

	Madison County Commissioners	
	Meeting Minutes	
JANUARY 28, 2013	8:00 AM	COMMISSIONERS ROOM
ATTENDEES	Commissioners: Chairman Kimber Ricks, Jon Weber and Todd Smith Deputy Prosecuting Attorney: Troy Evans Deputy County Clerk: Karen England	

AGENDA TOPICS

Health and Welfare (Indigent Clerk Elizabeth Boyce):

Commissioner Ricks made a motion to go into Executive Session at 8:05 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 Lien on Case No. 2013014 and sign Determinations to Deny on Case Nos. 2013002, 2013009, 2013011 and 2013012. Non Medical: sign Determination to Approve Non-Medical Assistance on Case No. N2013006. Commissioner Smith seconded and voting was unanimous.

County Business:

- *Committee and Board Reports:*
- Commissioner Smith made a motion to approve the claims presented by the Clerk. Commissioner Weber seconded and voting was unanimous.
- Commissioner Ricks made a motion to approve the January 14th Commissioners' Meeting Minutes. Commissioner Weber seconded and voting was unanimous.
- Commissioner Smith made a motion to approve the Certificates of Residency for the following:

Chris Downs	Devin Eastin	Austin Harker
Michael Izatt	Jacob Kay	Cade Kelley
Levi Kelley	Madeleine Nate	Mary Pieper
Riley Ricks	Tyler Summer	Joshua Swenson
Taylor Williams	Salina Withers	

Commissioner Ricks seconded and voting was unanimous.

- Centennial Update – Shauna Ringel gave an update and discussed the Centennial activities. Governor Otter may be here on June 19th for “Capital for the Day” and the dedication of the Centennial Park. Shauna stated with the Centennial Park taking all the parking stalls, the handicap door may need to be moved to the west entrance or provide a new handicap door. Commissioner Smith will get in touch with ITD to see about handicap parking on the street.
- Commissioner Ricks made a motion to amend the agenda to discuss the nomination of Brian Farnsworth as a member of Eastern Idaho Public Health District Board. Commissioner Weber seconded and voting was unanimous. Commissioner Smith made a motion to approve the nomination of Brian Farnsworth to the Board of Eastern Idaho Public Health District. Commissioner Ricks seconded and voting was unanimous.

Personnel Actions:

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

Brent Saurey – Tax Issues/MOU With Idaho Transportation Department:

Snellgrove Townhome – State BOE granted tax cancellation on common area for 2010-2011.

Gwen Lee – Gwen owns a townhouse by Smith Park. Brent stated that the value of the common area will now be included in the value of the townhouse.

Memorandum of Understanding with Idaho Transportation is in question by Assessor's Association. Brent does not want to sign until after the IAC meeting in February. Commissioner Weber made a motion to approve tax cancellations presented by the Assessor. Commissioner Smith seconded and voting was unanimous.

Public Hearing – Variance For Dallas Brown:

Commissioner Ricks opened the public hearing on the variance for Dallas Brown at 10:25 a.m. He stated that Mr. Brown will be allowed ten minutes to give a formal request and give others a chance to speak. All commissioners stated they have no conflict.

Dallas Brown stated he lives at 1445 West 3400 South. Commissioner Weber swore Mr. and Mrs. Brown in. Shauna Ringel, Planning and Zoning, stated all the proper notices had been sent out.

Dallas stated they bought their house in July 2012. There was an existing barn on the west side which burned down on September 22nd, and they wanted to build a new one. He asked around and as it was agricultural, everyone told him he did not need a building permit. He hired a construction company to frame it. After the concrete was poured, his neighbor, Will Jenkins, told him the new barn was too close to the property line. After the roof was sheet rocked, they met Ralph and Brent, from Planning and Zoning, and they stated a complaint had been received from their neighbor. When Dallas realized they needed a building permit, he purchased one. They would like a variance so they don't have to move the barn as it is almost completely done.

Karen Brown stated she feels the same. They did talk to a general contractor at the lumber store and, he told them as they were building in the same place and replacing the barn that a building permit was not necessary. As each of their neighbors has sheds on their property line, they didn't realize there was a problem.

