

Madison County Commissioners

Meeting Minutes and

Budget Hearing

SEPTEMBER 8, 2015

8:00 A.M.

COMMISSIONERS' ROOM

ATTENDEES

Commissioners: Chairman Kimber Ricks, Jon Weber and Todd Smith
Deputy Prosecuting Attorney: Troy Evans
County Clerk: Kim Muir, Deputy Clerk: Brenda Stoor

AGENDA TOPICS

Public Comment - There was no one present to comment.

County Business:

Discussion Items: Dee Eldridge Matter

Mr. Eldridge provided a letter dated August 26, 2015 to the Commissioners and legal counsel. In it, he claimed he would no longer agree to the Nonexclusive Easement agreement for Madison County to access its gravel pit for various reasons, and if the county would not agree to all of his demands, that he rescinds his offer to the county.

The Commissioners reviewed the history of this matter, wherein it was Mr. Eldridge that approached the County to have them deed to him .88 acres on the north side of the County's gravel pit that he claimed the county hadn't been using for county purposes. His intent was to trade the county some dirt and execute an easement for ingress and egress of the gravel pit that Madison County owns in Fremont County. The county has had access to its gravel pit for over 20 years and would have a prescriptive easement. However, a formal easement would be preferable which Mr. Eldridge agreed to.

Mr. Eldridge provided a legal description of what he thought the county should give him. Exercising its due diligence, the county used its own engineering firm to check the boundary lines and legal description. Errors were found from what Mr. Eldridge provided. Mr. Eldridge did not appreciate the county checking the work he paid for, but the county needed someone to check on its behalf. After the line was tentatively agreed upon, the county passed odd lot Resolution No. #390 as per the requirements of the Idaho Code on May 26, 2015.

There were numerous problems with Mr. Eldridge's easement. Mr. Eldridge did not want to give an easement the width of the road, and only wanted to provide a smaller access window. He and his wife then recorded an easement to the county which was not per county standards where a legal description is preferred.

The county sent its engineer to the location numerous times to provide a legal description and picture of what it would look like. Mr. Eldridge disagreed with what the county did, and what it proposed. Finally, he provided an August 26, 2015 letter wherein the county would either agree to his terms or they were rescinded. The Commissioners discussed the need of the easement being nonexclusive for other government agencies to access, and other problems with Mr. Eldridge's demands. Based upon these concerns Commissioner Ricks moved to accept Mr. Eldridge's offer to rescind this agreement and also formally rescinded Resolution No. #390, and these dealings with Mr. Eldridge. The county and Mr. Eldridge will not be able to agree on suitable terms. Commissioner Smith seconded the motion and the vote was unanimous. The county will provide a letter to Mr. Eldridge regarding its withdrawal of this agreement and acceptance of his rescission of the agreement. The county will also formally rescind Resolution No. #390 by a separate resolution to be handled at a future date. All the documents in this matter will be kept with these minutes.

Commissioner Ricks discussed bringing zoning maps in to discuss the property that Depatco and Frank Vandersloot own during the City/County luncheon.

Commissioner Ricks reported on the Urban Renewal meeting that he attended. The proposed district has been made smaller. The Board will get on the Commissioner Agenda to talk about the Urban Renewal proposal. Commissioner Ricks would like to see a close out plan on some of the other districts. He would also like to see more numbers, and definite dates for the proposed district.

Calendar Items:

Contracts and Documents:

A review of the Summit National Bank contract took place.

Commissioner Weber made a motion to sign the Summit National Bank Contract, and the Caterpillar Lease for the Solid Waste Loader. Commissioner Ricks seconded and voting was unanimous.

A review of the Homeland Security Grant took place.

Commissioner Ricks made a motion to sign the Homeland Security Grant. Commissioner Weber seconded and voting was unanimous.

A review of the Forest Service Grant took place.

Commissioner Ricks made a motion to sign the Forest Service Grant. Commissioner Weber seconded and voting was unanimous.

A review of the RBEG USDA Grant for the South County Economic Impact Study took place. Commissioner Ricks made a motion to sign the RBEG USDA Grant for the South County Economic Impact Study. Commissioner Weber seconded and voting was unanimous.

A review of the Hobley Trust, LLC took place.

Commissioner Weber made a motion to sign the Purchase Agreement with Hobley Trust, LLC. Commissioner Ricks seconded and voting was unanimous.

A review of the D & C Properties took place.

Commissioner Weber made a motion to sign a Purchase Agreement with D & C Properties. Commissioner Ricks seconded and voting was unanimous.

A review of the DP Beck, LLC took place.

Commissioner Weber made a motion to sign a purchase agreement with DP Beck, LLC. Commissioner Ricks seconded and voting was unanimous.

