

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



Madison County Commissioners

Meeting Minutes

OCTOBER 22, 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 (Deputy Clerk Liz Boyce):**

Commissioner Ricks made a motion to go into Executive Session at 8:12 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 8:30 a.m. Commissioner Weber made a motion to sign a Determination to Approve on Case No. 2012025, Sign Liens on Case No. 2013001 and Case No. 2013002, and sign a Notice of Appeal Hearing on Case No. 2012043. Non-Medical: sign a Determination to Approve on Case No. N2013001 and a Determination to Approve and Claims on rent, power and gas for Case No. 2013002. Commissioner Smith seconded and voting was unanimous.

County Business

- *Committee and Board Reports:*
  - Commissioner Smith reported on Tri-County meetings on October 16th.
  - Commissioner Ricks presented a letter and ballot to the Commissioners from IAC. Commissioner Ricks made a motion to approve Commissioner Jon Weber from Madison County for the Capital Crimes Defense Fund At-Large Board Member position. Commissioner Smith seconded and voting was unanimous.
  - Commissioners Ricks and Smith reported on Housing Meetings they attended in Boise. They reported that Idaho has the largest number of incubators for housing opportunity in the Country. They were very positive about the economic outlook future for Idaho.
  - Commissioner Ricks attended Hospital meetings in Sun Valley. Doug Crabtree is the outgoing president and CEO of EIRMC. He spoke on health care being broken and how as it is our fault, it needs fixed. Eastern Idaho has more MRI capacity than larger cities, with less population. Unnecessary testing and equipment are causing us problems and costing more than they should.
  - Commissioner Weber reported on health board meetings. Richard Horne is going to retire, and they voted to open up the application within the state.
  - Commissioner Weber reported that the Fair Board is doing well. They are excited to be a part of the Centennial.
- Commissioner Ricks made a motion to approve the claims presented by the Clerk. Commissioner Weber seconded and voting was unanimous.
- Commissioner Smith made a motion to approve the October 1, 2012 Commission Meeting Minutes. Commissioner Ricks seconded and voting was unanimous.
- Commissioner Smith made a motion to approve the October 1, 2012 Department Head Meeting Minutes. Commissioner Ricks seconded and voting was unanimous.

- Commissioner Smith made a motion to approve the Resolution #355 - Dispose of Common Area. Commissioner Weber seconded and voting was unanimous.
- Commissioner Weber made a motion to approve the Certificates of Residency for the following: Gunner Anderson, Morgan Baker, Christina Barrus, Caden Christensen, Alisha Clark, Nathan Geddes, Joshua Hammer, Allison Hawkes, Jacob Head, Joshua Karl, Bonnie McDougal, Madison McInnes, Tait McInnes, Alycia Millward, Mason Ostermiller, Tyrel Schwendiman, Liam Scott, William Speakman, Michaela Van Wagner, Keeli Virgin, Austin Whaley, Vanessa Whaley, Shelby White and Danielle Youngstrom. Commissioner Smith seconded and voting was unanimous.
- The South County Gravel Pit was discussed and recommendations were made.
- Commissioner Ricks made a motion to approve the grant award documents for Homeland Security. Commissioner Smith seconded and voting was unanimous.
- The final numbers on levies were presented by the clerk. There are no changes from the previously approved levies.
- Commissioner Ricks made a motion to approve the contract with Mail Finance for two new postage machines for the Court Clerks and the Clerk's Office. Commissioner Smith seconded and voting was unanimous.

**Personnel Actions:**

County employees received a 1% cola and a 0-2% merit raise county wide. Specific details can be obtained from the Clerk's Office.

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

**Hospital Board Appointments:**

Current board members (Kent Vernon, Linda Porter and Ken Burt) terms expire December 31, 2012, and they are all interested in being reappointed. Commissioner Ricks made a motion to approve these three members for an additional three year term. Commissioner Weber seconded and voting was unanimous.

