

	Madison County Commissioners	
	Meeting Minutes	
DECEMBER 10, 2012	8:00 AM	COMMISSIONERS ROOM
ATTENDEES	Commissioners: Chairman Kimber Ricks, Jon Weber and Todd Smith Deputy Prosecuting Attorney: Troy Evans County Clerk: Kim Muir	

AGENDA TOPICS

Health and Welfare (Clerk Kim Muir):

Commissioner Ricks made a motion to go into Executive Session at 8:16 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 liens on Case Nos. 2013010, 2013009 and 2013008 and sign a Determination to Deny on Case No. 2012002. A Subpoena was signed on Case No. 2012043. Commissioner Weber seconded and voting was unanimous.

County Business:

Committee and Board Reports:

- Commissioner Ricks made a motion to approve the claims presented by the Clerk. Commissioner Weber seconded and voting was unanimous.
- Commissioner Weber made a motion to approve the November 26, 2012 Commissioner Meeting Minutes. Commissioner Smith seconded and voting was unanimous.
- Discuss Department Head Merit Increases - Commissioner Weber made a motion to approve merit raises of 2% for all department heads. Commissioner Smith seconded and voting was unanimous.
- County Offices will close at 1:00 p.m. on Monday, December 24th, but will remain open until 5:00 p.m. on New Year's Eve, December 31, 2012.
- Discuss TracFone Litigation Letter - Tracfone is not paying fees to 911 across the state. They feel they are exempt, but the State of Idaho does not agree and is suing them and asking for County support. The funds pay for the 911 infrastructure and everyone linked to it should pay.
- Review Centennial Issues and Payments - Commissioner Smith made a motion to approve the contract and a check for \$27,500, for a retainer for the musical group. Commissioner Ricks seconded and voting was unanimous.
- Revisit Trevin Ricks Conditional Use Permit Decision, November 13, 2012, Findings of Fact - The matter was re-discussed based on Mr. Evans' review of the notices published in the paper on the hearings at the Planning and Zoning level. Mr. Ricks excused himself from the conversation due to a conflict of interest. There was a public hearing held on this application with Planning and Zoning on May 10, 2012 wherein public comments and documentation were taken. After the hearing, the Planning and Zoning Commission tabled the action for the applicant for opposition to get further information. The matter was un-tabled on October 11, 2012 because this information was obtained. It was this hearing where two notices were prepared regarding the hearing. One did not invite further public comment; the other did. The later one was published in the paper, though

at the public meeting on October 11, 2012, no further public comment was allowed. Based upon this error regarding the published notice for the October 11, 2012 meeting, it was decided to re-hear this application at the Planning and Zoning level. It will be noticed up for January, 2013 for another public hearing allowing for further public comment. Commissioner Weber made a motion to withdraw the November 13, 2012 Findings of Fact based upon the public notice error, and send it back to Planning and Zoning to re-hear the application. Commissioner Smith seconded and voting was unanimous. The Planning and Zoning Commission will allow public comment and documentation at this second public hearing in regard to this matter and re-submit its findings of fact to the Board. Ruebush's were present and clarified that it was an open meeting and public comment will be taken which the Commissioners confirmed.

- TRPTA issue – Commissioner Smith would like to find out how much the City is contributing.
- County Coordinating Committee Meeting will be Wednesday at 8:00 p.m.
- The Hospital situation was discussed and Commissioner Ricks stated that everything will be fine as soon as the dust clears. Exploring the possibilities of putting a surgery center or emergency room in Rigby was discussed.
- Reminder of Public Hearing on December 14, 2012 for a variance for Dallas Bowen.
- Commissioner Weber stated that Klim has been purchased by Polaris and will expand their services in Rigby.
- Commissioner Weber reported that the Emergency Services Board met. Over the summer, the Department had nine guys out on fires in surrounding areas. The medical unit trailer and a few fire trucks were also out. Over \$300,000 net in federal money came in from all of the fires. We took some heat for whether or not our community was at risk with that many people out – Chief Child felt sure that the community was safe. The question of whether or not we want to have an enterprise business was raised.

Personnel Actions:

Commissioner Ricks made a motion to approve the personnel actions. Commissioner Smith seconded and voting was unanimous.

Joe Gonzalez – Commissioner Weber's Float Request for 4th Of July Parade:

Commissioner Weber would like the County represented well for the 4th of July Parade. He is asking our top mechanics and people from the County to put together a float that will be a fun thing for community members to see in the parade.

Sherry Arnold/Brent Saurey Tax Issues:

Dot Legan was present to represent Brent Saurey. Bart Stevens was present to explain that Hill View properties are the new owners of the property in question. The AG exemption was previously on the properties, but was dropped when Hill View purchased the property. There are nine residential lots and four townhome lots. The second matter will be tabled for now. Dr. Head deeded lake property to a Homeowners Association that doesn't exist. Next year the property will need to be divided among the nine lots in the subdivision.

Dave Walrath – Public Works Issues:

Solid Waste received a bid from architect JRW not to exceed \$7,500 for design of a 60' x 90' truck shop with overhead doors on both ends to fit trucks and trailers to wash, service and keep out of the weather. It will also include a small office area and restroom. Drains will be installed to collect and dispose of hazardous waste.

