

	<p>Madison County Commissioners</p> <p>Meeting Minutes</p> <p>JANUARY 14, 2013 8:00 AM COMMISSIONERS ROOM</p>
ATTENDEES	Commissioners: Chairman Kimber Ricks, Jon Weber and Todd Smith Deputy Prosecuting Attorney: Troy Evans County Clerk: Kim Muir

AGENDA TOPICS

The meeting was on a delayed schedule due to a power outage in the area.

Health and Welfare (Clerk Kim Muir):

Commissioner Ricks made a motion to go into Executive Session at 12:03 p.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 12:08 p.m. Commissioner Smith made a motion to sign Liens on Case No. 2013013, sign a Determination to Deny on Case No. 2012007 and sign a Notice of Appeal on Case No. 2013003. Commissioner Ricks seconded and voting was unanimous.

County Business

- *Committee and Board Reports:*
- Commissioner Ricks made a motion to approve the claims presented by the Clerk with the exception of the Animal Control for the State of Idaho. Commissioner Smith seconded and voting was unanimous.
- Commissioner Smith made a motion to approve the December 27, 2012 Commissioners' Meeting Minutes. Commissioner Weber seconded and voting was unanimous.
- Commissioner Smith made a motion to approve the December 14, 2012 Commissioners' Meeting Minutes. Commissioner Weber seconded and voting was unanimous.
- Commissioner Weber made a motion to approve the January 7, 2013 Department Head Meeting Minutes. Commissioner Smith seconded and voting was unanimous.
- Commissioner Smith made a motion to approve the Certificates of Residency for the following: Jordan Johnson, Jacob Kay and Dakota Anderson. Commissioner Ricks seconded and voting was unanimous.
- Review and sign: TracFone Resolution #358
Attorney Troy Evans has been working on this issue, and he explained TracFone is a cell phone that you use and throw away. TracFone will not pay 911 fees. There is a counter law suit in the process, but a resolution needs to be signed so that IAC can represent all counties. Troy feels confident that the Resolution is good to ensure that if we win the suit, there will be funds to reimburse for 911 fees owed to each county in the suit. Commissioner Weber made a motion to sign Resolution #358. Commissioner Smith seconded and voting was unanimous.
- Review and sign: Searle, Hart & Associates - Annual Audit Engagement Letter
Commissioner Smith made a motion to approve the Annual Audit Engagement Letter. Commissioner Weber seconded and voting was unanimous.

- Review and sign: Edward Byrne Memorial Justice Assistance Grant Award
Commissioner Ricks made a motion to approve the Edward Byrne Memorial Justice Assistance Grant Award. Commissioner Smith seconded and voting was unanimous.
- Review and sign: Resolution #357 - To Pull and Destroy Old Indigent Files
Commissioner Weber made a motion to approve Resolution #357- To Pull and Destroy Old Indigent Files subject to changing names to initials and Case Numbers. Commissioner Smith seconded and voting was unanimous.
- Discuss Possible Resolution on Mileage and Meals
Commissioner Ricks commented that he would like to use the current federal rate of 56.5 cents per mile, but to encourage employees to use the County vehicles first with a county card to buy gas for the vehicles.
- The Dean Davies issue was discussed. Commissioner Smith believes the legal description was complete, and they are waiting for him to come in to finalize it.
- Unapproved waste issue at the C & D site was discussed.

Personnel Actions:

Commissioner Ricks made a motion to approve the Personnel Actions. Commissioner Smith seconded and voting was unanimous.

Randy Horman/Bruce Bowler – Snowmobile/Search & Rescue Issues:

Doyle Barney and Sheriff Klingler were also present to discuss this issue. The governor wants to change the way snowmobile licensing is done. Currently funds go to Park and Rec and are then distributed to snowmobile. They want DMV to start handling the licensing and then pass appropriate amounts to snowmobile. They know it will affect their program as people can't get registrations on Saturday, and that is their biggest day. The DMV is not currently geared up to collect and handle this sensitive information. The Assessor's Office needs to be educated on how to get the designation correct so that our County snowmobile program get the funds that should be allocated to them. If passed by legislation, this policy could take place on July 1st of this year. There will be online purchases available. If they fall under a certain number of registrations, they will lose the funding for one of their cats to groom the trails.

The Snowmobile Board would like people cited who try to go on trails illegally. Bruce Bowler stated that most trails are not posted correctly. There needs to be better signage.

Judge Moeller – Swearing In Of Newly Elected Officials/Establish Chairman And Vice Chairman:

Judge Moeller commented that those being sworn in today are bound by the United States and the Idaho Constitution. He mentioned that the Idaho Constitution is an amazing document. It includes 21 Articles and is similar to the Bill of Rights.

Commissioner Ricks, Commissioner Smith, Sheriff Klingler and Prosecutor Sid Brown were sworn into office.

Commissioner Smith made a motion that Commissioner Ricks be appointed Chairman of the Commission. Commissioner Weber seconded and voting was unanimous. Commissioner Ricks made a motion that Commissioner Weber be appointed Vice Chairman. Commissioner Smith seconded and voting was unanimous.

Darnell Weeks/First American Title Company – Closing On Sale Of Property:

Mr. and Mrs. Darnell Weeks and Jace McInelly, Manager of First American Title Company, were present for the closing on the sale of their property. Jace explained the closing documents to Mr. and Mrs. Weeks and obtained signatures from both parties. The title was presented to Madison County, and a check from Madison County was presented to First American Title Company. After doing our due diligence on the title commitment, Commissioner Weber made a motion to complete the transaction and sign closing documents. Commissioner Smith seconded and voting was unanimous.