**Josh Garner – Public Defender Bid:**

Josh is interested in obtaining the Public Defender Contract. He has been a local attorney in Rexburg for seven years. He would like to see the Public Defender contract put out for bid, and he would like a chance to bid. Josh changed his approach to a flat fee policy and his clients get representation until they are satisfied. His job is to help defendants understand what their choices are. He thinks he should make sure defendants are punished for making bad choices. Very few attorneys are certified to take capital crimes. Josh would like to co- counsel capital cases and that is a prerequisite for being certified. Troy Evans advised that assuming there is no contract with Jim Archibald, the Commissioners can either choose to put the matter up for bid or choose an attorney of their choice.

**Sherry Arnold/Brent Saurey – Tax Issues:**

Commissioner Smith made a motion to repeal the motion from the last meeting to clarify the Torgerson property. Commissioner Weber seconded and voting was unanimous. Commissioner Smith made a motion to cancel the taxes presented by the Treasurer for a duplicate billing. Commissioner Ricks seconded and voting was unanimous.

Commissioner Weber made a motion to accept the recommendation of the Treasurer on Jesse and Peggy Austin's property to cancel the tax that was billed in error. Commissioner Smith seconded and voting was unanimous.

Commissioner Ricks made a motion to certify the Madison County Ground Water District Levy. Commissioner Smith seconded and voting was unanimous.

Brent McFadden was asked to attend to explain the town site issue for Lynn Smith. The County actually owns the property and the roads are platted. The town sites are protected, and the Commissioners' hands are tied.

Brent McFadden and the Commissioners discussed finding ways to provide more recreational areas for the public in outlying areas. Brent was encouraged to look into pocket parks in the county town sites.

**Sheriff Klingler – Law Enforcement Names on Public Record:**

Ryan Kaufman was present to discuss the GIS public search by name. Madison County is one of the few counties who don't make this service available, but many would like it made available. Real estate centered businesses are one of the few who would use it. The Sheriff's Office does have a concern with putting officer's private information on public records, but recognizes that technology makes it possible to find officers and their personal residences. Ryan presented a contract with Health and Welfare to begin serving their documents for a fee. Commissioner Weber made a motion to sign the contract between the Sheriff's Office and Health and Welfare. Commissioner Smith seconded and voting was unanimous.

**Dave Walrath – Teton River Bridge Repair:**

Dave was out of town and this was not discussed.

**Rudey Ballard – Insurance Update:**

Rudey will hold a meeting on November 13, at 8:00 a.m. for individuals who are interested in retiring in the next few years. He stated that the Madison County grandfathering status is still in place with Blue Cross even with the recent change to our definition of full time status.

The annual blood draws were discussed. Rudey feels that cumulative data from the past, so employees can see if things are changing, is very valuable. Rudey presented numbers showing how much the County pays for those who are double covered. New healthcare laws require us to notify everyone eligible what the plan and changes are.

**Brent McFadden – Reappoint Planning & Zoning Commission Members (Kay Burrell, Bill Squires, Jolene Sutton and Ed Williams):**

Kay Burrell wants to be replaced; he represents Burton. Commissioners will consider several names and will set up interviews.

Commissioner Smith made a motion to reappoint Bill Squires, Jolene Sutton and Ed Williams. Commissioner Weber seconded and voting was unanimous. Commissioners would like to attend the next meeting to thank the Planning & Zoning Commission.

**Discuss Variance on Hernandez Property:**

The five acres with road set asides were discussed. Brent will write a letter to allow the building. Commissioner Smith agrees that a home was originally planned on that lot.

FEMA is remapping the flood plain in panel 20D of the FEMA maps.

**Sign Elevation Certificate – Gene Bair:**

Commissioner Ricks made a motion to approve an elevation certificate for Gene Bair. Commissioner Weber seconded and voting was unanimous.

The Dean Davies issue was discussed. A meeting will be set up with Dean and a surveyor, Commissioners, Troy and Brent.

Commissioner Weber made a motion to adjourn at 3:50 p.m. Commissioner Smith seconded and voting was unanimous.

Approved:

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