

	<b>Madison County Commissioners</b>	
	<b>Meeting Minutes</b>	
SEPTEMBER 10, 2012	8:00 AM	COMMISSIONERS ROOM
<b>ATTENDEES</b>	<b>Commissioners: Chairman Kimber Ricks and Jon Weber. Todd Smith was excused</b> <b>Deputy Prosecuting Attorney: Troy Evans</b> <b>Deputy County Clerk: Karen England</b> <b>County Clerk Kim Muir was excused</b>	

## **AGENDA TOPICS**

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

Commissioner Ricks made a motion to go into Executive Session at 8:10 a.m. pursuant to Idaho Code 67-2345-(1)(d) exempt records. Commissioner Ricks-yes, Commissioner Weber-yes) Commissioner Ricks returned to Open Session at 8:18 a.m. Commissioner Weber made a motion to sign Notice of Appeal Hearing on Case No. 2012039, sign Initial Determination to Deny on Case No. 2012040 and sign Initial determination to Approve on Case No. 2012041. Non-Medical: sign Determination to Deny on Case No. N2012019. Commissioner Ricks seconded and voting was unanimous.

### **County Business:**

- The Centennial activities were discussed.
- Ted Hendricks and Keith Davidson were present to update and discuss the parking lot. They are trying to get Department of Commerce to approve funds to be used for the Centennial Park. Commissioner Ricks made a motion to go ahead with sealing and striping of the downtown parking lot. Commissioner Weber seconded and voting was unanimous. Commissioner Ricks made a motion contingent on approval of the Department of Commerce allowing the balance of the grant to be used at the Centennial Park. Commissioner Weber seconded and voting was unanimous. Commissioner Weber made a motion to pay \$20,000 to H&K. Commissioner Ricks seconded and voting was unanimous.
- Retail Alcoholic Beverage Licenses for:
  - Albertsons #171*- Commissioner Ricks made a motion to approve the license for Albertsons located at 490 North 2<sup>nd</sup> East, Rexburg. Commissioner Weber seconded and voting was unanimous.
  - Wal-Mart #1878* - Commissioner Weber made a motion to approve the license for Wal-Mart located at 530 North 2<sup>nd</sup> East, Rexburg. Commissioner Ricks seconded and voting was unanimous.
  - Rexburg Chevron* - Commissioner Ricks made a motion to approve the license for Rexburg Chevron located at 1700 West 1500 South, Rexburg. Commissioner Weber seconded and voting was unanimous.
  - Teton Lanes* - Commissioner Weber made a motion to approve the license for Teton Lanes located at 585 North 2<sup>nd</sup> East, Rexburg. Commissioner Ricks seconded and voting was unanimous.
  - Maverick #195* - Commissioner Ricks made a motion to approve the license for Maverick #195 located at 75 North 2<sup>nd</sup> East, Rexburg. Commissioner Weber seconded and voting was unanimous.

*Maverick #169* - Commissioner Weber made a motion to approve the license for Maverick #169 located at 12 South 2<sup>nd</sup> West, Rexburg. Commissioner Ricks seconded and voting was unanimous.

*Brad's Sinclair* - Commissioner Ricks made a motion to approve the license for Brad's Sinclair located at 6 East Center, Sugar City. Commissioner Weber seconded and voting was unanimous.

*Applebee's Neighborhood Grill and Bar* - Commissioner Weber made a motion to approve the license for Applebee's Neighborhood Grill and Bar located at 975 University Blvd, Rexburg. Commissioner Ricks seconded and voting was unanimous.

- Commissioner Ricks made a motion to approve the Certificate of Residency for Jenna Lyn Rindlishbacher. Commissioner Weber seconded and voting was unanimous. Commissioner Ricks stated the application for Certificate of Residency is being reviewed and may require parents to be residents.
- Commissioner Weber made a motion to approve the August 27, 2012 Meeting Minutes. Commissioner Ricks seconded and voting was unanimous.
- Commissioner Ricks made a motion to approve the September 4, 2012 Budget Meeting Minutes. Commissioner Weber seconded and voting was unanimous.
- Commissioner Weber made a motion to approve the September 5, 2012 Public Meeting Minutes. Commissioner Ricks seconded and voting was unanimous.
- Commissioner Ricks made a motion to approve the claims presented by the Clerk. Commissioner Weber seconded and voting was unanimous.

