

Madison County Commissioners		
Meeting Minutes		
JUNE 23, 2014	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

County Business:

Committee & Board Reports:

Commissioner Ricks:

- Eastern Idaho Public Health Board met and approved a 1½% increase over the past year. It will be a little more for Madison County because the formula is based on property values and population. The Board will go through a small adjustment before the end of the year because of turnover in the election.
- Magistrate Commission - This was a review of Gil Gardner and Jason Walker and both received high marks from the public and peers.

Contracts/Documents:

- Commissioner Ricks made a motion to amend the agenda to include the Homeland Security Grant. Commissioner Weber seconded and voting was unanimous. Commissioner Smith made a motion to sign and approve the Homeland Security Grant. Commissioner Ricks seconded and voting was unanimous.
- Review and sign polling location designation for school bond election on August 26, 2014. Commissioner Weber made a motion to approve the polling locations for the August 26, 2014 election. Commissioner Smith seconded and voting was unanimous.

Discussion Items:

- The wording of Resolution #372 Antiquities Act – National Monument was discussed. This signed Resolution will be sent to the President of the United States and our State Legislators. There would be a substantial impact on Island Park with privately owned property versus Federal land. Commissioner Smith made a motion to sign Resolution #372. Commissioner Ricks seconded and voting was unanimous.
- Commissioner Ricks made a motion to sign and approve Resolution #373 to Destroy Old Records. Commissioner Weber seconded and voting was unanimous.
- Resolution #374 Allowable Indigent Expenses was discussed.
- Rob Wood will be the new Deputy Prosecuting Attorney earlier than expected. Commissioners are willing to use the contingency fund for the additional expense.
- Public Defender changes and HO560 reported at Challis meetings last week were discussed.

- Urban Renewal issues were discussed.
- Fairgrounds: Possible expansion options were discussed.

Calendar Items: Discussion of Pending Matters:

Department Head Meeting on July 7th will include a discussion of budgets, policy manual update and Board of Equalization hearings will be completed.

Routine Items:

- 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 sign and approve the Commissioners' Meeting Minutes for June 9, 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.

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

Commissioner Ricks made a motion to go into Executive Session at 9:15 a.m. pursuant to Idaho Code 67-2345 (1)(d) exempt records. (Commissioner Ricks—yes, Commissioner Weber – yes, Commissioner Smith - yes). Commissioner Weber returned to Open Session at 9:22 a.m. Commissioner Smith made a motion to sign Liens on Case Nos. 2014022, 2013023 and 2013046-D. Indigent Non-Medical: Sign Approval for Case Nos. N2014013 and 2014014. Commissioner Ricks seconded and voting was unanimous.

Ann Marie discussed the allowable expenses that Luke Erickson, County Agent, helped determine. Commissioners approved the expenses, and it will be adopted by a resolution at the next meeting.

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

BOE:

Commissioner Ricks opened Board of Equalization. Jean Petersen, Matt Virgil, Brent Saurey and Sherry Arnold were present and all were sworn in.

Jean Petersen

Matt Virgil explained that in 2013 the state property value was changed on property 32, which are out buildings on Jean Petersen's property. The recommendation would be that they are older (built in the 1940's) and there is no validation for the increase. They would like to put the value back to what it was in 2013. This is acceptable to Mrs. Petersen on both pieces of property. Commissioner Smith made a motion to adjust the value from \$7,062 to \$1,958. Commissioner Weber seconded and voting was unanimous. The house value will remain the same.

Commissioner Ricks made a motion to reconvene Commissioners' Meeting. Commissioner Smith seconded and voting was unanimous.

Brent Saurey/Sherry Arnold – Tax Issues/Jonathan Shear:

Mr. Shear was not present.

Tax Sale Decision (Hancock):

A check for the taxes was returned NSF. The property needs to be sold. It has been tax dedeed for a year and will need to go up for tax sale. Commissioners instructed Sherry to proceed with the tax sale.

