

STATE OF IDAHO)
 : ss. Wednesday, August 2, 2023
County of Bingham)

THE BOARD OF BINGHAM COUNTY COMMISSIONERS MET IN REGULAR SESSION. The following matters were considered:

PRESENT: Chairman Manwaring- Via Telephone
Commissioner Bair
Commissioner Jackson
Lindsey Dalley- Commission Clerk

CASH WARRANTS

The Board approved Cash Warrants in the amount of \$250.01, \$126.00, \$126.00, \$126.00, \$126.00, \$126.00, \$126.00, \$126.00 and \$126.00, for a total of \$1,258.01.

COLLEGE OF EASTERN IDAHO

The Board approved several Certificate of Residency documents, which were sent to the College of Eastern Idaho for the following Bingham County student's: Kaitlyn J. Cornell, Colton R. Croft, Payton Lee Brooks, Kassandra A. Jones, Grace E. Harrat, Jade K. Finch and Vanessa Avila-Ruiz.

COLLEGE OF SOUTHERN IDAHO

A Certificate of Residency was approved by the Board and sent to the College of Southern Idaho for the following Bingham County student: Julian Octavio Martinez.

Decision: Commissioner Bair moved to approve and sign the Cash Warrants, Claims and Administrative Documents for August 2, 2023, as presented. Commissioner Jackson seconded. All voted in favor. The motion carried.

DECISION REGARDING BINGHAM COUNTY ALCOHOL CATERING PERMIT FOR SHOSHONE BANNOCK HOTEL & CASINO, FOR THE AUGUST 18, 2023 JAY LENO EVENT

The Board met to make a decision regarding the submitted Bingham County Alcohol Catering Permit for Shoshone Bannock Hotel & Casino, for the August 18, 2023 Jay Leno Event.

The Board had no issues with the submitted Alcohol Catering Permit.

Decision: Commissioner Jackson moved to approve and sign the Bingham County Alcohol Catering Permit for the Shoshone Bannock Hotel & Casino for the August 18, 2023 Jay Leno Event. Commissioner Bair seconded. All voted in favor. The motion carried.

SHERIFF'S OFFICE UPDATE

Present: Jeff Gardner- Sheriff
Jordyn Nebeker- Chief Deputy Sheriff
Matt Galloway- Sheriff's Office/IT Department

The Board met with Sheriff Gardner to discuss updates within the Sheriff's Office and other agenda items.

Discussion was held in regards to the proposed Resolution 2023-41, a formal resolution declaring certain Bingham County property not necessary for use in Bingham County, Idaho. Said resolution is specific to two (2) vehicles that the county obtained as a drug seizure and a boat motor.

Decision: Commissioner Bair moved to approve and sign Bingham County Resolution 2023-41, a formal resolution declaring certain Bingham County property not necessary for use in Bingham County. Commissioner Jackson seconded. All voted in favor. The motion carried and said resolution was approved as follows:

**BINGHAM COUNTY
RESOLUTION NO. 2023-41**

**A FORMAL RESOLUTION DECLARING CERTAIN BINGHAM COUNTY PROPERTY
NOT NECESSARY FOR USE IN BINGHAM COUNTY, IDAHO**

WHEREAS, The Bingham County Commissioners have the authority to manage county property, (Idaho Code §31-807);

WHEREAS, The Bingham County Commissioners have the authority to sell or offer for sale personal property not exceeding two hundred fifty dollars (\$250) in value at private sale, (Idaho Code §31-808);

THEREFORE BE IT HEREBY RESOLVED, by the Board of County Commissioners, Bingham County, Idaho, that the following items may be sold as excess property:

BINGHAM COUNTY SHERIFF'S OFFICE

2011 Acura 2D TSX F55
2006 Dodge 4D CHA

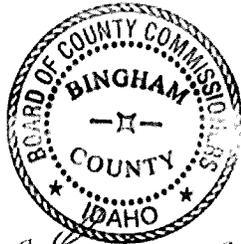
Vin: JH4CU2F66BC007544
Vin: 2B3KA43G26H512726

Briggs & Stratton Vanguard 35HP Boat Motor

Model # 613477
Type # 0123-E1
Code # 06122012

DATED this 2nd day of August 2023.

