



Madison County Commissioners

Meeting Minutes

APRIL 9, 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 8:04 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 8:20 a.m. Commissioner Weber made a motion to sign Liens on Case No's 2012026 and 2012027. Case No. 2001-067 is requesting a payoff figure with a 25% discount. Commissioners agreed that the County would be money ahead to accept a payoff. Ms. Boyce was given approval to offer a 20% discount on the total due, if the account is paid in full. Non-Medical: Sign Determination to Approve on Case No. N2012013. Commissioner Smith seconded and voting was unanimous.

County Business:

- Commissioner Smith reported on Airport Board Meetings he attended. A pilots' lounge is being discussed, but financial support will need to come from local funds. Commissioner Smith was unable to attend the Golf Board Meeting, but received reports that the golf course is open and running. The course is in good shape, and they are hoping for a good year.
- Tri-County and Drug Court meetings are April 24th at 9:00 a.m. Jefferson County has notified us that they will no longer be using our Drug lab.
- Commissioner Weber reported on the waste site. Dynamis will not be providing the waste to the energy plant. The next step is to hear from three other project engineers who have similar plants.
- The Centennial Committee meeting was well attended. Plans for the Centennial are moving along. There will be an art contest that the Historical Society is presenting. They are also looking for historical buildings in the County, but to be in the National Registry, no modification can be done. The Sugar Factory was built in 1904, but has been modified. The Committee would like to place plaques on buildings that have been modified. But were built in the early 1900's. They don't believe businesses would mind contributing to the cost of the plaque.
- Commissioner Ricks made a motion to approve claims presented by the Clerk, totaling \$534,154.05 (general fund - \$96,377.16). Commissioner Smith seconded and voting was unanimous.
- Commissioner Ricks made a motion to approve the Commissioners' Meeting Minutes of March 26, 2012. Commissioner Weber seconded and voting was unanimous.
- Commissioner Ricks made a motion to approve the Department Head Meeting Minutes of April 2, 2012. Commissioner Smith seconded and voting was unanimous.

- *Federal Per Diem Discussion* – Rates for different cities were reviewed, and Federal standardizing rates for County employees were discussed. The Commissioners discussed this matter and decided to keep the current policies.
- Commissioner Smith made a motion to approve the Certificates of Residency for Jacob Johnson, Shane Withers, McKayla Wahlquist, Corey Telford, Demetri Sweat, Hayley Romney, Regan Muir, Emily McFadden, Carter Erekson, Stockton Berry, Michael Woolf, Laura Johnson and Amelie Passe-Earlus. Commissioner Weber seconded and voting was unanimous. Commissioner Ricks questioned whether we had an option of paying 80 cents on the dollar since we have gone through our budget. Attorney Troy Evans reviewed Idaho Law and found that the County has no choice but to pay the full amount claimed.
- *Cost of Living Percentage Discussion* - There was discussion about what index numbers should be used for the 2013 year. If we average out the main indices, we would be close to 2%. For purposes of initial budget, we will use a maximum of 2% COLA on salaries.

Dave Walrath – Public Works Issues:

- Commissioner Weber questioned Dave on the third monitoring well in the DEQ/Christy Swensen matter. They will look at water surface to establish a plane. Dave still feels that the water runs toward the river, but this is not always the case. Dave hopes that by the end of the week, he'll have a site design to present. Once they bore the hole, they should be able to pull a sample within a few days. Concentration is so small that we could probably find the six parts per billion in any well.
- They are delayed a couple of weeks on the Texas Slough Bridge. Steel beams will be installed next week, and the bridge should be complete by mid May. Guard rail and painting will be complete by mid June. Installing conduit for telephone lines may be an extra cost, but other than that the bridge will come in pretty close to the bid. Commissioners will visit site during lunch break.
- North Twin Bridge – they need to put rip rap on the north bank of the Twin Bridge.
- There will be a disaster exercise the next two days with Homeland Security.
- There will be a meeting at Idaho Transportation Department Wednesday night at 6:00 p.m. They will do updates on projects, and Dave will discuss the pocket park and possibly changing parking spaces in front of the Courthouse.
- Commissioner Smith reported on a big pothole on Pole line Road and 2nd East. HK is making hot mix to do the patching. Dave feels the roads are in worse shape this year than last year.
- Road and Bridge are breaking further out into the Archer gravel pit to obtain additional gravel. This time they will probably do about 20 acres. The roads are now all open in the County to the forest.

Lawrence Blackburn/5 Buck Pizza – Taxes:

Mr. Blackburn is one of the owners of 5 Buck Pizza. They noticed that the property declaration was much higher than in Rigby. Madison assessed what similar businesses would report for their equipment as 5 Buck Pizza did not return the declaration. Assessor compared value of personal property for equipment comparable to Little Caesars. The State provides asset lists that Brent used for the computation. The matter was tabled, and Brent was asked to go inspect other like establishments and return with comparable values to remain consistent.

