

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

Madison County Commissioners		
Meeting Minutes		
OCTOBER 28, 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	

Public Comment:

Kelly McKamey stated that the Commissioners need to stand up and state that same sex marriage violates their religious beliefs and stand up for principle. He stated we are at war with Satan, and it embarrasses him that men don't stand up and oppose the same sex marriage issue.

Dan Roberts was disappointed that Commissioners didn't make it to the showing of "Blue". He handed copies of the DVD to the Commissioners and asked them to watch it.

County Business:

Committee & Board Reports:

Kimber Ricks

Kimber has been assigned to a public defense subcommittee working on a model Public Defender Contract.

Jon Weber

- Community Council met Thursday. The 40 that were present took an assessment that was led by the Army National Guard on preparation to look at ways to use grant funds. Drug awareness, alcohol and mental health in our schools are the focus.
- Emergency Services have moved into the new living quarters. Administrative offices have been moved to the 2nd floor of City Hall.
- Fair Grounds Committee is still moving forward.

Todd Smith

Tri-County Probation numbers are down, but budgets are still looking okay short term. Todd reported that 5C Detention inmate numbers are down, and this is having a negative impact on finances.

Discussion Items:

Commissioners Weber and Ricks were in Boise yesterday for meetings regarding Certificates of Residency. As the program continues to grow across the state with dual enrollment and fast track, there needs to a better way of funding the program. There was discussion on the state taking back the funding. They agreed that it was an Idaho issue rather than a City, County or Community College issue. A committee will be formed to inform the legislature of the growth of this program. Tuition costs are increasing, and the cities need to be informed and included in the cost of the program.

Routine Matters:

- Commissioner Smith made a motion to approve the claims presented by the Clerk. Commissioner Ricks seconded and voting was unanimous.
- Commissioner Ricks made a motion to sign the Commissioners’ Meeting Minutes of October 14, 2014. Commissioner Smith seconded and voting was unanimous.

Personnel Actions:

All county elected officials received a merit increase of 0 – 2%. Specific details can be obtained from the Clerk’s Office. Commissioner Smith made a motion to sign and approve the personnel actions. Commissioner Weber seconded and voting was unanimous.

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

Commissioner Ricks made a motion to go into Executive Session at 9:04 a.m. pursuant to Idaho Code 67-2345 (1) (b) employee matters and (d) exempt records and 67-2345 (b) employee matters (Commissioner Ricks – yes, Commissioner Weber, Commissioner Smith - yes). Commissioner Ricks returned to open session at 9:45 a.m. Commissioner Weber made a motion to sign Liens on Case Nos. 2015001 and 2015002, sign Denials on Case Nos. 2014036, 2014038 and 2014037. CAT Assignments were signed on Case Nos. 2013020, 2013046, 2013049 and 2014002. Commissioner Smith seconded and voting was unanimous.

Maxine Berger - Solid Waste Fee Changes/Scenarios:

Maxine presented copies of her presentation to increase solid waste, construction and demolition site fees. Neighboring counties have increased their prices, and we are getting trucks from these counties to our site. The Solid Waste fees would not go into effect on the taxes until next year as we have passed the deadline to hold a public hearing and impact the 2015 taxes. The next step on the request is a formal Ordinance and a public hearing. Commissioners would like time to review the paperwork. Mr. Pendergraft commented that he is in the foreclosure business and when he gets an out of county charge, the fee is two to three times higher which encourages him to dump in the county the trash is from.

Brent McFadden/Ralph Robinson – Asbestos Discussion/Review Bids for Removal Discussion Regarding Permitting and Building Inspections/Response to Build At Your Own Risk Previously Presented:

Dan Roberts, Kelly McKamey. Mr. Ying and Thomas Pendergraft were also present for the discussion.

Courthouse Asbestos

Brent discussed the professional service bids to remove the asbestos from beneath the courthouse. Time is of the essence in this situation. To complete the job we have to shut the boiler down and the courthouse and jail would be cold, but could be heated with space heaters or work would take place at night or the weekend when possible. After the bid is signed, it will take ten days to get the legal paperwork signed and back from Boise. Once started, the actual job will take about ten days to complete.

Commissioner Weber made a motion to proceed with the Idaho Abatement bid. Commissioner Smith seconded and voting was unanimous.

Build at your own risk discussion

Build at your own risk was presented a few weeks ago by Dan Roberts to implement in the County, and the Commissioners have proceeded with research and asked Brent with Planning and Zoning to review the matter. Brent stated if we proceed, Planning & Zoning will have to completely stop the inspections. Banks and lenders require these inspections before they will finance a home. The inspections are more for people who buy the structure. Brent stated they would be shorting the people by not doing inspections. Ralph feels that builders appreciate another set of eyes looking at the homes being built. He stated that many builders overbuild in this area – the homeowner wants to know that the home they move into will be safe and of sound structure in case of a catastrophic event, or the roof will hold in a heavy wind or snow storm.

A discussion was had regarding the Idaho Building Code Act found in Chapter 41, Title 39, and the interplay between county ordinances and state law, and that we are either all in or all out as it applies to the state.

The Idaho legislature found as follows on this topic:

(1) Uniformity of building codes and uniformity in procedures for enforcing building safety codes throughout the state are matters of statewide concern and interest, in that uniformity would enhance elimination of obsolete, restricting, conflicting, duplicating and unnecessary regulations and requirements which could unnecessarily increase construction costs or retard the use of new materials and methods of installation or provide unwarranted preferential treatment to types or classes of materials or products or methods of construction.

