

Abbreviated Minutes: Complete Minutes Are On File In The Clerk's Office

	Madison County Commissioners	
Meeting Minutes		
NOVEMBER 26, 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

Legislative Breakfast:

The following were present: Dell Raybould, Doug Hancey, Sheriff Klingler, Tony Poinelli and Seth Grigg. Issues that Commissioners would like to see addressed at the next legislative session were discussed.

Commissioners let legislators and IAC staff know that Certificates of Residency are going to break the County, and funding needs to be revisited. Tony stated that a new application has been drafted and is being sent to community colleges. Overall distribution should be equalized by the State between cities and counties. The best thing would be to give it to the State and have them pay the bills. Madison County is now seeing BYU-I students apply for County funding to take online courses which could be very costly. Another issue with the Certificates of Residency getting worse is that after an individual reaches the \$3,000 maximum limit in one county, they are going to another county to try to collect there also.

Highway funding and cost of materials, especially asphalt, are a concern. Mr. Raybould commented that Garvee funding has taken a huge chunk out of county funds. They have authorization to sell more bonds - all projects except one are complete that were selected under the Garvee funds.

Candidates campaigning too close to precincts on Election Day were discussed. The current law of 100 feet from the door is not enough; 100 feet from the property line would be more appropriate.

IAC will bring these issues forward:

Board of Commissioners' Review of LID's - Residents can petition the district and the BOC can overturn the decision of the Highway District Board. A bill will be submitted striking a few sentences from the existing bill.

Recording Fees Is A Housekeeping Bill - Three years ago the fee was raised from \$3 to \$10. Everything for consistency purposes will be the same.

BOE Process Exempt Properties Back To The BOE - County Commissioners hear property tax appeals on valuation in BOE. Every year all properties that are exempted by the

State come to the BOC to recertify their exemption. Once the exemption is granted, thereafter they do the short form. Bills are passed and end up with unintended consequences – they then need to go back to the original bill.

Sale Of Tax Deeded Property -There was a change in 2006 in the tax deeding process. Money going in will cause the indigent levy to reset. This issue needs to be revisited.

Repeal of 31-1506 - Sets up a process where any individual can question or challenge any decision made by the BOC.

Seth stated there will be measures to do away with personal property taxes. There will need to be additional revenue from somewhere. Commissioner Weber stated that the only fair tax is the sales tax, but no one wants to talk about an increase. Our concern is to make sure counties are kept whole. Services being provided need to be looked at.

Sheriff Klingler mentioned a collection agency, Smith and Driscoll, who are in business to run sheriff sales, garnishments, etc. He feels he has a responsibility as gatekeeper for these services and that the responsibility should stay with the Sheriff. Smith and Driscoll are looking only to make money and take advantage of the situation. Sheriff Klingler is concerned with how they would treat the citizens.

Health and Welfare (Deputy Clerk Liz Boyce):

Commissioner Weber made a motion to go into Executive Session at 9:22 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 9:22 a.m. Commissioner Ricks made a motion to sign Liens on Case Nos. 2013007 and 2012040 and sign a Determination to Deny on Case No. 2013001. Non-Medical claims: Sign a Determination to Approve on Case No. N2013003. Commissioner Smith seconded and voting was unanimous.

County Business:

- *Committee and Board Reports:*
The Centennial was discussed and lapel pins were shown. The contract with Christine Campbell was discussed and a brochure to hand out to prospective donors was reviewed.
- Relationships with the City of Rexburg and Urban Renewal were discussed in connection to the pocket park and in-kind work.
- Commissioner Weber made a motion to approve the claims presented by the Clerk. Commissioner Smith seconded and voting was unanimous.
- Commissioner Weber made a motion to approve the November 13, 2012 Commission Meeting Minutes. Commissioner Smith seconded and voting was unanimous.
- Commissioner Smith made a motion to approve the November 7, 2012 Work Meeting Minutes. Commissioner Weber seconded and voting was unanimous.
- Commissioner Ricks made a motion to approve the November 7, 2012 Rexburg/Madison County Airport Board Meeting Minutes. Commissioner Smith seconded and voting was unanimous. Commissioner Ricks made a motion to

appoint Craig Cobia to the Airport Board. Commissioner Smith seconded and voting was unanimous. Commissioner Smith made a motion to appoint Johnny Watson as the new Golf Board member. Commissioner Weber seconded and voting was unanimous.

