday. There was discussion around having household waste separate for recycling.
- Commissioner Smith reported on Tri County meeting tomorrow, April 24th, at 9:00 a.m. in the Administration Building Conference Room.

- Commissioner Smith made a motion to approve claims presented by the Clerk. Commissioner Ricks seconded and voting was unanimous.
- Commissioner Ricks made a motion to approve the Commissioners' Meeting Minutes of April 9, 2012. Commissioner Smith seconded and voting was unanimous.
- Commissioner Weber made a motion to formally implement the step and grade system. Commissioner Ricks seconded and voting was unanimous. See attached copy.
- Commissioner Ricks made a motion to set the Madison County, Ambulance and Mosquito Districts' budget hearings for September 4th at 8:00 a.m. in the Commissioners' Room.
- Commissioner Smith made a motion to approve the transfer of two liquor licenses from Horkley's to Great Scott's #1 and #2. Commissioner Weber seconded and voting was unanimous.

**Personnel Actions:**

Commissioner Smith made a motion to approve the personnel actions presented by the Department Heads. Commissioner Weber seconded and voting was unanimous.

**Ted Hendricks/Tina Daniels – Public Hearing/Status of Funded Activities:**

Commissioner Ricks opened the public hearing on the status of the block grant at 9:35 a.m. Those present were: Ted Hendricks from The Development Company, Matt Garner for the public and those listed above. The lighting and striping are complete, and the only thing left is a little more asphalt and general landscaping. Ted estimates the completion to be July 1st. We are still waiting on Urban Renewal funds. The testing on concrete was positive and the footings are acceptable, and they can now begin the building process on the Morgan building. Signage for the parking lot was discussed. Funds received are HUD money that comes to the State of Idaho. We have received no public comment. Commissioner Ricks closed the public hearing at 9:50 a.m.

**Tax Issues:**

**Scott Tremelling – Property Tax Consideration:**

Scott Tremelling was present to explain the mishap with his title company. Property was recorded a couple days after the homeowners' exemption due date. The property is located at 457 West Main Street. Processing time at the title company hampered this process. The recording date was April 22, 2011 and the Contract of Sale was filed on March 16, 2011. Commissioner Smith made a motion to cancel the amount of the homeowners' difference of taxes for 2011 and credit him going forward for the difference in the homeowners' exemption. Commissioner Ricks seconded and voting was unanimous.

**Brent Saurey – 5 Buck Pizza Update:**

Assessor did not receive a declaration from 5 Buck Pizza. They chose a comparable business and substituted that value for the tax year. This year the assessment will be \$1,500 based on their declaration. It was 5 Buck Pizza's responsibility to respond to the declaration, but they did not. Commissioner Ricks asked Brent to physically inspect both

stores of each pizza establishment. Shops are similar, but there is a vast difference in the two declarations.

**Dave Walrath – Texas Slough Bridge/Archer Gravel Pit:**

Road and Bridge will have a grader and ten-wheeler dump truck at the open house on Thursday, and Solid Waste will have a truck and trailer. Liability issues were discussed. Darnell Weeks is here to discuss the Archer Gravel Pit. Years ago the County purchased 80 acres in addition to the gravel source. Dave assumed it was for the expansion of the gravel pit and thought the Conditional Use Permit, etc. was in place. They are short of gravel and need the additional property to obtain the gravel. The property is being farmed under lease by the County.

Darnell Weeks is a neighbor with one acre and has to live with the dust. He stated the County is required to keep the ground watered down, and it has never been done. If we dig on the east side of him, it will contaminate his well.

Commissioner Weber stated that we want to be good neighbors and do what we should. Commissioners will look at it and determine what the right thing to do would be. There are other property owners close by that could be impacted by a gravel pit. .

Reclamation plans for the Archer gravel pit were discussed.

The Texas Slough Bridge should be completed by June 1st.

Dave is meeting with Christy Swensen at the land fill to come up with a third location for the piezometer placement.

Dave has looked at river gauges compared to last year. Up until Wednesday of last week they started to drop release of water, and yesterday they started ramping them up again. Reservoir was at 67%.

There was an ITD meeting with Commissioner Smith and Dave Walrath. The Pocket Park was discussed. Dave committed the County with parallel parking in front of the courthouse, which will add four more parking spots. The State wants to get rid of diagonal parking and replace them with parallel parking.

The Thornton Overpass was discussed.

**Jeff Cook – Blood Draw Report:**

Jeff reviewed Madison County's blood draw numbers, and they show progress in our County employees versus other Counties. Jeff will be working with the employee committee to see what current issues are, how they can fine tune the program and ways to encourage employees to lower LDL cholesterol and other high risk numbers. Mental health issues need to be addressed through education and to the wellness committee. Summary of premium and paid claims show a loss/ratio of 81.4%. Lifestyle is a predictor of claims.