A review of the Beer and Alcohol Licenses took place. These will all be signed at the next meeting when Todd is present. A discussion was held on whether or not the County Clerk's office should ask Law Enforcement if there are any problems with these facilities prior to granting their licenses each year.

Routine Matters:

Commissioner Ricks made a motion to approve the claims presented by the clerk in the amount of \$1,175,643.12 (\$108,654.79 General Fund only). Commissioner Weber seconded and voting was unanimous.

Commissioner Ricks made a motion to approve and sign the Commissioner Meeting Minutes of August 24, 2015. Commissioner Weber seconded and voting was unanimous.

The August 19, 2015 City/County Airport Meeting minutes will be signed when Commissioner Smith is present.

Commissioner Ricks made a motion to approve and sign the Certificates of Residency for: Shawn Paris, Dillan Egbert, Jake Rammell, Summer Miles, Vanessa Hernandez-Rivas, Aubrie Watson, Paxton Ingram, Daylen Corpany, Paige Clark, John Griffith, Hanna, Griffith, Gillian Ross, Katria Kimpel, Jenna Flamm, Zachary Klingler, Laura Schmidt, Eliza Schmidt, Shandee Ballard, Tanner Marcum, Mackenzie Jones, Nephi Dummar, Emma Clawson, Caleb Jensen, Miriam Bowden, Anabelle Hibbard, William Crawford, Emilee Thomas, Kaitlyn Thayne, Tate Babcock, Megan Williams, Hailey Ball, Alexander Ricks, Emily Holyoak, Ashlyn Gordon, Shelby Jenkins, Lindsey Johnson, Angelina Gohr, Riele Telford, Jayley Griffin, Daylen Dameron
Commissioner Weber seconded and voting was unanimous.

Personnel Actions:

Commissioner Smith motioned to approve the personnel actions. Commissioner Weber seconded and voting was unanimous.

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

Commissioner Weber made a motion to go into Executive Session at 8:30 a.m. pursuant to Idaho Code §74-206(1)(d) exempt matters. (Commissioner Ricks -yes, Commissioner Weber-yes, Commissioner Smith – yes). Commissioner's returned to open session at 8:45 a.m. Commissioner Weber made a motion to sign a Lien on Case No. 2015030, sign Approvals on Case Nos. 2015031 and 2015025. Non-Medical: Sign Approval on Case Nos. N2015015. Commissioner Smith seconded and voting was unanimous.

Jared Bingham: 7th Judicial Drug Court, Condition of Hire Signatures

- Jared Bingham has been asked to take on additional responsibilities coordinating a program for a Drug Court Implementation Plan that will oversee ongoing drug court programs. He will receive additional pay from the Supreme Court.
- Jared has been asked by Judge Simpson to review the rates of medical insurance around the counties. that support them in the coming year, to see if Madison County continues to offer the best benefit package.
- Jared reported that everything in his department is running well.

Commissioner Weber made a motion to sign and approve the Condition of Hire for Jared Bingham. Commissioner Ricks seconded and voting was unanimous.

Madison County Public Budget Hearing: Approval and Sign FY 2015-2016.

Public Hearing minutes: It is Sept. 8, 2015; we are gathered as a Commission to hold a hearing for the 2015-2016 Budget. Present are: Commissioner Ricks-Commission Chairman, Commissioner Weber, Commissioner Smith, County Clerk - Kim Muir and Brenda Stoor - Deputy Clerk, and Troy Evans - Legal Counsel (joined later). All Notices have been appropriately published in the paper and the county agenda. No written or phone comments to the notice have been received in the Clerk's office.

Clerk Kim Muir reported that the budget has been prepared over the past 5-6 months with input from all county departments and public officials. Two changes to the 2015-2016 budget years are now set up through the County Clerk's office for the Fair Board and Concealed Weapons.

Comments of disapproval: None

Neutral comments: None.

Comments in support: None

Commissioner Ricks declared this portion of the meeting closed and open to comment from commissioners. Commissioner Ricks is fully aware of the many hours put into this. Kim Muir has worked very hard on this and it takes a tremendous amount of time. He gave comments of support and approval.

Commissioner Weber comments that he would like to start looking at matching funds for Airport, etc. and ear mark special projects money for the future so these can be budgeted

individually. He would like the county to look 5-10 years down the road. Kim will make a list of future projects and give to the Commissioners for review. They will also let her know of claims they are aware of.

Commissioner Ricks made a motion to sign and approve the 2015-2016 Madison County Budget and L2 forms. Commissioner Smith seconded and voting was unanimous.