Brent McFadden – General Services/Levees & Flood Plain:

A provisional credited levee is available for two years. The Army Corps of Engineers will do the study as if the levee is accredited, but will not be in two years. Brent feels in the long run it is better to not do the provisional credit, but it would let us know who will be in the flood plain when the levee is decertified. The only difference it will make is to know what properties will be in the flood plain.

Sheriff Klingler – Enforcement Issues:

Sheriff Klingler explained the water on the road issues. There is an adjustment farmers can make on irrigation equipment, but many don't know how and the wind changes the adjustment. When law enforcement has talked to farmers or landowners they can usually get compliance.

Currently there are noise restrictions on windmills and general disturbing the peace language in the Unified Development Code. There is nothing specific regarding noise. There is not much the County can do to enforce this issue as a criminal sanction. There is little doubt that the public, law enforcement and prosecution and the courts would perceive this matter as appropriate as criminal violation where people should be fined and possibly jailed. Sheriff's Office confirmed that events are ending on time. When people leave and "burn out", law enforcement is there to enforce laws. There is no intention of doing a noise ordinance in the county at this time; otherwise it would engulf farming, those with cattle, animals, etc. If neighbors have continued problems, the most appropriate way to address them is through a civil nuisance suit brought between the affected land owners and business owners. In this regard, the county would be kept out of it and leave it to the individuals involved to resolve their differences. The problem area is in an impact area and areas of jurisdiction were discussed.

Report on "Ragin Stagin":

Cameron Stanford and Mike Clements were present.

This was an exercise at Madison High School to practice gathering resources from our community and surrounding communities for emergencies. They provided training on resources available should a disaster happen. There were HAM radio operators and communication checks were performed. A life flight helicopter, Hazmat detection unit and washing center, big rig from Bonneville County and lots of training took place. There was also training on paperwork and documentation required to report in an emergency.

Amanda Ely – TRPTA/2015 Fund Request:

Michael Jones, Alden Allen and all General and Operation Managers for TRPTA were present. Five years ago they had ten buses, but have reduced their staff and fleet to five. They serve Lemhi, Teton, Madison, Fremont and Bonneville Counties. Commissioners asked why they don't raise their rates to support TRPTA and they have tried to raise fares, but their ridership decreased significantly. Fares are not allowed as match money to the Federal Government. Anything they don't make up with match dollars, they receive Medicaid revenue. Some feel that this is a service that should be provided by family and neighbors. Most want to be as independent as possible and would rather not rely on others to get them where they need to be.

Their grant cycle is due by February 2015, and they are requesting \$3,500. They are looking for our actual commitment, and we will consider it in our upcoming budget year.

Jared Bingham – Rental Agreement:

Jared discussed the rental agreement and the changes made by Troy and accepted by Mr. Neibaur. Commissioner Weber made a motion to sign the Rental Agreement between 7th Judicial Drug Court Treatment and Mitch Neibaur. Commissioner Smith seconded and voting was unanimous.

Discuss & Review – Housing, Building and Septic Code:

Troy reported that the septic systems are being discussed at the Planning & Zoning level. They had a meeting last week with the Public Health Department and research is being conducted on the code. P & Z is anticipating making changes that will be discussed at their public hearing and brought to the commissioners.

Detached garages have been discussed at the P & Z level and specific findings have previously been made. There remain unresolved issues regarding this, and the code has gone back and forth between P & Z and the commissioners. Troy recommended making a decision as to all suggestions brought before the Commissioners and if it is the desire of the Commissioners, to reject everything that has been presented to them to then have a work meeting followed by a public hearing on wording changes. Commissioner Smith would like to see it changed and doesn't think covenants should be included in the ordinance. Commissioner Ricks thinks it definitely needs to be clarified as it's too easy to interpret wrongly.

Commissioner Smith made a motion to reject all findings and recommendations from P & Z as it applies to Part II, Section 115-63 (6) of the Unified Development Code. Commissioner Weber seconded and voting was unanimous.

This will be discussed at a future meeting and a possible work meeting, after which a public hearing will be scheduled. All P & Z discussions will be forwarded to the Commissioners, and further research into what the surrounding counties do will be looked into.

Commissioner Weber made a motion to adjourn. Commissioner Smith seconded and voting was unanimous.

Approved:

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