**Personnel Actions:**

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

**Jeremiah Cochran – Work In Progress Report/Employee Evaluation Form:**

Following Commissioners' recommendations, he has made a more simple evaluation form. He discussed his recommendations and the sections on the application. Commissioner Ricks stated there will be a Department Head Meeting on October 1<sup>st</sup> and asked him to attend and present his report.

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

Michael Berger bought Anytime Fitness on August 1<sup>st</sup> which included equipment, contracts and personal property. Brent stated the valuation of the property was based on World Gym because the previous owner did not respond. State Tax Commissioner states that when someone doesn't report, the Assessor can estimate. When Mr. Berger bought the property, he did not go through a title company; otherwise the title company would have caught the mistake. The Assessor will get an amount back to Commissioners and will let Michael know the final decision.

**Brent Saurey – H.O. Exemption/Carma Haws:**

Blayne McArthur, Carma's CPA, was also present. Brent stated his office noticed that she had an Arizona address so the homeowners' exemption was removed. His office then received a note from Carma stating she lived in Arizona just for the winter months, but nothing was done to put the homeowners' exemption back on. As the address was wrong, she never received any notices. Blayne stated that Carma has paid 2008 and 2009 taxes without the homeowners' exemption. She did not have the homeowners' exemption from 2008 through 2011. The mailing address is now changed to the correct one.

**Karl Lewies/Ben Mattson – Tri-County Probation Legal Matters:**

Shay Plagmann and Ryan Brown were also present. Karl Lewies is representing Ben Mattson, who is an employee of Tri-County Probation. On August 22<sup>nd</sup>, Karl wrote a letter to Ryan Brown letting him know they would be here today. On May 22<sup>nd</sup>, he wrote a letter to Troy Evans asking if he was legal counsel for Tri-County Probation. Troy Evans responded back that if there were personnel issues regarding the director of Tri-County Probation, to send those concerns to the Tri-County Board of Directors. On June 29<sup>th</sup>, Karl Lewies wrote each member of the Tri-County Board asking them the name of legal counsel for Tri-County Probation but had not yet heard back from them. Troy Evans stated he was not aware that he is legal counsel for the Tri-County Probation Board of Directors, nor did he know if the Tri-County Board of Directors had its own legal counsel. Ryan’s understanding was as they are employees of Tri-County and Madison County; this makes Troy Evans the attorney as he represents Madison County. Ben stated he did not have the Tri-County policy manual, but Ryan stated he was told he was welcome to look at it any time and that he has previously been given copies. Ryan stated that he has told Ben previously that any complaints against officers should be addressed to Ryan and has on numerous occasions discussed the “chain-of-command” with him and that if there is a complaint against the director, it should be directed to the Tri-County Board of Directors. It was decided that Troy Evans represents Madison County and Tri-County personnel, but it is still unclear who represents the Tri-County Probation Board of Directors. Regardless, Mr. Lewies can contact Mr. Evans with regard to personnel issues regarding these employees.

**Bob Schneiter/Fair Board Discussion:**

Bob said they have had problems with the Livestock Committee. Until they have facts, there will be no decision. He discussed the complaints of residents and board members. The fair/concession stands were also discussed. Appointing new board members was discussed. Commissioner Ricks discussed the Centennial plans at the fairgrounds. Bob will discuss at their fair board meeting if they need to appoint new members to be ready for the Centennial activities.

**Dave Walrath – 5000 South Project:**

Jeanne Mecham and Jason Adams, Keller Associates, were also present to discuss the canal alignment. One option has the canal moving to the south. Dave recommended jogging the road to align with the ditch. Commissioner Weber moved that we leave the ditch where it is. Commissioner Ricks seconded and voting was unanimous.

Dave discussed replacing the Sugar City Bridge and the conflicts he is having. The public input meeting is scheduled for September 24<sup>th</sup>. They need the input meeting regardless of what happens to the bridge.

Dave gave an update on Twin Bridges.

Commissioner Weber made a motion to adjourn the meeting at 11:50 a.m. Commissioner Ricks seconded and voting was unanimous.

Approved:

Kimber Ricks, Commission Chairman  
Jon Weber, Commissioner