Commissioner Smith read a letter from Linda Jenkins, and Commissioner Weber read a letter from Will Jenkins. Shauna stated that Mr. and Mrs. Jenkins have received a notice from her. Dallin stated it would cost around \$10,000 to comply with the regulations.

Commissioner Ricks declared the public hearing closed at 10:45 a.m. and turned it over to Commissioners for discussion. Commissioner Weber made a motion to approve the variance with the penalty attached. Shauna stated the penalty would be 30% of the cost of the permit. If the fence is damaged by the snow falling off the roof of the barn, it will be Browns' responsibility to replace it. Commissioner Smith seconded and voting was unanimous.

Sheriff's Office – Propose Civil Legislation:

Sue Bagley and Ryan Kaufman were present from the Madison County Sheriff's Office for this discussion. Sue stated there is a private effort to change the law in the State as it pertains to garnishments. Basically it deals with changes to Idaho Code §§ 8-507, 11-102 through 301 and 31-3203. As it now stands, the duty to serve and track garnishments falls

to sheriffs' offices in Idaho. This legislation, largely backed by collection lawyers in Idaho, want sheriffs and third-parties and attorneys to be able to perform these services allowing the attorneys the ability to charge additional fees and gain commissions. Sue explained the process on how garnishments are handled and that they are concerned about them not doing the garnishments. It has always been the sheriffs' offices who have done these and are an uninvolved party. The Sheriff's Office serves the paperwork, gathers the payments, tracks the interest and payments, etc. They are requesting a letter be sent to our state legislature to oppose this legislation if it is presented. Commissioner Weber made a motion to submit letters in opposition to this proposed legislation and submit letters to the appropriate authorities. Commissioner Smith seconded and voting was unanimous. Later, the Commissioners put the letters on hold because they wanted further information regarding the legislation.

Rudey Ballard – Insurance:

Rudey gave an update on insurance. He stated that Insurance Exchange is how insurance can be purchased on line for individuals and that pre-existing conditions are covered. The disability plan was discussed and how the waiting period is twelve months. The HRA was also discussed. It was stated that VEBA is an ability to put more money away for retirement.

Dave Walrath – Executive Session – Personnel Issue/Solid Waste Operation Plan/1000 East Bridge:

Dave stated they are required to regularly log in the dead animals and take the temperature of the compost. District 7 Solid Waste Department is the one that approves or disapproves the operation plan. Commissioner Smith made a motion to accept Solid Waste Operation Plan for Madison County. Commissioner Weber seconded and voting was unanimous.

Dave received an email from Keller and Associates regarding 1000 East Bridge. They need to have an agreement stating Summit will take ownership of the bridge.

The fire department is insisting that a sprinkler system be put in at the new truck shop at Solid Waste, which would cost around \$60,000. Commissioner Ricks stated he would talk to Chief Childs and see if it is necessary.

Commissioner Ricks made a motion to go into Executive Session at 12:08 p.m. pursuant to Idaho Code 67-2345 (1) (b) exempt records. (Commissioner Weber-yes, Commissioner Smith-yes, Commissioner Ricks-yes) Commissioner Ricks returned to Open Session at 12:18 p.m.

Mikel Walker – Discuss Defibrillators For Ambulance:

Mike stated they have additional funds from the wild land fires last summer. From those funds the ambulance would like to purchase four defibrillators at \$2,500 each for a total of \$10,000. Commissioner Weber made a motion to approve the purchase of four new defibrillators for the ambulance. Commissioner Ricks seconded and voting was unanimous. The Department received their critical care license, and they are the only ambulance with critical care paramedics.

Amy Forsgren, BLM – MOU On Interagency:

Amy presented the Memorandum of Understanding with all partners working on the Southfork project for Commissioners' signatures. Commissioner Weber moved to sign the MOU with Bureau of Land Manager. Commissioner Smith seconded and voting was unanimous.

On March 4th there is a state sponsored dinner in Pocatello in honor of the Idaho Territorial Sesquicentennial.

Commissioner Smith made a motion to adjourn at 3:15 p.m.

Approved:

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