

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

Madison County Commissioners		
Meeting Minutes		
FEBRUARY 24, 2014	8:00 AM	COMMISSIONERS' ROOM
ATTENDEES	Commissioners: Chairman Kimber Ricks and Jon Weber and Todd Smith Deputy Prosecuting Attorney: Troy Evans County Clerk: Kim Muir	

AGENDA TOPICS

Health and Welfare - Indigent Clerk (Ann Marie Sorensen):

Commissioner Ricks made a motion to go into Executive Session at 8:02 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 8:15 a.m. Commissioner Weber made a motion to sign approvals on Case Nos. 2013035, 2013046 and 2014005, and sign a Notice of Appeal Hearing on Case No. 2014003. There was discussion regarding Case No. 2013021. Commissioner Smith seconded and voting was unanimous.

A discussion was held on Certificates of Residency and, possible, new qualification questions that might need to be asked.

County Business:

Committee & Board Reports:

- Commissioner Ricks discussed an RDA staff member who has resigned. He also reported there will be an annual meeting in May of the Idaho Boards of Public Health. He reported that the budgets are tight, and there is a proposed bill that affects mental health boards and services.
- Commissioner Weber stated that funding for the 2nd story of the fire station looked promising. Marlene Plocher has been appointed to the Fair Board. Chamber of Commerce Banquet will be held on March 13th. The food bank has moved north of town, and there are some concerns with parking on the side of the road. Envision Madison Meeting will be Wednesday, February 26th at 2:00 p.m. An Urban Renewal Meeting will also be held on the 26th at 12:00 p.m.
- Commissioner Smith reported on the following: There was discussion on the new phone system. Arlene Anderson and Kristi Swensen have agreed to serve on the Planning and Zoning Committee.

Re-Discussion of Matters from January 31, 2014 County Commissioner Meeting Not Listed on Agenda:

Commissioner Ricks takes full responsibility for the oversight of the January 31, 2014 agenda. Items under County Business were inadvertently not added to the agenda. After discovery, the Commissioners moved to disregard the deliberations that took place at that special meeting and re-discuss the same in this properly posted meeting. Commissioner Ricks discussed the following:

- Merrill Quality Landscaping offered to take down and replace lights on the Courthouse and Administration Buildings for \$1,000 - \$1,200 even with the snow and ice. The County is interested in having the lights look better this Christmas season.
- Marlin Hill and his sons have some ideas on waste energy. They would accept our trash and save hauling it to Jefferson County.
- There was a water leak in the Family Crisis Center house which has been taken care of. The food bank distribution center needs more space, and they have inquired about the indoor arena at the fairgrounds. The cleanliness and sanitation are issues at that facility.
- Dr. Petersen and Dr. McMasters have a concern with the hospital administration and the situation there. The issue is compensation for on-call doctors. It was decided to have the hospital board visit with Commissioners quarterly.

Discussion Items:

- Commissioner Smith was in attendance at the Aesthetic Committee Meeting along with other committee members. The committee discussed agricultural and recreational designs. There is a possibility of construction in 2016 instead of 2015.
- A discussion was held on the abuse of public comments, and stated that Commissioners' intentions have never been to deceive the public. The Commissioners assured all that they want to be transparent. Commissioner Ricks suggested we stay the course and follow the agenda carefully. At this time, all Commissioners agreed to continue with public comments.
- The Commissioners discussed the agenda and the date by which it needs to be published. The open meeting law requires a five day notice and a 48 hour agenda posting. Our policy will be to have the final agenda go out Wednesday afternoon and not be amended after that. The agenda can be sent to anyone who wishes to have it. It will be posted at all regular posting sites.

Routine Matters:

- Scott Rigby has agreed to serve on the Livestock Damage Control Board. Commissioner Ricks made a motion to appoint Scott Rigby to the Livestock Damage Control Board. Commissioner Smith seconded and voting was unanimous.
- Commissioner Ricks made a motion to approve the claims presented by the clerk. Commissioner Smith seconded and voting was unanimous.
- Commissioner Smith made a motion to approve the Commissioners' Meeting Minutes for February 10, 2014. Commissioner Ricks seconded and voting was unanimous.
- Commissioner Ricks made a motion to approve Certificates of Residency for the attached list. Commissioner Weber seconded and voting was unanimous.

Board of Equalization:

Commissioner Ricks made a motion to recess the Board of Commissioner meeting on February 24, 2014. Commissioner Smith seconded and voting was unanimous.

Commissioner Weber made a motion to convene Board of Equalization on February 24, 2014. Commissioner Ricks seconded and voting was unanimous.

Brent Saurey was present to say that there were no applications of BOE, and have been no year-end changes concerning BOE matters.

Commissioner Ricks made a motion to recess from the Board of Equalization on February 24, 2014. Commissioner Weber seconded and voting was unanimous.

Commissioner Weber made a motion to reconvene to the Board of Commissioners on February 24, 2014. Commissioner Smith seconded and voting was unanimous.

Sandra Briggs - Recordings, Penalties, Interest and cancellations:

Sandy discussed a cancellation of interest and penalties on a property parcel, but more information is needed. She also discussed concerns on recording documents that are not legible to read.