Mitch Neibaur – Appreciation Letters:

Mitch is representing Block 34 of the business owners. He appreciates completion of the parking lot and presented a letter of appreciation from the Chamber of Commerce to the Commissioners.

Brent Saurey – Tax Issues/Larry Prescott, Eric Smith & Others:

Mr. Prescott was present. Brent stated an appraisal was done and nobody was home so a card was left at the home, which Mr. Prescott did not receive, stating the basement was 90% finished. Mr. Prescott stated that when he went to pay taxes, the appraised value had gone up \$23,000. He talked to the Assessor’s Office, and they stated his basement was finished, but it is not finished. They stated it was levied, there was nothing that could be done and that he needed to present his case to the Commissioners. The home has not been inspected, and Mr. Prescott stated no improvements have been done to the home since he purchased it. Commissioner Weber made a motion to adjust taxes and take the finished basement portion off. Commissioner Smith seconded and voting was unanimous.

Eric Smith – Trevor Einerson bought three properties and tried to put the homeowners’ exemption on all three. Timothy Rarick bought from Mr. Einerson and received the homeowners’ exemption at the new address and should not have. Eric Smith bought the home from Mr. Rarick and should have had homeowners’ exemption, but it was taken off as he was a new purchaser. Brent stated Mr. Smith should have the homeowners’ exemption and that it has been signed for 2013. Commissioner Smith made a motion to cancel taxes on Eric Smith. Commissioner Weber seconded and voting was unanimous.

Taco Buses -Brent stated that these temporary businesses have never paid personal property taxes.

Val Schwendiman – Commissioner Ricks stated that Mr. Schwendiman felt his properties are assessed higher in Madison County. Brent stated it was because of the levy rate in Sugar City.

Orton Insurance – Quarterly Update/Life, Dental And Vision Insurance:

The County vision and dental insurance stayed the same as last year, but VSP sold to Ameritus. Life Insurance changed to Unum from Hartford as Hartford prices increased significantly.

Dave Walrath – Sign Memo Of Understanding With Jefferson County:

The public hearing on the gravel pit was discussed. Commissioners heard Dave’s concerns on the cost of meeting the requirements at the gravel pit.

Dave put together an MOU to lease from Jefferson County an oil storage tank for a patching machine. This is a trailer mounted machine with heated oil and a pump. Dave has worked out a deal to rent the machine in May of this year. They will apply 80% of the rental rate towards the purchase price.

Commissioner Weber made a motion to accept the Memo of Understanding. Commissioner Smith seconded and voting was unanimous.

Commissioner Ricks made a motion to amend the agenda from a property tax issue to a Board of Equalization. Commissioner Smith seconded and voting was unanimous.

Galust Berian: - Property Tax Issue:

This is a BOE missed roll issue.

Commissioners' meeting was recessed and BOE was reconvened at 2:04 p.m. on January 14, 2013 in the matter of Galust Berian. Present are Commissioners Ricks, Smith and Weber, Deputy Prosecuting Attorney Troy Evans, Clerk Kim Muir, Assessor Brent Saurey, Appraiser Angie Allen, Galust Berian, Julia Berian, Artist Steve Watts (454 10th St., Idaho Falls), Brent McFadden, Madison County Inspector Ralph Robison. Julia Berian gave her father, Galust, permission to speak for her. The purpose of this meeting is consideration in property assessment. Galust stated his neighbors have made many false complaints. This is not a house; it is a building composed of used materials and in a few years will be deteriorated because it was built on dirt. Galust stated that he cannot insure the building, and there are no permits on the building. There was an old house on the property, but the house was destroyed before he purchased the property so that it was just property he was purchasing. Mr. Berian claims he lives in a trailer and uses the studio on the property. When the Assessor's Office assessed the property, they were not allowed to go in the house; they could just look in. Mr. Berian claims there is no plumbing. Brent presented pictures provided by the State. He has outside faucets, plumbing, stove, water heater, etc. in this home. As a Board of Equalization, Commissioners were able to establish that there is power, plumbing and a wood stove. The land was billed out by the Assessor in June.

Mr. Berian feels that this is a personal attack. It was explained to Mr. Berian that under the laws of the State of Idaho, even a shed has some value. Commissioners asked Assessor, Brent Saurey, to arrange to go to the home when Mr. Watts or Robin Dunn can be there to properly assess the buildings and property.

Commissioner Ricks declared the BOE in recess and Board of County Commissioners' Meeting was reconvened.

City Engineer – Discuss LID On Fairground Property:

Keith Davidson was present from the City of Rexburg. The City is reconstructing Fifth West from First South to the fairground area. With the reconstruction of that street, the City is looking at placing or replacing curb, gutter and sidewalk. Under consideration is Madison County property, the fairgrounds and Veterans' Building where there will be a need to install sidewalks, curbs and gutters and the metal fencing will also need to be removed. The time frame to do this project would be this summer. Commissioners let Keith know that the County would need a guarantee there will not be construction the week of the fair, especially the night of the concert for the Madison County Centennial. The project will go out to bid in February.

Tia Gilroy – VEBA Discussion:

Tia explained the details of a VEBA, which is a tax free medical account. They provide this service in Idaho, Oregon and Washington for public employees. Funding can come from an employee's sick leave, vacation and HRA funds, among other choices. There can never be an individual choice – it has to be a group benefit. We need to stay within the 105H provision which will help us ensure we are running a compliant plan. Tax free medical savings accounts roll over.

Commissioner Weber made a motion to adjourn at 3:55 p.m. Commissioner Ricks seconded and voting was unanimous.

Approved:

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