Madison County Ambulance Public Budget Hearing Approval and Sign FY 2015-2016:

At 9:40 a.m. on September 8, 2015, Commissioner Ricks declared the Public Hearing open for the Ambulance Budget District. This is a statutory hearing under the Idaho laws. Those Present are: Commissioner Ricks - Commission Chairman, Commissioner Weber, Commissioner Smith, County Clerk - Kim Muir, Brenda Stoor - Deputy Clerk, and Troy Evans-Legal Counsel. All Notices have been appropriately published. No written or phone comments to the notice have been received in the Clerk's Office. This hearing is being recorded.

County Clerk, Kim Muir states that the total for the Ambulance budget is \$1,343,580.00. This is \$140,000 less than last year. There may be some cash deficits and they are hoping by next year these can be made up.

Comments of disapproval: None

Neutral comments: None.

Comments in support: None

Opposition: None

This portion of the hearing was closed at 9:34 a.m.

Commissioner Weber made a motion to sign and approve 2015 - 2016 Ambulance Budget and L2 as presented by the Clerk. Commissioner Smith seconded and voting was unanimous.

Hearing for the Madison County Mosquito Levy District; Approval and Sign FY 2015-2016.

In attendance are: Commissioners Ricks, Commissioner Weber and Commissioner Smith; Legal Counsel - Troy Evans, Kim Muir -County Clerk and Deputy Clerk - Brenda Stoor. All notices have been appropriately noticed and there have been no response from the public.

Clerk Kim Muir's Statement on the Madison County Mosquito Budget: This budget has been prepared with the help of Brent McFadden. Total budget \$588,620 and there will be \$125,000.00 brought forward from last year's budget to lessen the levy to tax-payers.

Comments of disapproval: None

Neutral comments: None.

Comments in support: None

This portion of this hearing was declared closed.

Commissioner Smith made a motion to sign and approve the 2014-2016 budget and L2 for the Mosquito District for the 2015-2016 budget years. Commissioner Weber seconded and voting was unanimous.

Open FY Madison County Budget 2014-2015 budget to resolve unexpected revenue/expenses received and not expected; Approval and Sign.

This is routine and there are always unanticipated programs, grants or expenditures. The County generally opens up the budget to account for these matters during this time of the budget year. This is revenue that has come in grant funds, not included in the budget that has to be accounted for. In attendance are: Commissioners Ricks, Commissioner Weber and Commissioner Smith, Legal Counsel - Troy Evans, Kim Muir -County Clerk and Deputy Clerk - Brenda Stoor . All notices been appropriately noticed and there have been no responses from the public.

Clerk: One additional revenue resource from a grant for the Sheriff's Contracts and Grants account. This amount (\$46,584) will be put into the 2014-2015 budget.

There were extensive repairs to the jail and Courthouse throughout the 2014-2015 year and funds will be transferred from the Commissioners Reserve Account to the Buildings and Grounds budget to cover overages of \$49,858. This includes the asbestos removal in the basement of the courthouse and major repairs to the boilers in the jail.

The Madison County Fairgrounds budget has also been used throughout the year for Fair Board and Fair Grounds. The Fair Board will be reimbursing the Fair Grounds fund \$46,000. Beginning with the 2015-2016 budget year, the Fair Board will have a separate county budget.

Any comment in support of the budget changes: None

Any comment in opposition: None

Comments deemed neutral: Kim said there would not be changes to levies already assessed.

Commissioner Weber made a motion to approve the adjustments. Commissioner Ricks seconded and voting was unanimous.

Commissioner Ricks concluded the public hearing portion of the agenda at 9:58 a.m.

Commissioner Smith asked to be excused from the remainder of the meeting as he was not feeling well. He was excused.

Shawn Boice/ Sherry Arnold were not present. Review and sign: Anita Clark was representing the Treasurer's Office.

Ground Water District is raising their fee from \$2.00-\$5.00 by the Board. She has the signed letter from the Board for Commissioners to review. The increase is to cover the lawyer fees. They are currently fighting for water rights. It is possible they will have to go back to dry

farming. The letter states the amount they are going to collect from the irrigators and also gives permission to act as agents for the Ground Water District.

Commissioner Ricks made a motion to approve the Ground Water District fee raise. Commissioner Weber seconded and voting was unanimous.

Reappraisal Progress Report, Employee Issues: Amanda and Julia Solomon were present to report. The Assessor's office did not make their quota because all data entry was not in. They have a goal of being 80% shortly. They thanked the Commissioners for the new lasers they were able to purchase for measuring properties. This helps cut time, and the I-Pads have been a very useful tool as well. They are still a bit slow on their sketching. Within 5 years they are planning on being paperless. They have access to the city work permit program and can stay on top of the new construction. They are hoping to be more current on new construction. Morale is good in the Assessor office. The mapping side is roughly 2 weeks behind but they have done really well with catching up.

