

*Abbreviated Minutes: Complete Set of Minutes Are on File in The Clerk's Office*



**Madison County  
Commissioner Meeting Minutes  
February 24, 2020**

**Attendees:**

**Jon Weber, Commissioner (Chairman)**  
**Todd Smith, Commissioner**  
**Brent Mendenhall, Commissioner**  
**Troy Evans, Deputy Prosecuting Attorney**  
**Kim Muir, County Clerk**

Pledge of Allegiance

Invocation: Commissioner

**ACTION ITEMS**

**Public Comment:**

Mark Garner, son of Ted and Edna Garner, was present representing the Garner Family. He stated that since the flood in 1976 the family allowed the County to use their gravel pit and the county would in turn see that there was 2 feet of gravel put over the site and the land be used as a Park in his grandfather's name. The Commissioners informed this is currently a City of Rexburg project. Commissioner Smith comments the bid came back at \$2.5 million to construct ball fields on the property. The City has locked down \$2.1 million and are now asking for donations from the county and others to help make the park come to fruition. Mark comments they would like to see this come to fruition. It was a hand shake agreement after the flood, but the City believes they have signed documents, which will be forwarded to the county. Current projections are to construct 4 diamonds, but a future design show a possible 8 diamonds plus a small park.

**Calendar Discussion:**

The next Commission meeting will be March 9, 2020.

**Board and Committee Reports:**

Commissioner Smith recommends Mike Mortensen as a new Fair board member.

Commissioner Smith made a motion to appoint Mike Mortensen to the Fair Board. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

**Legislative Report-Commissioner Mendenhall:**

Commissioner Mendenhall discussed the property tax freeze legislation currently being put forward. The matter did come out of the Revenue and Tax Committee and he went to Boise to testify. Brent presented reports showing estimated fiscal impact for property tax budgets to all counties. There will be an interim committee created and IAC will be working on alternatives throughout the summer.

**Planning and Zoning Commission Members:** This matter will be discussed at a future date.

**Contracts/Documents:**

After review and discussion, Commissioner Mendenhall made a motion to sign and approve the Letter of Support for the Madison Soil & Water Conservation District. Commissioner Smith seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Smith made a motion to sign and approve the Tri-County Adult Misdemeanor Probation, Joint Powers and Operating Agreement. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Smith made a motion to sign and approve Tri-County Probation, Standard Operating Procedures. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Mendenhall made a motion to sign and approve Ordinance #428 Amending the 2009 version of the International Energy Conservation Code and the Idaho Residential Code: providing for severability; repealing conflicting ordinances and providing an effective date. Commissioner Smith seconded and voting was unanimous. The motion passed.

**Routine Matters:**

After review and discussion, Commissioner Mendenhall made a motion to approve the claims presented by the Clerk in the amount of \$655,659.09 with \$29,509.69 coming from the general fund. Commissioner Smith seconded and voting was unanimous. The motion passed.

After review and discussion, Commissioner Smith made a motion to approve the minutes of February 10, 2020. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

**Personnel Actions :**

After review and discussion, Commissioner Mendenhall made a motion to approve the Personnel Actions. Commissioner Smith seconded and voting was unanimous. The motion passed

**Executive Session: Idaho Code § 74-206(1)(b) employee matters- Sheriff's Office, (d) exempt records - Ann Marie Sorensen, Indigent Clerk, (i) litigation matters:**

Commissioner Weber made a motion to go into Executive Session at 9:20 a.m. Commissioner Mendenhall seconded the motion. A roll call vote was taken as follows: Commissioner Weber – yes, Commissioner Smith-yes, Commissioner Mendenhall - yes. The motion passed.

Commissioner Weber returned the County Commissioner meeting to open session at 9:52 a.m. After review and discussion, Commissioner Mendenhall made a motion to sign a Denial on indigent Case No. 2019025. Commissioner Smith seconded the motion. The motion passed.

