

<b>Madison County Commissioners</b>		
<b>Meeting Minutes</b>		
JULY 14, 2014	8:00 AM	COMMISSIONERS' ROOM
<b>ATTENDEES</b>	<b>Commissioners: Jon Weber and Todd Smith, Chairman Kimber Ricks was excused due to illness.</b> <b>Deputy Prosecuting Attorney: Troy Evans</b> <b>County Clerk: Kim Muir</b>	

## **AGENDA TOPICS**

### **County Business:**

### **Committee & Board Reports:**

#### ***Commissioner Weber***

- There were suggestions that the Fair Board begin taking debit cards.
- The Community Council is organizing and working on the Celebrate Youth event on August 26th.

#### ***Commissioner Smith***

- The GIS Surveyor position is currently on hold.
- Things are going well for the golf board. The foot golf has not been as profitable as expected.

#### ***Contracts/Documents:***

- Commissioner Weber made a motion to sign Resolution #373 Indigent Allowable Expense. Commissioner Smith seconded and voting was unanimous.
- Commissioner Weber made a motion to sign the Quitclaim Deed to the Palmers. Commissioner Smith seconded and voting was unanimous.
- Commissioner Smith made a motion to sign the Road Closure and Maintenance Agreement on US 20. Commissioner Weber seconded and voting was unanimous.
- Commissioner Smith made a motion to sign the Alcoholic Beverage License for Hacienda Event Center. Commissioner Weber seconded and voting was unanimous.

#### ***Discussion Items:***

- "In God we Trust" Campaign was discussed at the Department Head Meeting last week. Sheriff Klingler would like us to put this on all County vehicles.
- Commissioners would like to know who receives credit cards. The Clerk's Office will visit with Commissioners before credit cards are issued.
- New Market Tax Credit Program  
Steve Holloway is developing Squires Brick Yard. They are putting in 250 multi-family units targeting students. There is also a commercial component including two level storage units, and a U-Haul dealership. They are exploring the

possibility of getting a grant and putting in a YMCA for Day Care and Youth facilities. Steve would like a letter of Support from the commissioners.

Laura Comowe stopped in asking permission to sweep Main Street this Saturday, July 19th for their youth conference.

***Calendar Items:***

***Discussion of Pending Matters:***

***Routine Items:***

- Commissioner Smith made a motion to approve the claims presented by the Clerk. Commissioner Weber seconded and voting was unanimous.
- Commissioner Weber made a motion to sign the Department Head Meeting Minutes of July 7, 2014. Commissioner Smith seconded and voting was unanimous.

**Personnel Actions:**

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

**Victor Mendoza - Alcoholic Beverage License:**

There is concern on the location of this establishment as it is in a residential area where there are many children. The State has issued a license. They believe they have better control selling at the event center, rather than patrons bringing in their own. They have six security guards at each event and have been in contact with Sheriff Klingler. This allows them to sell at events only and state that it is not a bar.

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

Commissioner Weber made a motion to go into Executive Session at 9:03 a.m. pursuant to Idaho Code 67-2345 (1)(d) exempt records. (Commissioner Weber – yes, Commissioner Smith - yes). Commissioner Weber returned to Open Session at 9:22 a.m. Commissioner Weber made a motion to sign Approval on Case Nos. 2014022, 2013023 and 2013046 and sign Denial on Case No. 2014021. Indigent Non-Medical: Sign Approval for Case No. N2014014. Commissioner Smith seconded and voting was unanimous.

**Brent Saurey/ Sherry Arnold - Tax Issues:**

Commissioner Smith made a motion to cancel the tax on the Homeowners' Exemption for Wes Parkinson for the first half of 2014. Commissioner Weber seconded and voting was unanimous.

Commissioner Weber made a motion to cancel the tax on Summit Developers for the reason that they previously agreed to pay in full. Commissioner Smith seconded and voting was unanimous.

**Brent McFadden, Judy Coy and Natalie from City of Rexburg Planning and Zoning - General Services Ordinance #391/Rexburg Impact Zone C.U.P.:**

Commissioner Weber made a motion to sign Ordinance #391 Amending Part II, Chapter 117, of the Madison County Unified Development Code, providing that Shovelback Holdings LLC owner and certain real properties described herein be rezoned from transitional agriculture to commercial zoning and establishing an effective date thereon. Commissioner Smith seconded and voting was unanimous.