**Lisa Jones/Farmers Market Chairperson – Parking Lot Use:**

Lisa helped get the Farmers Market started. Last year was their first year separate from the City. A 10 x 10 is \$50.00 for the season and then \$6.00 or 6%, whichever is greater, per week. They start with 25 booths and they grow throughout the season. They pay Lisa's fee, Kent Arnold for the music, and a portable outhouse. Vendors will start setting up at 2:00 p.m. on the day of the Market and finish by 9:00 p.m. The market has its own liability insurance. Having a full time sanitation was discussed. Lisa asked about having a storage facility to store the Market's supplies in. Commissioners had nothing to offer, but asked Lisa to look into a storage trailer that could be pulled off each week. Garbage cans were also discussed. They would also need to be dropped off and picked up weekly.

**Jared Bingham – D-7 Update:**

D-7 has been in the black financially for three months. Drug Court slots have come available and they have filled them quickly. There have been no staff adjustments in the last month. Since December they have gone down two full time and two part time employees.

The administration basement and moving D-7 into the space was discussed. The next big thing for D-7 is the budget from the Supreme Court.

**Kellye Eager/Owen McLaughlin – Eastern Idaho Public Health Resolution #236:**

Resolution #236 - requirements for potentially putting in systems with better quality effluent and is specific to properties less than two acres. They want to confirm that the County wants to continue with this resolution. The resolution is in place, and they are here to ensure that the County wants the continued support of DEQ. If a resident is in the area of concern, they do not want to install an enhanced system. Darren Sparks instigated the Health Department coming today, and he is in an area of concern with soil conditions, high ground water and nitrate concerns. Keller and Associates did some tests, but couldn't figure out where the nitrate problems were coming from. Prior to issuing a permit, they require a test hole be dug and ground water be monitored. A building permit is not issued until Owen has inspected and signs off on it. Darren needs to go through Eastern Idaho Public Health to get the septic permit, and they would make him get an enhanced permit.

**Fair Board- Work Meeting On Insurance Issues:**

Rodney stated that there are a lot of gray areas. ICRMP has suggested that we have some kind of policy requiring those using the fairgrounds to have some sort of liability insurance. If they come in for team roping, they are not charged admission; they rent the facility and require no liability. It was discussed whether there needs to be different levels of liability insurance requirements. The County has a blanket policy, but it was strongly suggested that the County has a liability policy in place. We'll visit with Jim and get information from ICRMP to see what we really need to do.

There is a carnival in the works and the fair is coming along good. The July 4<sup>th</sup> event is progressing, flyers are out and they have it on Facebook. Stone's Town and County are on board for sponsoring the fair. The sign under the announcer is about \$150/year.

Brent Saurey and Dot Legan came in with paperwork for 5 Buck Pizza discussed earlier in the day. Brent gave Commissioners a tax cancellation for Scott Tremelling totaling \$1,092.84. Brent also reported on Pizza establishments he checked into. 5 Buck Pizza had at least five contacts from the Assessor's Office to report on personal property. Little Caesars show not everything was declared on the declaration and Dot will be sending them a new declaration to include those things that were overlooked. Commissioner Weber feels that Dot tried numerous times to get the declaration from 5 Buck Pizza and they wouldn't respond. Commissioner Weber made a motion to deny the request and uphold what the Assessor's Office's findings for 5 Buck Pizza on the 2011 taxes were. Commissioner Ricks seconded and voting was unanimous.

**Darren Sparks – Special Septic System Waiver:**

Commissioners reviewed Mr. Sparks' letter and have talked with Eastern Idaho Public Health. They will need to abide by the Health Department's guidelines. They are in an area of concern because of soil and ground water. District 7 is going to require them the minimum system that can put in. The Commissioners can't waive anything because East Idaho Public Health will override it and say the soil and ground water require the enhanced system. They would like a standard 1500 gallon tank with a drain field and a second drain field, if necessary. It was acknowledged that the soil and water conditions may be a problem, and we are instructing them to apply directly to Eastern Idaho Public Health.

Commissioner Ricks moved to write a letter to the Sparks granting a waiver that they can take back to East Idaho Public Health Department. Commissioner Weber seconded and voting was unanimous.

Meeting was adjourned at 5: 15 p.m. by Commissioner Ricks. Commissioner Weber seconded and voting was unanimous.

Approved:

Kimber Ricks, Commission Chairman  
Jon Weber, Commissioner  
Todd Smith, Commissioner