

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

Madison County Commissioners		
Meeting Minutes		
JUNE 24, 2013	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 (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 8:40 a.m. Commissioner Weber made a motion to sign a Determination to Deny on Case Nos. 2013034 and 2013031, sign Liens on Case Nos. 2013036, 2013038 and 2013039. There was discussion regarding Case Nos. 2013023 and 2013026. There were no Non-Medical cases to discuss. 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.
- A possible Urban Renewal District on the north side of town was discussed. Commissioner Smith will attend the meeting tomorrow, June 25, 2013.
- Community College meeting was held on June 13th which Commissioners Smith and Ricks attended. Dual enrollment, annexation, legislative review, equity, etc. were discussed. Roger Christensen suggests going thru the legislative process to have the state take 50% right off the top and they would distribute to the Community Colleges. Of the \$65 per credit the County pays, \$18 goes to the teacher. City participation was discussed, but most liquor funds go to the five largest counties and they would resist change.
- Commissioner Ricks made a motion to approve the Commissioners Meeting Minutes for June 10, 2013. Commissioner Weber seconded and voting was unanimous.
- Airport Issues. There was a meeting with the airport board. The City doesn't have budget funds to put into the airport, but need to pay grant matches with the next fiscal year. The next meeting is scheduled for July 8th during our next commissioner meeting.
- Review and sign: Eastern Idaho Public Health/Board of Health Appointment
Commissioner Ricks made a motion to approve the appointment of Lee Miller to the Board of Health. Commissioner Smith seconded and voting was unanimous. The individual papers were signed by each Commissioner.
- Centennial Updates:
 - A ceremony to celebrate the opening of Centennial Park was discussed.
 - A metal base cover to slip over the existing structure for the light post will be put in place to complete the lighting for the park.

- An accounting of the ticket sales for the concert has been asked for. Commissioners would like a weekly accounting until the event.
- There was a pretty good turnout for Deadwood Dick.
- CHC turned down our grant application on the park.
- Ratification: Memorandum of Agreement between Bonneville County and Lighthouse Counseling and Mountain States Chemical Dependency and Counseling Services (for District 7 Juvenile Justice SUDS program which Madison County is part of). Commissioner Ricks made a motion to ratify and accept both Memorandum of Agreements between these two entities and Bonneville County. Commissioner Smith seconded and voting was unanimous.
- Hometown Hero Foundation is looking for nominations on heroes. Criteria are people who promote and preserve the freedoms.

Personnel Actions:

Commissioner Smith made a motion to sign the personnel actions holding one from the weed department for the next meeting. Commissioner Weber seconded and voting was unanimous.

Brent McFadden/Weeds – Memo of Understanding:

Commissioner Weber made a motion to accept and sign the Memo of Understanding between counties for Plotter and Laminator obtained by the 2013 PTI Grant Award to provide laminated maps for the nine counties involved in the grant that was received. Commissioner Ricks seconded and voting was unanimous.

General services issues were discussed. Drought declaration possibilities were also discussed.

Brent Saurey/Sherry Arnold – Tax Issues:

Michael Karren -Homeowners Exemption

The home was purchased in 2011 and the tax exemption was still on. In 2012 the name changed and the HO exemption dropped off. The form was unclear, and Brent will investigate the possibility of modifying the form. Commissioner Weber made a motion to cancel the taxes, equal to the homeowner’s exemption amount for 2012 and 2013 in the amount of \$2,669.46 as there was not clarity on the paper Mr. Karren was being asked to sign. Commissioner Smith seconded and voting was unanimous.

Sheriff’s Office Public Hearing – Concealed Weapon Permit Fee Increase:

Commissioner Ricks explained the purpose of the hearing and stated that any comments would be allowed three minutes. There is no limitation on any written comments, and they will continue to be accepted for an additional seven (7) days from the date of this hearing in order to allow those who could not attend this public hearing time to voice their concerns. Commissioner Ricks asked if points have already been made that those wanting to testify could agree to others’ comments in order to avoid redundancy, but that all comments are welcome. Clerk, Kim Muir, stated that proper legal notice of the hearing had been published. All the county commissioners declared no conflict of interest.