Dave also reported on a health department inspection that resulted in a violation. They have taken measures to correct the problem. Drivers have been instructed to inspect every load to ensure there is no household waste going to the transfer station.

Dave is still working with DEQ on well monitoring to measure water quality near the landfill. Dave is hoping for a positive reaction to a letter asking them to agree to do three wells rather than six to nine. The agreement will be drafted and submitted to DEQ.

There will be a regional solid waste meeting on Thursday, December 13th, at 11:00 a.m. in Idaho Falls at the Health Department. Household hazardous waste events will continue next summer.

Dave reports that the Moody bridge work is ongoing. They did work on a canal bridge in Plano at 3000 West which still requires rip rap due to erosion.

Mr. Huish is working on numbers for final plan through Forsgren & Associates for the Pocket Park.

Next week is the final design on 5000 South project. There will be a technical session December 19th at 1:30 p.m. Keller and LHTAC will be at the meeting.

The Thornton Interchange is set for 2014 and will probably happen before 5000 South, but it could go either way. Bear World would like better access to their park that will attract more business.

Commissioner Smith reported that a resident living on 6800 South has requested that the borrow pit across from his home be filled in by the county because when his neighbor waters his field, it floods his basement. It also needs filled for safety reasons as he has seen a bus and a county snow plow both get stuck in the area. Dave said he would look at it.

Randall Porter would like to have a path on Pole line Road as the road is dangerous. He also has issues with the striping on 2nd East and Pole Line Road.

Public Hearing – Purchase of Real & Personal Property:

The public hearing opened at 10:05 a.m. Matt Eichner, from the Standard Journal, Darnell Weeks and Dave Walrath were present. Dave explained the property being discussed is a one acre parcel with a home and buildings and is adjacent to the County's Archer gravel pit that has been deemed to be in Madison County's best interest to acquire. There has been a full real estate appraisal done by an outside appraiser on this property that has been reviewed by Madison County and Mr. Weeks. The County purchased the adjacent property for the purpose of expanding the pit, and the Weeks' property would be used for the same purpose. The issue is the rock crusher. It creates a lot of dust and drifts into the Weeks' property and home. A hearing was held last month for a Conditional Use Permit. A large part of what Road and Bridge does is to chip seal roads and the crusher is the means to that end. Modifying the operation is not practical as the wind blows in this area most of the time.

Darnell Weeks stated that he is in agreement with Dave Walrath and that he will agree to the terms outlined in the letters sent between the parties negotiating this sale. The Commissioners have made an offer on this property subject to this public hearing and funds available. No one appeared to oppose this purchase or in neutral of this purchase. The public hearing portion was deemed closed at 10:17 a.m. Commissioner Weber made a motion to move forward with this transaction of the Darnell Weeks' property to purchase the same. Commissioner Smith seconded and voting was unanimous.

Dave commented on the availability of funds as this transaction was not included in the budget. His cash reserve shows the funds needed to complete the transaction which may require opening the budget. There will be a 28 day comment period, and closing will be around January 8th. The title will be pulled for review and a Purchase and Sale Agreement will be drawn up prior to the closing.

Bruce Bowler – 911 Contracts:

Bruce presented grant acceptances for Homeland Security for the annual maintenance service contract for 911 communications and the Idaho State Police Ilets Agreement. Commissioner Smith made a motion to sign the grant acceptance. Commissioner Weber seconded and voting was unanimous. Commissioner Smith made a motion to accept the annual critical care maintenance and support agreement for 911 with Tritech. Commissioner Weber seconded and voting was unanimous.

Dawn Holman – County Benefits/VEBA:

Employees have been happy with the HRA benefit. Dawn has looked at the VEBA plan. This would enable employees to take HRA money when you leave and put it in an HRA investment account. Dawn explained the different programs available through VEBA. Different scenarios were discussed and options explored. Commissioners decided to stay where we are for a few months until we find out more about the impact of Obama Care.

Lynn Seymour Funding FY14 Money for Public Transportation:

Amanda Ely was present for Lynn to ask for a donation for public transportation. They are requesting \$35,000 from the county to help support their needs. Their grant comes from the Federal Government for rural monies and they receive Medicaid funds, but that has been cut substantially and they are asking cities and counties for help. They need our help to close the gap or they won't be able to provide the services. They go from Rexburg, Sugar City, St. Anthony and Driggs. They charge only \$1.50 per person, and children under five are free. TRPTA is asking the City of Rexburg for \$60,000. Commissioners will review funding and let them know.

Madison Economic Partners or "Envision Madison" meetings were discussed. Conference calls with Robert Grow have been ongoing. Robert is doing a community planning project in Florida right now, but the City of Rexburg and Madison County are interested in hearing from him. Commissioner Ricks made a motion to approve the payment to Madison Economic Partners of the budgeted amount of \$7,000. Commissioner Smith seconded and voting was unanimous.

Commissioner Ricks recessed at 12:45 p.m.

The meeting was reconvened at 1:30 p.m. and Christine Campbell, Shauna Ringel, Diana Fuller and Vicki Grover from the Centennial Committee and members of the press were present. Christine gave members of the press information about Madison County's upcoming Centennial Celebration festivities. There will be a press release on Monday, December 17 announcing the 2013 Centennial Festivities.

Commissioner Weber made a motion to adjourn at 3:04 p.m. Commissioner Smith seconded and voting was unanimous.

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