Brent also stated that there was money missing from the safe in his office. This matter is currently being investigated by the Madison County Sheriff's Office.

Rexburg Impact Zone C.U.P. Cell Tower Ordinance - A C.U.P is required for a cell tower except in commercial areas. Brent's concerns are with the cell tower falling and landing on propane tanks. We want to be supportive of cell towers and business, but we want safety to be our number one concern. Commissioner Weber is also concerned with aesthetics. Commissioner Smith made a motion to approve the Conditional Use Permit presented by Planning and Zoning. Commissioner Weber seconded and voting was unanimous.

**Dave Walrath - Public Works/129K Load Draft Policy:**

Dave presented a load draft policy. It allows for the county to designate 129,000 pound routes. The Federal Highway Administration is in control of the interstate highway and they won't allow for the weight. This would include Highway 20 and State Highway 33. There is a need for connectivity and this is why they are looking into the matter. They have to prove that the highways and the bridges can handle the load. State Law mandates a fee set by counties and highway districts that will pay for the study. Dave's recommendation is to approve this.

**Executive Session Idaho Code 67-2345 (1)(b)** Commissioner Weber made a motion to go into Executive Session at 10:45 a.m. pursuant to Idaho Code 67-2345 (1)(b) exempt records. (Commissioner Weber – yes, Commissioner Smith - yes). Commissioner Weber returned to Open Session at 11:03 a.m.

**Dana Izatt - Veterans/Fair Board Audit Report:**

Dana gave a report on his audit of the Fair Board based on current accounting practices. There was discussion on accepting debit and credit cards at some of the larger events.

*Veterans Board*

Everything they looked at was reasonable and accurate. The secretary does produce an approval for checks being signed and they have good controls in place. There was a discussion on whether the Veterans could purchase the building they are currently in.

Dana did some research for us on who a first responder would be. This is to be in compliance with IRS laws for employees who are taking county vehicles home. We will begin putting the mileage benefit on employee W-2's at year end. Dave Walrath has people on call that need to go replace stop signs or other signs and respond to other emergencies and are on call at times. Probation also requires night visits to probationers.

**Jason Wilburn - Insurance Premium Adjustment:**

Jason's issue is that after a year he is being charged \$10 per pay check for not taking part in the blood draws. He would like to recoup what he has been charged. Rudy Ballard, Madison County's Insurance Agent, was also present and states the issue is the collection of data. Jason was assured that none of the data collected is given to the county as this would violate HIIPA laws. Prosecuting Attorney Troy Evans will work with Rudy to evaluate the legalities of charging employees for not participating in the annual blood draw.

**Terry Butikofer - Rexburg Urban Renewal:**

Richard Horner was present for Terry as he had a family emergency. Richard presented a map showing the proposed district. There is no timeframe for the life of the Urban Renewal District. The Resolution is an Intergovernmental Agreement between Madison County, Sugar City and the City of Rexburg.

Commissioner Weber asked about the downtown Urban Renewal District as it is being expanded. Commissioner Weber doesn't agree with it and doesn't feel that the money will be put where it should be. This would be amending and moving the district, but thoughts are that the downtown district hasn't done projects that were promised.

**Public Hearing – Odd Lot Property in Madison County:**

A Public Hearing was open at 2:40 p.m. Commissioner Weber, Commissioner Smith, Kim Muir, Sherry Arnold, Troy Evans and Shane Ruebush were present. Commissioner Ricks was excused.

This is property that is landlocked and only accessible to the Palmers. It is a remnant of a division gone bad and was foreclosed on years ago.

Commissioners declared no conflict. There were no comments in favor, neutral or opposed and no discussion.

Treasurer Sherry Arnold explained that the property is three years delinquent and is an odd lot because it is landlocked. Max and Kate Palmer always assumed the property was owned by them as they own the property that surrounds all sides. Madison County is following state statute to dispose of the property. The Assessor valued the property at \$100, and it is one-half acre. Today is the third and final step of the process.

Commissioner Smith moved to approve the sale of the odd lot property by quit claim deed to Max Palmer. Commissioner Weber seconded and voting was unanimous.