Sherriff Klingler was sworn in and explained the purpose of the Public Hearing and the reason for the fee increase. In July the fee is increasing statewide, and their office spends considerable time approving or disapproving each application over a 4-7 week period. If there are any issues with permitting, these issues have to be fully investigated and in some cases hold hearings. Other county residents are coming to Madison County to obtain permits because our fee is lower.

Permits are good for five years and the cost of renewal is \$45 for five years. There is an enhanced system being put into effect July 1, 2013 where our information is put into reciprocity with other states.

The following spoke against the fee increase:

Dan Roberts lives at 2643 West 3200 South in Rexburg and commented that he is representing over 200 Madison County residents. He presented copies of a petition signed several months ago supporting the Second Amendment. He would like Commissioners to cease to create laws that encroach on keeping and bearing arms and refrain from enforcing unjust laws. He would like to get a constitutional carry law passed.

Will Barton is from Illinois and now lives at 166 Harvard Avenue in Rexburg and expressed support for the right to bear arms. He feels raising the permit fee would prevent some people from obtaining a permit.

Mark Andrew lives at 1361 Twin Butte Road in Menan and asked why we would want any kind of application for a concealed weapon. He feels that there should not be a permitting process and that we should all be able to carry concealed weapons as we would like. We should be seeking ways to encourage Second Amendment to carry.

Reed Hill lives at 9200 Outlaw Pass in Menan and feels that questions should go to the State house and legislators. He feels we have the staff and the finger printing equipment in the Sheriff's office and doesn't understand why we would need the increase.

Scott Smith lives at 309 Mohawk Ave in Rexburg and stated he does not have much to add as points have been made, but he would echo what has been said. He stated for the sheriff, it's the cost of doing business.

Danielle Andrew lives at 1361 Twin Butte Road in Menan and has heard from many that Madison County is a wonderful place to live. We are better than other places in the country and people look to us as an example. She would like us to encourage freedom and be a true example.

Rob Barton lives at 265 East 1st South in Rexburg, is a full time student and owns Do-it Rite Construction Company. To raise the permits is not a big deal, but right now everything is going up and he doesn't like the increase.

Dan Roberts suggested tabling the matter to allow a conference with the Sheriff. The Sheriff agreed to a meeting.

Steve Adams lives at 5 East Second North in Sugar City. He stated we would prefer a proactive approach when things are proposed at the state level rather than just responding with a fee increase. He suggests looking at the level of employees needed, the time that goes into the process and to mail as a batch rather than individually.

Sheriff Klingler answered questions and stated Kootenai County is currently at \$54. Dan had commented that they charged nothing. The Sheriff stated he has tried to keep the fees as low as possible, but it is the cost of doing business. The fees are absolutely needed to make the budget work and they do run them in batches.

Mark Andrew asked why carrying in the City is different. Only shooting is controlled in City limits. He open carries everywhere he goes and would be interested in meeting with the Sheriff's Office to discuss this issue.

Dan Roberts asked the Sheriff to lead out on a Constitutional carry and get a coalition of sheriffs together to begin discussion.

This concluded the public comment portion of the meeting and the public comment portion of the public hearing was closed by Commissioner Ricks.

Commissioner Ricks thanked those present. He complimented all on their courtesy and decorum. The matter is anticipated to be tabled for now and will be continued for deliberation amongst the County Commissioners. It will be scheduled and posted when it will be un-tabled. Commissioner Weber made a motion to table the issue in order to review the comments made and all written comments that will be received within the next seven (7) days. Commissioner Smith seconded and voting was unanimous.

Commissioner Weber made a motion to recess County Commissioner Meeting and reconvene Board of Equalization. Commissioner Smith seconded and voting was unanimous.