Aaron Davis – Golf Board Bylaw Adoption:

The Golf Board made a unanimous motion to recommend the bylaws for adoption. The City has also adopted the Bylaws. Commissioner Weber questioned the five year term for board members. Mr. Davis stated it has been that way for many years, but it could be changed if need be. Commissioner Smith made a motion to accept the Bylaws of the golf board. Commissioner Weber seconded and voting was unanimous.

Trent & Shelby Birch – Late Charges On Property Tax:

Shelby Birch was present and stated that when the economy crashed, they weren't able to do what they had hoped with the property as banks would not loan them funds. They have been trying to get it zoned to build apartment buildings (women's housing). Hospital bills have been tough due to a stroke that Trent had in 2009. They are partnering with Headwaters in Boise to build the apartments, but Headwaters would like the back taxes paid before they invest. They are two weeks away from breaking ground. Birch's are requesting interest and penalties be cancelled and they will pay the remaining tax. Commissioner Smith made a motion to forgive the late charges of \$286.02 and half of the interest (\$1,260.45) if taxes are paid in full by May 1st. Commissioner Weber seconded and voting was unanimous.

Public Comment:

None

Executive Session – Personnel Issues:

Commissioner Ricks made a motion to go into Executive Session at 3:31 p.m. pursuant to Idaho Code 67-2345-(1)(b) exempt records. (Commissioner Ricks-yes, Commissioner Weber-yes, Commissioner Smith-yes). Commissioner Ricks returned to open session at 4:15 p.m.

Gerald Williams/Brad Wolfe - Flood Plain Discussion, County Involvement:

County Commissioners want to understand more clearly floodplain issues and what the County can do to help the residents of the County. Consequently, they had Gerald Williams of Williams Engineering present general floodplain information and also details specific to South Fork Estates.

Gerald first reviewed floodplain rules and procedures established by FEMA. These must be followed to be able to change the floodplain or to remove property or structures from the established floodplain. The floodplain of concern—that for which insurance is required if there is a federally backed mortgage, is the so-called 100 year floodplain, or that which has a 1% change of happening in any given year. The effective or currently regulatory floodplain mapping was published in 1991 based on data up to the Teton Dam break. Using subsequent years of data over the drier decades results in the 100 year flood rate being 53% lower than before—4400 cubic feet per second (cfs) rather than 9370 cfs on which FEMA mapping is currently based. That is determined from data at the flow gauge at 2nd East in Rexburg.

There are known problems with floodplain hydraulics, such as the west bridge at Moody Highway not even being analyzed, and topographical changes since the old study. Also, neither the flow rate nor floodplain modeling has ever been analyzed for Moody Creek. Gerald was of the opinion that with an updated study involving new hydrology (flow rate) and refined floodplain analysis, the homes in South Fork Estates would not likely be shown be in the Teton River floodplain, but that they would be in the Moody Creek floodplain. If some homes remained in the floodplain, it may be that additional evaluation of site fill and site specific conditions could show that the homes should be out of the floodplain even though yards are not. But if not, with lower flood levels, insurance premiums would be reduced as they are based in part on low finish floor levels compared with the 100 year flood level.

To change the floodplain, the procedure would be to perform new hydrology and hydraulic analyses and mapping. This would be a lot of work, especially given that Moody Creek has never been looked at before. The cost of this approach would be approximately \$90,000 to \$100,000.

Perhaps the more practical and economically feasible approach is not to perform new hydrology and floodplain hydraulics with the intent of changing the floodplain, but rather to look at individual sites and see if existing or modified conditions with fill can remove the homes from the floodplain; that is, to establish the homes as little islands in the middle of the floodplain. This approach would cost approximately \$10,000 to \$12,000. This would be a neighborhood or individual homeowner project. It was thought that perhaps half the homes could be removed from the floodplain using this approach.

Gerald also mentioned that if homes were removed from the 1% annual chance flood, they may choose to drop flood insurance, but they can also choose to continue carrying it, but being out of the floodplain they would have lower preferred risk premiums. Keeping the insurance was recommended, because there will be flood events greater than the 1% annual chance—people get two or even three Yahtzees in a game which has lower probability of happening. Either way, the stigma of being in a floodplain would be gone once they are removed

Commissioner Ricks made a motion to amend the agenda to consider the City Farmers Market's request to block off the parking lot on Thursday evening. Commissioner Smith seconded and voting was unanimous. The event is actually 4:00 p.m. – 8:00 p.m. on Friday, but access is given to vendors at 2:00 p.m. Commissioners were concerned that it would hamper the landscaping that will be going on during this time. Lisa Jones, Chairperson of the Farmers Market, will be in to discuss this matter further at our next Commission meeting.

Meeting was adjourned at 5: 35 p.m. by Kimber Ricks.

Approved:

Kimber Ricks, Chairman

Jon Weber, Commissioner

Todd Smith, Commissioner