**Public Hearing, Solid Waste fee change:**

Commissioner Weber opened the Public Hearing at 10:05 a.m. Commissioner Weber – yes, Commissioner Smith – yes, Commissioner Mendenhall – yes. There was no one present to speak for, against or neutral. Blair Hillam, from Bonneville County Waste Manager did comment that Bonneville County will get some of the waste back to their facility, which is where it needs to be.

Darby stated April 9, 1994 the Solid Waste Disposal station opened. The tipping fee has not been raised since its opening. More trucks and equipment have been needed to keep up with the amount of waste being taken to the Landfill. Counties surrounding ours have raised their fees and those counties have been hauling to us. The City hauls about 1000 – 1500 tons per month to the County facility. By raising our rates, revenues will decrease as Madison will be the same price and hauling to Madison will not be a cost savings any longer.

The Public Hearing was closed.

After review and discussion, Commissioner Smith made a motion to approve Ordinance #427 authorizing Madison County to change certain fees for Solid Waste Disposal and collect fees and to repeal all ordinances and resolutions in conflict and to provide a penalty for violations and providing an effective date. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

**Tim Solomon, Rocky Mountain Power, general updates:**

Tim presented an informational packet and reports some of the things RMP is doing to enhance their services. Customers are asking for more options in terms of renewables. They are committed to enhancing wind solar, storage and how power demands are managed. He reported on ways RMP is working to improve energy efficiency and save homeowners on power bills. They are also testing for solar battery power backup to avoid power outages and peaks and valleys in generation. Commissioner Mendenhall asks what portion of the testing Idaho may never see, yet are paying for. Tim states customers now pay for only what they are using. Rocky Mountain Power is also opening up their internet and broadband services.

**Shawn Boice, Tax Exemptions, Board of Equalization matters:**

After review and discussion, Commissioner Mendenhall made a motion to approve tax exemptions for: Development Workshop (1) parcel RPR6N40E173005 and, East Central Idaho Planning & Development (3) parcels RPR00W1030010, RPSUGCA00457510 and RPR000W2010030, Commissioner Smith seconded and voting was unanimous. The motion passed.

**Shawn Boice, Ag Exemptions:**

Larsen Holdings:

Kelton Larsen purchased additional property contiguous with current property owned.

After review and discussion, Commissioner Smith made a motion to approve the Ag Exemption for Kelton Larsen on his two parcels. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Val Moss:

This is a 2 ½ acre chunk next to the old Lyman School. Currently it is in hay. After review and discussion, Commissioner Smith made a motion to approve the Ag Exemption for Val Moss. Commissioner Mendenhall seconded and voting was unanimous. The motion passed.

Jared Sommer/Grand Properties, LLC:

New application and is part of Whitetail Flats near the Henry's Fork Preserve. The property is over 5 acres, but not fenced nor in hay. There is no proof it is actively devoted to Ag and there is was no plan submitted. This was previously a holding area for cattle.

After review and discussion, Commissioner Mendenhall made a motion to deny the Ag Exemption for Jared Sommer/Grand Properties LLC. Commissioner Smith seconded and voting was unanimous. The motion passed. This matter can be reconsidered by June.

**Cindy Roberson, Update on Road thru Sugar City:**

The agreement for Highway 33 through Sugar City is between Madison County and Idaho Department of Transportation as the City of Sugar City is under 5000 population. The memo of understanding states Madison County will be taking on maintenance. Sugar City will realign the roadway straight through Railroad Avenue. Funding is available from ITD, but Sugar City has to agree to this. The mayor and City

Council will be meeting this week and are still deliberating the issue. The timing with ITD is an issue and a public information meeting will be held to discuss Railroad Way. Highway 33 in Rexburg will be an agreement between the City of Rexburg and ITD. Commissioners like the idea of the road being locally controlled.

Commissioner Mendenhall made a motion to approve the Maintenance Agreement with Idaho Transportation Department for the Sugar City portion of Highway 33. Commissioner Smith seconded and voting was unanimous.