Brent Saurey/Sherry Arnold – Tax Issues/LaVere Ricks Farms and Abandonment on Remainder of Lyman Subdivision in the City of Rexburg:

Sherwood Ricks was present representing LaVere. There was an Assessor error on this property, and the taxes were overpaid. Commissioner Weber made a motion to correct the error. Commissioner Ricks seconded and voting was unanimous.

Commissioner Smith moved to approve the tax cancellations presented by the Treasurer for LaVere Ricks Farms LLC, Alyse & Jeremy Way, Tanya & Clinton King, Brian Stanton, Candelario Garcia, Kenneth Hill and Henderson Automotive and Parts Service. Commissioner Weber seconded and voting was unanimous.

Kirk Mace/Shane Boyle - DJC Update/Wellness Update:

Kirk Mace gave a wellness update on the Biggest Loser Program for county employees. A winner will be announced June 12th. A possible competition between the county and the city for the Biggest Loser was discussed. The National Association of Counties is running an editorial on the Biggest Loser Program.

Juvenile Justice:

Information is compiled each fall from our county and the Idaho State Police. Kirk reported that petitions, case files, and arrests have been down in our county. Jump Court, drug testing and community service hours were also discussed. It was stated that Adult Probation numbers are down statewide. The number one crime throughout the county is marijuana, as it is so easily available to kids.

Standard Journal Staff - Open Meeting Law:

Greg Little was present to discuss the Open Meeting Law, and the lack of detailed information on the agenda. He wants the agenda to be more specific. He expressed his concerns that he felt the meeting at his office in November was an illegal meeting. Commissioners thanked him for coming and reminded him it was under investigation; an investigation that was welcomed by the Commissioners.

Though she was not on the agenda, Mrs. Ruebush questioned the commissioners about inviting people to the commissioner meeting. The commissioners stated they often invite people to the meetings.

Brent Saurey - Personnel Questions:

A discussion was held on the pay rate for his employees. Commissioners emphasized that salary needs to be based on the job description and cannot exceed the amount budgeted. Commissioner Weber is going to help the Assessor fit this with the step and grade grid.

A meeting with the Commissioners to canvass the votes will be set for March 14th at 9:00 a.m.

Dan Roberts - Discussion Regarding County Ordinance 14-1, which Prohibits Possession of Dangerous Weapons in Public Buildings:

Dan Roberts, Steve Adams, and Kelly McKamey were present to speak on this issue. There was a discussion on County Ordinance 14-1 (firearms in municipal buildings) which was passed in 1995. They feel the county has no authority to enforce this and would like the public to be able to freely pack firearms in these buildings. Mr. Roberts understands there is an administrative order in place and believes this is in violation of the constitution.

Steve Adams has concerns that he has a concealed weapons permit and abides by the law when others do not. He would like to have clarity where he can carry firearms and where he can't. He feels this ordinance stops well trained people, who could help defend themselves and others in a violent situation. This does not stop the offenders, but does stop law abiding citizens. Commissioner Weber feels that the court room should be off limits, as well as saloons and bars as alcohol and guns do not mix.

Commissioner Ricks cited studies that show that where guns are permitted, the crime rate is lower. The Commissioners feel they are on the same page and are supported by good research. Mr. Roberts feels you should be able to open carry and conceal carry in the Administrative Building. The Commissioners are all pro second amendment.

Kelly McKamey stated that Commissioners have the authority to legislate what happens in our county.

Public Comment:

Kelly McKamey

There was a discussion about a recording device for the Commissioners' Room and recording everything everyone says in the meetings. There is a device in place, and is used for public hearings. This will be considered further.

Bob Carlson

There was a discussion on the selling of advertisements to pay for the annual fair book.

Gary Park

Mr. Park had concerns about the north doors at the Fairgrounds indoor arena. He is asking for the county to lay some road base to negate the water that collects there making it very muddy for those who are using it. There are also concerns about the PA system that does not work and wondered about upgrading it.

Dan Roberts

There was a discussion on county inspections and doing away with building codes. He would like the responsibility to be placed on the individual for getting them done and not forced to follow the county codes and regulations. There was a discussion that many of the codes originate and are required by the State, not the county.

Thomas Pendergrast

He reported about his small business and his experience with city inspection rules. He expressed his opinion that Rexburg is not pro-business.

Albin Veselka

Albin Veselka is also a small business owner (artist) who moved to another county that is more business friendly.

Danielle Andrew

She quoted a scripture in 2 Nephi.

Tax Deed Hearing – Treasurer’s Office as Published in the Standard Journal:

Treasurer Sherry Arnold explained that she starts the tax proceeding when taxpayer is three years delinquent and has 14 months to respond. If they have not paid by then, it comes to a tax deed hearing. Commissioner Ricks made a motion to move forward on the tax deeds for Michael and Natalie Nelson, Jesus Rabelo Etux, Joseph Reif and Lacey Baker, HD Petersen Properties, LLC and Martin and Laraine McDonell. Commissioner Weber seconded and voting was unanimous.