Brent McFadden, Review Bids for pipe insulation in the Courthouse, Discuss P & Z Asbestos Bid for removing from pipe. Findings of Fact Kay Burrell Zone Change, Sign and approve Resolution #393 to change the Comp Plan Change Ordinance #399 Eric Erickson Land Use Change

- Brent brought 2 bids besides the one that did the actual removal of the asbestos. There is quite a difference. In terms of insulation, Brent said "the thicker the better". The entire cleanup is done now, but they need to get on top of the insulation. Brent has had no working relationship with any of the bidders. He does not have a preference but would not go with anyone using less than 1 inch of insulation. He would like to go with 1 ½ inch of insulation.
Commissioner Weber made a motion to accept the lowest bid from Mountain States Industry at 1 ½ inches of insulation. Commissioner Ricks seconded and voting was unanimous.
- The Boat ramp closing date has been moved to the first week of October. There are 2 more park benches that still need to be placed there. There are 6 more that will be put in various shelters.
- Road and bridge are out putting crushed gravel and parking pads as they have time at Twin Bridges. As these places get more developed, they are being used more frequently.
- The water shift to the South Channel at Twin Bridges was discussed. There has been rip-rap to help hold the dock. Boats are still using the current one. They are looking at moving further downstream where the existing one is now. The trailer turn-around looks good.
- Findings of Fact on the Kay Burrell Hearing Zone Change to Commercial. This is located southwest of Rainbow Park. He would like to put in a nice big building for an space and to house his equipment. Planning and Zoning voted in favor of this change
- Commissioner Weber made a motion to approve the Kay Burrell Commercial Zone Change. Commissioner Ricks seconded and voting was unanimous.

- Commissioner Ricks made a motion to approve Ordinance #399 which is the zone change on the Eric Erickson *et al.* neighborhood. Commissioner Weber seconded and voting was unanimous. The Findings of Fact on this matter were approved previously.
- Commissioner Weber made a motion to approve Resolution #393 Land Use on Eric Erickson *et al.* neighborhood. Commissioner Ricks seconded and voting was unanimous. The Findings of Fact on this matter were approved previously.

Reo/Cindy/Maxine, Road & Bridge Sand Shed, Updates

- Bid Opening: This will be held on Thursday at 2:00 p.m. in the Commission Room for the new sand shed.
- Twin Bridges Discussion: Cindy presented Commissioners with information gathered on the project. Commissioner Weber believes LHTAC has done some work and there was a grant received. There hasn't been a lot of funding on the project. The bridge rating is still at 49, which means it will be hard to find a lot of funding for new bridge projects.
- Finalizing fuel pump upgrades: This is a project that Dave started to get the pumps set up to show how much gas each department was pumping and who was pumping the gas. There will be a \$300 charge once it is complete.
- Cindy showed some new bridge marker signs they are using which are much larger and should help with safety in the areas. Mr. Munns from Archer wanted the markers that are break away in case large farm equipment hit the signs.
- They were told the Chappel crew was tearing up 3000 N. It was on an approach that goes into a property and they were digging up the driveway to move a phone box, curb work and constructing an entrance. Cindy and Reo drove all the way around and couldn't find where the roadway was being torn up.

Gary and Roscoe Orton, Dental, Vision, & Life Insurance

- They reported that there will be no change in the vision insurance for next year. Gary states that employees like it and they continually have more signing up.
- Life insurance will also reflect no increase in premiums. There have been a few life policies that have paid out over the last year
- There is a 2% increase in the Dental Insurance. They feel that they can find cheaper rates, but the coverage would not be the same and other companies will also increase the premiums. They commented that other companies are going after their business.
- The life Insurance Company is experiencing some changes as far as Supplemental Life Insurance. Roscoe and Gary will come to the next department head meeting to discuss this with supervisors and to set up a time to go to each employee to discuss supplemental life insurance.

Ron Naegelin, Service Officer Salary:

Ron had questions about the salary set-up. He has been very active in recruiting Veterans, and implementing new programs where he is able to go into the homes of the disabled Vets to help them sign up for benefits they may be qualified for. A Personnel Action form will be prepared and payroll will begin October 1.

Lunch Meeting with Jim Archibald, Discuss Contract:

Jim reported that no arrests have been made in the bombing of his office. He will continue doing public and criminal defense as a private contractor. Commissioner Ricks is on the Public Defense Commission and wanted to make sure our contract was up to the standard held by the Commission. The reports Jim has submitted to the county were discussed and Judge Simpson, Administrative Court Judge, has ask public defenders to submit a more detailed report in the future. Jim will also do some work for Jefferson County. A new contract will be signed with Jim at the next meeting.

Commissioner Weber made a motion to adjourn at 1:25 p.m. Commissioner Ricks seconded and voting was unanimous.

Approved:

Kimber Ricks, Commission Chairman

Jon Weber, Commissioner

Todd Smith, Commissioner