Commissioner Weber made a motion to recess Commissioners' Meeting. Commissioner Smith seconded and voting was unanimous.

**BOE:**

Commissioner Weber opened Board of Equalization.

*Zane Morris, Legacy Cove Ltd.*

Zane Morris was present telephonically. Gary Shewey was present from the Assessor's Office. Zane and Gary were sworn in. Zane had talked with Gary Shewey several times. His issue is that they are at 61% occupancy with the girls, 71% on the boys. He would like to see the value changed this year rather than wait until next year like Gary is asking him to do. They feel that school enrollment will be up next year as the change in missionary age has made a big impact and they feel it will equalize in the next year. He estimates that he will net 2/3 what was done last year. Gary stated that tax guidelines tell him to use 2013 income information. He has looked at income statements and there are some figures in the expenses that are not allowed, based on how appraisers are required to perform their appraisals per state statute.

Zane states that the administration expense Gary is disputing reflects a refinance where he paid \$217,000 in points. They were going to determine what the remaining expenses were, but he didn't get the information to Gary. He was also asking for repair and maintenance back-up documentation, which Gary felt was excessive. Zane did lower his rent this year to try to help his occupancy figures. Commissioners will make a decision on the BOE with Gary Shewey, and he will hear from the Clerk's Office on the final decision.

Commissioner Weber made a motion to uphold the value made by the Assessor's Office. Commissioner Smith seconded and voting was unanimous.

*Keven Snell - Watershed Properties LLC*

Julia Solomon and Keven Snell were sworn in. Keven is addressing three townhouses. The value is at \$138,000, but he sold one for much less than \$129,900. In his evaluation on the other comparable sales he feels that the Assessor number is very high. He showed some of the comparable sales that were less in value. Julia Solomon stated that the classes are different that show quality of work and materials used. She also stated that most of the comparable sales Mr. Snell has presented are short sales. Julie showed what value would be with a full basement and air conditioning. There are brand new units that sold in Kartchner's development that are comparable for \$144,900. Mr. Snell's units are up for the five year evaluation next year. A decision will be made, and we will consider it and notify him within a week to 10 days.

Commissioner Smith made a motion to lower the value on the assessment to \$128,000 (a \$10,000 deduction) with an unfinished basement. Commissioner Weber seconded and voting was unanimous.

*Adjustment made on The Ivy Parcel No. RPRXBCA0306631*

Gary made an agreement with them to put the value back to 2013 numbers. Commissioner Smith made a motion to adjust the value of the Ivy to \$16,545,532. Commissioner Weber seconded and voting was unanimous.

*Parcel No. RPRXBCA0306631*

Gary was sworn in again. The issue at hand is the fact that of the five units, only three were complete as of January 1st. He received copies of occupancy permits from the City of Rexburg. Two more were issued on January 2nd. He would be willing to adjust those two units by 10–15% even though no work would have been done between December 3, 2013 and January 2, 2014.

Gary looked at the value on the building permit and suggested the value remain the same. There will be an additional four buildings next year. Commissioner Smith made a motion to lower the assessed value to \$15,916,848. Commissioner Weber seconded and voting was unanimous.

***Review and Approve:***

Parcel No. RPOARNL0000030 Approve HO Exemption (Tom Snarr)

Commissioner Weber made a motion to apply the HO Exemption. Commissioner Smith seconded and voting was unanimous.

Parcel No. RPR000K0000310 City Exemption (by Northgate Apartments)

Commissioner Weber made a motion to approve the City exemption. Commissioner Smith seconded and voting was unanimous.

Parcel No. RPRRXB10214850 County Exemption Transition home

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

Parcel No. RPRRXB10235530 County Exemption

This is the Domestic Violence shelter home. Commissioner Smith made a motion to approve the exemption. Commissioner Weber seconded and voting was unanimous.

Commissioner Weber made a motion to adjourn the Board of Equalization. Commissioner Smith seconded and voting was unanimous.

Commissioner Weber made a motion to adjourn at 4:30 p.m. Commissioner Smith seconded and voting was unanimous.

Approved:

Jon Weber, Commissioner  
Todd Smith, Commissioner