BOE Hearings:

Roy Marlowe was present to discuss the value of his property. Over the past few years with very few improvements, the property has increased over 500%. He feels there should be no increases until he builds on the property.

Brent responded that they establish market value as the state directs. Zoning allows that a house could be built there, and that is what they have to tax it as.

Commissioner Ricks thanked Roy for coming. Under the laws of the State of Idaho, it costs money to own property. He stated they would deliberate and make a decision. They also asked Brent to look for ways we can help him out.

Commissioner Ricks made a motion to recess the Board of Equalization and reconvene Commissioner Meeting. Commissioner Weber seconded and voting was unanimous.

Hailey and Richard Brady – Homeowners Exemption

The home was rented out to his daughter December 2010 – July 2011 and was rented to others December 2011 – July 2012, but they were two months behind on rent when they moved out. Commissioners will deliberate and he will be notified. The action taken in a previous meeting would have to be reversed.

Public Comment:

Maria Nate came to talk about Envision Madison. The two concerns are: (1) We have novices and others doing the meetings (44% are college students). (2) We are trampling on private property owners. She doesn't see the value of people haphazardly placing the fairgrounds in the downtown area of Rexburg. Commissioner Weber asked if anyone's personal property rights have ever been violated. Dan Roberts and Mark Andrew both said that they were not able to operate their business on their own property. When we are talking about personal property rights, we see it protested more from the neighbors, the planning and zoning and citizens of the city and county.

Maria had serious questions about the implementation of the mapping that has been done. She is asking us to move forward with caution. She supports Dan and his group and is glad that he is questioning the process.

Stephen Adams commented that every question that was asked, the answer he wanted to give wasn't on the survey. He feels that the process is taking over people's property rights, and he would like to see open dialogue.

Commissioner Smith asked what they would like to see and Dan stated they would like to see us cut our losses and get out now. There are only 300 people that have shown an interest. Commissioner Ricks summarized: The process is flawed and not perfect and they are not trying to avoid accountability. No property rights were taken away last week.

Mark Andrew objected to the requirement for conditional use permits to operate a business on his own property.

Doug McBride/Lucas Handy – Madison Memorial Hospital:

Doug McBride gave a presentation on the impact of social media. They have found that social media is the means to get the word out, especially to the younger generation. In public relations, the Hospital's main focus is to be the healthcare hub in Madison County. They had three attorneys from Boise come and discuss Obamacare and the impact it will have on each of us. They will be putting a blog on their website that will be information based and interactive where they can put questions out there that can be answered. I-triage, a link on their web page, is an information hub for the public.

Tracy Hollingshead/Jay Pence – Forest Service/Introduction & Fire Season Contracts:

District Ranger, Tracy Hollingshead, Jay Pence, Driggs Ranger, Spencer Johnson. Tracy wanted to have a chance to meet commissioners before fire season begins. Maps were shown regarding their response zone map. Suppression response areas will be managed carefully. This is their first attempt at mapping where structures are present and they would put the fires out. There are areas that have no roads that engines can't get to. Commissioners explained that City and County Fire Departments and the Ambulance staff were combined several years ago.

BOE:

Sam Cook cancelled as his issue was settled with the Assessor.

Chuck Porter's matter was settled with the Treasurer.

Meikle property is 40% owned by the Bob Meikle family, 30% by the museum and 30% by BYU-I. In talking with the people at IAC, we probably shouldn't continue to grant the exemption.

Commissioner Weber made a motion to deny the exemption on the two 30% pieces of the Meikle, BYU-I and museum property. Commissioner Smith seconded and voting was unanimous. The law clearly states that where the property is not being used in the charitable purpose of the tax exempt purpose, the exemption should not be granted.

Commissioner Smith made a motion to issue a tax cancellation credited on the 2013 taxes of \$1,000 for Richard and Hailey Brady. Commissioner Weber seconded and voting was unanimous.

Commissioner Weber moved to adjourn the meeting at 4:20 p.m. Commissioner Ricks seconded and voting was unanimous.

Approved:

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