- Commissioner Ricks made a motion to approve the Annual Road and Street Financial Report. Commissioner Smith seconded and voting was unanimous.
- Commissioner Ricks made a motion to approve the Fenton's Maintenance Contract. Commissioner Weber seconded and voting was unanimous.
- Commissioner Ricks made a motion to approve the Alcoholic Beverage license for Apple, Inc. Commissioner Smith seconded and voting was unanimous.

Personnel Actions:

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

Sherry Arnold - Tax Issues

Brent Saurey - Review and Sign Access Idaho Contract:

Dot Legan was present to represent Brent Saurey as he was sick. A representative for Jay Hepworth was present to ask that late fees and interest be cancelled. He will pay all back taxes today if this amount can be waived. Commissioner Ricks made a motion to waive the late charges and fees as proposed by the Treasurer. Commissioner Smith seconded and voting was unanimous.

Homeowners' exemptions were dropped in error by the Assessor's Office when doing deed changes. The out building is listed on the wrong property belonging to Quenton Bagley. Jodi Watt, Karen Reno and Carma Parkinson Living Trust have all had the circuit breakers in the past, but due to circumstances beyond their control, have dropped off. Commissioner Weber made a motion to approve the homeowners' exemptions dropped, deed changes and the circuit breakers on the attached sheet with the exception of Jodi Wyatt's property. Commissioner Smith seconded and voting was unanimous.

Paul Sorensen - Review:

Paul stated the biggest challenge is the departments purchasing equipment without checking with IT first and doing their own thing without coordination from IT. Paul feels that things are going well and that they are keeping up well with the IT needs of the County. One thing he would like to work on is the phone system. He is looking at meeting with the Sheriff's Office and Commissioner Smith to start the process of looking at needs of the County and whether it's worth it to stay on the same system as law enforcement or just do what is best for the County.

Rodney Lusk/Fairgrounds - Review:

Rodney is looking forward to the Centennial festivities next year. Commissioners asked Rodney to look at how we can spruce up the fairgrounds i.e. painting, cleaning, etc. by using kids needing service hours or eagle projects. They asked him to bring new ideas to them.

Ryan Brown/Tri-County Probation - Review:

Ryan stated that things are going well in his department. Ryan feels that the new health care laws will affect probation and counseling because we are referring to these agencies. Evaluations have been done and they feel there is room for improvement and raises will not be given for a while. Commissioner Smith made a motion to approve the Tri County Joint Powers Agreement. Commissioner Weber seconded and voting was unanimous.

Dave Walrath/Public Works Director - Review:

The purchase of the Darnell Weeks' property and the funding were discussed. The Pocket Park was also discussed. Solid Waste issues and the monitoring wells (he will meet with Kristie @ DEQ this week) and department equipment issues were discussed and his personnel action requests were clarified.

Planning & Zoning Issues:

Dave will get plans from the Department of Lands (Reclamation) before he can get back to Commissioners. Nothing was discussed regarding the gravel pit because it hasn't been submitted by Planning & Zoning.

Richard Horne - District 7 Health Annual Report & New Program Camp:

Geri Rackow was also present. Eastern Idaho Public Health Department is overseen by Commissioners, and Richard announced his resignation after over 41 years. The official statewide registry will be open in January, will review applicants and the Board will reconvene on February 14th to interview potential replacements. Richard will stay until the end of February or March. The Madison County building is paid for, and they are debt free. The reserve account is low, but they will slowly start rebuilding.