(2) It is the intent of the legislature to:

(a) Promote the health, safety and welfare of the occupants or users of buildings and structures subject to this chapter;

(b) Require minimum performance standards and requirements for construction and construction materials, consistent with accepted standards of engineering, fire safety, life safety and accessibility for those with disabilities;

(c) Establish, for jurisdictions enforcing building codes pursuant to this chapter, minimum standards and requirements in terms of performance, energy efficiency, effect upon construction costs and consistency with nationally accepted standards;

(d) Permit the use of modern technical methods, devices and improvements; and

(e) Clarify and establish roles of the various jurisdictions subject to this chapter.

The Commissioners believe this is good policy and that the county is only asking for the minimum protections. Homes are now being built better than they were 30 years ago. By state statute from 2002, you have to adopt the International Building Code and there are only certain things you can amend. The statute for the State of Idaho states that the international building code has to be adopted. Contractors want the inspections so they can sell the homes. Dan Roberts asked if this county believes in freedom and let people do what they want as to buildings. Brent and Ralph are licensed through the state and continue to keep the credentials for inspections. Ralph clarified that anything fewer than 200 square feet does not need a permit, and anything used for an agricultural structure requires two inspections.

Commissioner Ricks understands the right for freedom and personal property rights, but feels we will be adding to the court's load. Individuals have a right to feel safe in the homes they move into. We will continue to research and look into the matter. Build at your own risk is not only risky for the builder, but also for the community and likely fatal for loans. Every state has adopted building regulations in the United States, and these date back to bible times. Building inspections are a spot check, are there for public safety and counties and cities do not benefit from the inspections. The liability normally goes back to the engineer.

Brent presented two additional contracts.

Commissioner Smith made a motion to amend the agenda to consider two purchases for Weed and Mosquito as the machines are currently on sale, and we can get a better price if we act quickly. Commissioner Ricks seconded and voting was unanimous.

Commissioner Weber made a motion to approve the purchase of two new machines for Mosquito and Weed. Commissioner Smith seconded and voting was unanimous.

Reo Jensen – Review and Sign Lease Agreement (Summit National Bank)/Old Thornton Overpass Purchase & Sales Agreement/Kirkham Hollow Road Work/Elk Observation Turn Out:

- Commissioner Ricks made a motion to sign and approve the Lease Agreement with Summit National Bank. Commissioner Smith seconded and voting was unanimous.
- Commissioner Smith made a motion to sign the Purchase and Sale Agreement on the parcel of land in Thornton. Commissioner Weber seconded and voting was unanimous.
- There were culverts installed at the Kirkham Hollow Road.
- Jeff Lerwill owns an elk farm near Sugar City Cemetery. He has reported that people are always pulling off to watch the elk. He would like a few loads of gravel dumped so people can safely pull off the road to watch the elk. Further information will be necessary and there are concerns with the width of the road, and there not being enough room in the borrow pit from the road to the fence. This would also impede traffic as vehicles would not be able to move completely off the road without changes in the fencing. Dave Walrath's opinion on this would also be helpful.

Cameron Stanford - Update on Precautions for Ebola Virus:

Alan Brower, current chairman of the Local Emergency Preparedness Council, was present with Cameron. Cameron also shared a plaque recognizing the County for two years with no fatalities in Madison County. He indicated that next month will mark three years with no fatalities in Madison County.

Commissioners wanted to know what we could do to be prepared for the threat of Ebola. The CDC announced that there will be cases in the U.S. Contact with bodily fluids is the only way a person can contract the virus – mostly blood born through direct contact. Our position in Madison County is that we will trust the CDC recommendations. There have been emergency drills at the hospital, and they are ready with equipment and isolation facilities. They feel that removal of the sterile gowns is where the health care providers have come in contact with the disease. Public Health will come back to the November LEPC meeting to present any updated material. The hospital participates in The Healthcare Coalition, and grant money is supplied thru the Coalition to provide equipment and medical care to patients in the isolation facilities. The

flu is much more of a threat to our community, and we should be more aware of spreading the flu than Ebola.

Discuss Decision on Mo Jo Property - Brent Saurey:

Brent summarized the use change on the land in question, and it was reclassified as commercial as it is in a commercial subdivision. In the Assessor's opinion; it should not be classified agricultural as he didn't see any agricultural use. The owner of the property, Flamm and Chicos, called in and asked about the valuation on the property. They feel the value is right, but the zoning needs to be changed. Brent stated that he cannot change the value. They would like a ruling by the Commissioners stating that it is Agricultural. There was a settlement offered, and it was refused. The issue is that the owner stated these lots should be part of the larger piece of Agricultural land that is separated by a roadway. There is currently nothing planted on the land. This will be further discussed at the next meeting.

ICRMP - Tailgate Meetings:

Ann Marie Sorensen led a discussion on two ICRMP tailgate meeting topics for county employees. This program lowers the county insurance premiums to ICRMP.

Daniel Moldenhauer - Ace Hardware Parking Issues:

This matter was taken care of between the City and Daniel Moldenhauer where the City is in charge of enforcement with the parking lot.

Fisher's Technology - Service Presentation:

Russell Slack gave a presentation on information technology and professional services that Fisher's Technology offers. They have several Idaho locations and are currently expanding further. Management, optimization and business practices are the three phases they would offer to the County. Fishers would like an opportunity to show us how they can save Madison County money on faxes, printers and copiers. The next step would be to visit with Paul, Sherry, Kim and Brent.

Commissioner Ricks made a motion to adjourn at 3:40 p.m. Commissioner Weber seconded and voting was unanimous.

Approved:

Kimber Ricks, Commission Chairman

Jon Weber, Commissioner

Todd Smith, Commissioner