Madison Soil & Water Conservation District – FY 2016 Budget Allocation:

Susan Hymas, Joe Jeppesen, Robbie Taylor and Greg Blaser were present. Robbie reminded Commissioners that whatever the County donates in funding, the State matches and that NRCS funding is not pass-thru money. It is conservation money that is spent in Madison County. They reported that Charles Ricks replaced Brent McFadden on the Board. Joe Jeppesen is the Vice Chairman and Susan Hymas is Secretary/Treasurer.

Greg mentioned that they are on the cutting edge for the following:

- Working with producers on the Rexburg Bench to reduce electric bills and the amount of water used for irrigation.
- A program through Natural Resource Conservation Service that encourages producers in the Plano and Egin area to plant cover crops to reduce soil erosion from high winds.
- A Partnership with BYU-Idaho in planting trees along University Boulevard to reduce and conserve soil and be pleasing aesthetically.
- Soil health initiative that promotes cover crops after harvest and no-tillage, which reduces fertilizer and other associated costs.

Department Heads - Disability Insurance Discussion:

Commissioners have been looking into a disability policy for county employees since August or September. There was some push back based on real concerns from employees who didn’t like the idea for various reasons. Currently, we are looking at a short term and a long term disability plan. After a second vote it was determined that the majority want both a long and short term policy and a split between employee and employer paid. Commissioner Smith made a motion to go with the long term disability that the employee pays that was decided on in September. Commissioner Weber seconded and voting was unanimous.

Brent McFadden - General Services Issues, Personnel Issues and After Hour Meeting Issues:

Brent was asked to talk to Commissioners before committing to vendors to purchase a vehicle. There was discussion about an employee who has an excessive amount of comp time. Replacing boilers in the jail was also discussed.

Commissioner Ricks made a motion to replace the boilers in the jail. Commissioner Smith seconded and voting was unanimous.

There was also discussion about after hour meetings in the Administration Building and the Courthouse, as an employee has to come in to lock and unlock the buildings. Options were discussed to charge those using the building a nominal fee, assigning keys out to those using the building, or to continue to have an employee come in to lock/unlock the building. Determination was made to assign out keys to those using the buildings after hours.

Dave Walrath - Selection of an Engineering Consultant for Transportation Plan Update/Sign Agreement with IDEQ/Assessment of Groundwater Quality and Flow near the Non Municipal Solid Waste Landfill:

The last RPO meeting was February 12th. At that meeting, statements of interest for building or refreshing the county's transportation plan were presented by three companies, and Horrocks was the one selected.

Commissioner Ricks made a motion to move forward with Horrocks to contract with to refresh the county's transportation plan. Commissioner Smith seconded and voting was unanimous.

EPA has a program that financially assists counties and municipal entities if there is possible contamination of ground water. There are monitoring wells at Solid Waste that shows some contamination. This is not risk free for the county, but they will put in additional monitoring wells. Commissioner Ricks made a motion to sign the agreement with IDEQ. Commissioner Weber seconded and voting was unanimous.

Dave reported on the bridge at 1000 East. The bridge will be moved and purchased by Mr. Seiter.

The fair board is asking Dave to look at a drain at the indoor arena to move water away from the door.

Certificates of Residency were discussed. At meetings with IAC we will discuss the possibility of asking more questions on the application to find out what classes students are taking and if the course could be paid for after completion so we know if they are passing with a good grade.

Commissioner Smith made a motion to adjourn the meeting at 5:18 p.m. Commissioner Weber seconded and voting was unanimous.

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

CERTIFICATES OF RESIDENCY

Adams, Samuel
Allred, Caleb
Allen, Emily M.
Barzee, Abbie
Bell, Doug
Berry, Payton
Blaser, Katie L.
Bowman, Victoria
Boyce, Bradley
Bressler, Caroline
Bruton, Daniel L.
Busby, Janay
Bybee, Dakota K.
Castagno, Hayden L.
Cichos, Parker S.
Clarke, Elizabeth L.
Davison, Kamilla J.
Dick, McKenzie J
Dummar, Joseph M.
Ferguson, Mckinlee J.
Fuller, Kaelee D.
Fuller, Seth L.
Goodsell, Matthew L.
Green, Chad D.
Groom, Brienne N.
Hastings Chadlin
Harwood Scott Y.
Havens, Spencer
Hirschi, Morgan
Hurst, Meghan
Jeppesen, Clayton B.
Johnson, Chandler
Lamb, Austin A.
Larsen, Samuel
Lopez, Ana K.
Lords, Joshua T.
Morgan, Braden B.
Nixon, Dakota S.
Orme, Haelee S.
Parkinson, Cody
Parkinson, K.eaton
Perkins, Jason D.
Powell Stacie
Revas, Jordyn A.
Richards, Emily
Ricks, Mattie K.
Rigby, Jared
Rowe, Rachel M.
Smith, Dee Dee
Snedaker, Kolton R.
South, Mitchell C.
Summers, Carson D.

Sutherland, Morgan
Thayne, Kaitlyn J
Thomas, Ashlee K
Webb, Tanner H
Young, Clair M.