**Kelly Hoopes, Horrocks Engineering, Transportation update, Eastside Frontage Road Agreement:**

Kelly explained the Master Transportation Plan should be updated and Cindy is needing the update to occur this year so she can apply for funding to pave the roadway in 2020. The plan would explain how the growth is happening and where it is occurring. Kelly suggests waiting to complete the travel demand report until the 2020 census numbers come back. Kelly estimates his costs to be a few thousand dollars.

Commissioner Mendenhall approved authority for Horrock's Engineers to move forward with the Eastside frontage Road addendum to the Master Transportation Plan. Commissioner Weber seconded and voting was unanimous.

Review: Road Closure and Maintenance Agreement, East Side Frontage Road/Farm Field Access  
The agreement will be signed at a later date.

**Cindy Roberson, Property matters with Hatfields & Webers:**

Commissioner Weber recused himself on this decision.

Cindy reports on small parcels of property that have become weed collectors that are of no value to the County. Commissioner Mendenhall made a motion to approve giving land slivers back to the land owners. Commissioner Smith seconded and voting was unanimous.

**Matt Nielson, Keith Davidson, City of Rexburg request for funding for construction of ball fields:**

Commissioner Smith states we have discussed funding of the ball fields with a donation from the City of Rexburg and private donations. The City is here to request some funding from the County. Commissioners discussion ensued. The ball fields would be useful to County residents also, but the Commissioners asked if the fields are only for team play? Are they closed to the public or will they accessible to the general public? Matt states there is a Memo of Understanding with the School District during the school year and schools would have access to the facility. The Recreation Dept. would take care of booking the facility. They will build a nice restroom facility. Keith explains they are taking out 3 fields and producing 4, possibly more in the future. Lighting for tournaments and evening play is preferred. Ongoing maintenance and prep fees will be paid through the City from their impact fees. Commissioner Smith has been in contact with the Hospital Board and the possibility of a donation from the Hospital will be discussed. The Commissioners are interested, but aren't sure where the funding would come from, as it was not budgeted in FY 2020. Commissioners also recognize county residents currently pay property and sales tax and want to be equitable to citizens. Funding may not be needed until after the end of September. This will be discussed at a future time. The City is meeting with the contractor to see if there is any in-kind work that could be considered. All agree the project needs to be done right.

**Bradley Petersen, Discussion and decision for new permitting software / vehicles:**

Software for permitting quotes were emailed to commissioners. P & Z is currently using Computer Arts software which does the bare minimum. The iWork's and City Works software opens many more doors

to get us to have a digital format with a public portal to be more interactive with the community. City works allows for an immediate update with GIS, but is very expensive. The iWork's is much cheaper and this is what Road and Bridge is currently using. The price will not increase annually and is maintained on the Road & Bridge server and is cloud based. iWork's annual fee would be \$9700 annually and would not increase. Set up time will be about a month. David Decker, County Inspector states iWork's does everything that is needed in the building department. Rather than having live updates City Works offers, we will submit monthly for updates with iWork's and would take care of building inspections and zoning. Initially there would be additional costs for scanners. Paul may have funds remaining in his project line. For the ongoing annual fee, Paul would rather run it through the IT budget, but would like the Initial purchase to come from the P & Z Budget.

Vehicles: Bradley is meeting with multiple car dealers to find a vehicle for D7 Treatment. The dealers with fleet discounts have come through with great prices, but Enterprise presents the best price. By contract, D7 cannot purchase a vehicle, but would have to lease from the county. Jess Tanner was present and states a used vehicle would work well for them. The lease through Enterprise would work out best for her. And this is what Commissioners agreed to.

Commissioner Mendenhall made a motion to move forward with the purchase of the iWork's program for Planning and Zoning. Commissioner Smith seconded and voting was unanimous. The motion passed.

There being no further business Commissioner Mendenhall made a motion to adjourn the meeting at 1:55 p.m. Commissioner Weber seconded and voting was unanimous. The motion passed.

Approved:

Jon O. Weber, Commission Chairman  
Todd Smith, Commissioner  
Brent Mendenhall, Commissioner

Attest: Kim Muir, Clerk