Geri gave a presentation on the Network of Care in Idaho. Seven health districts went together to provide the funding for this program. She showed a website that has been created to show how our county compares to the state and the goal set by the Public Health Department. Medications can be identified and researched, health conditions and diseases can also be researched and there is also a wealth of other information. There is a legislative link where tracking of all health care bills currently going through the legislative process are tracked. You can also find legislators contact information and can email them directly.

Deloy Ward - Property Issues:

Deloy and Commissioner Ricks met previously and discussed his property East of Madison County. Deloy wants to opt out of property taxes. He filed the affidavits and paperwork required to opt out in 1995. Homestead was discussed. He has hired people from Blackfoot to work for him and built cabins so they wouldn't have to travel so much.

Issue No. 1 - Whether or not you can opt out of Planning & Zoning and the permitting process.

Issue No. 2 - He would like to have had Brent McFadden call him to discuss the property tax and permitting issue rather than trespassing on his property. His position is that he shouldn't be required to have a building permit because he filed the papers to opt out. He is also in violation of the State of Idaho codes. Deloy is also upset with the herd district laws that his property is in. One of his cows was hit by a drunk driver and his insurance

company paid it saying he was liable. The next issue raised was grazing rights and property owner's responsibility for herd control.

Issue No. 3 - Weed control. Mr. Ward believes the weed proliferation is caused by some of our weed practices.

Reviews with Department Heads:

Brent McFadden - Brent let Commissioners know that the two new restrooms are in at Beaver Dick and Twin Bridges Parks. The concrete was poured for lighting on the dock at Beaver Dick. Scouts from Hibbard put in fire rings. A playground set was installed and new camp sites were made at Twin Bridges. The large rocks have been removed, and Brent would like to put signs up indicating a fine if they drive over the grass. All old sprinkler heads have been located and fixed and the grass looked really good this summer. New screens were installed on the internal filter of the sprinkler heads.

Brent is seeing more business for permits in Planning & Zoning. Commissioner Ricks asked Brent to get the buildings and property in great shape and very presentable for the Centennial Celebration. Centennial Park is a pocket park - a gathering place, memorial, green space to establish a county presence downtown.

Luke Erickson - Commissioner Ricks attended one of Luke's classes regarding credit scores and felt it was very informative. Luke mentioned several other classes that he is teaching. He doesn't see a lot of changes in the near future, but can see the need for an Agricultural Agent in the future. ISU would like to establish a location in Madison County for a liaison between students and the county for the doctoral program. They would like to rent office space in the empty space in the Administration building and pay for a portion of Pat's time.

Kirk Mace/Review And Sign JABG Grant And Financial Report - Commissioner Smith made a motion to accept and sign the JABG grant and financial report. Commissioner Weber seconded and voting was unanimous.

Kirk talked to Madison School District and enrollment in the high school is up 138 students over last year. Kirk utilizes college interns and as they pay a little, they get the cream of the crop. Theft is the number one crime in the county, followed by alcohol and drug use. Theft is usually driven by drugs. They have a great relationship with 5C, but they don't use them as much because of new programs to help the kids rather than putting them in detention.

Craig Rindlisbacher stated technology is changing GIS constantly. They are providing technology to other people so they can do their own maps. One opportunity Craig sees in the next year is the Centennial celebration. Craig is excited about the Madison Economic Partners Committee and feels there are exciting things being brought to the table by this committee.

Dallas Brown - Property Variance:

Dallas and Karen Brown were present. They built a barn and found it's too close to the property line. Brent commented that he has done a great job with the building and

neighbors down that road have also built too close to the property line. They asked the insurance agent and were told they could build it anywhere. A public hearing is scheduled December 14th at 10:00 a.m. to consider a variance.

Commissioner Smith made a motion to adjourn at 5:37 p.m. Commissioner Ricks seconded and voting was unanimous.

Approved:

Kimber Ricks, Commission Chairman

Jon Weber, Commissioner

Todd Smith, Commissioner.