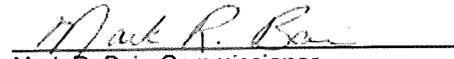
BINGHAM COUNTY COMMISSION



ATTEST:


Pamela W. Eckhardt
Bingham County Clerk


Whitney Manwaring, Chairman


Mark R. Bair, Commissioner


Eric Jackson, Commissioner

Next, discussion was held in regards to the Prior Approval for Major Purchase of three (3) cameras to be replaced at Patriot Field due to damage, along with five (5) other cameras to be replaced throughout the courthouse. Said purchase is in the amount of \$7,358.52, to be paid from Fund: 01-18-443-00-Key Fobs/County Cameras.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of three (3) cameras to be replaced at Patriot Field due to damage, along with five (5) other cameras to be replaced throughout the courthouse. Said purchase is in the amount of \$7,358.52, to be paid from Fund: 01-18-443-00-Key Fobs/County Cameras. Commissioner Bair seconded. All voted in favor. The motion carried.

Sheriff Gardner gave an update regarding jail population, the Annual Jail Inspection and the jail expansion project.

DISCUSSION REGARDING PUBLIC DEFENSE COMMISSION FINANCIAL ASSISTANCE, FISCAL YEAR ANNUAL REVIEW REPORT AND QUESTIONS FOR THE UPCOMING TRANSITION TO THE NEW IDAHO STATE PUBLIC DEFENSE SYSTEM- REQUESTED BY JARED RICKS

Present: Sheri Landon- Court Supervisor
Via Zoom: Jared Ricks- Public Defense Commission

The Board met with Jared Ricks to hold discussion regarding the Public Defense Commission Financial Assistance Annual Review and any questions there may be in regards to the upcoming transition to the new Idaho State Public Defense System.

DISCUSSION & DECISION REGARDING WOLVERINE ROAD BEING A SECOND CHOICE FOR A LHTAC GRANT APPLICATION

Present: Troy Lenhart- Road & Bridge Supervisor
Kyle Jones- HLE

The Board met to make a decision regarding the request to use Wolverine Road as a second choice for a LHTAC Grant Application.

Mr. Lenhart explained that the Road & Bridge department would like to use Wolverine Road as a second choice for the LHTAC Grant Application. Mr. Jones stated that this grant is the Local Strategic Initiative Grant. Mr. Lenhart stated when the Transportation Plan, Wolverine Road was one of the roads that did not qualify for past grants but may qualify for this specific grant. Mr. Jones stated there would be upcoming paperwork that will need to be signed in the future but for now approval is needed from the Board.

This grant is a maximum of \$2 million with no match to be made by the county. If approved, Mr. Jones will proceed with the proper documentation to submit Wolverine as a second choice.

Decision: Commissioner Jackson moved to allow seven (7) miles of Wolverine Road to be used as a second choice for a LHTAC Grant Application. Commissioner Bair seconded. All voted in favor. The motion carried.

REVIEW & SIGNING OF AGREEMENT WITH LHTAC FOR THE FERRY BUTTE BRIDGE REHAB PROJECT

Present: Troy Lenhart- Road & Bridge Supervisor
Kyle Jones- HLE

The Board met to review and signing of the Agreement with LHTAC for the Ferry Butte Bridge Rehab Project.

Mr. Lenhart explained this was approved previously but signatures are needed in order to proceed. Chairman Manwaring stated this Agreement is in conjunction with the Shoshone Bannock Tribe but Bingham County is the primary applicant and that LHTAC would pay the county and the Shoshone Bannock Tribe would be reimbursed.

Commissioner Bair confirmed with Mr. Jones that there is no match to be paid by the county for this particular grant.

Decision: Commissioner Jackson moved to approve and sign the Agreement with LHTAC for the Ferry Butte Bridge Rehab Project. Commissioner Bair seconded. All voted in favor. The motion carried.

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider Personnel matters. Commissioner Bair moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Jackson seconded. All in favor. The Board moved into Executive Session at 2:07 p.m. The Board moved out of Executive Session at 2:34 p.m.

Decision: Commissioner Jackson moved to offer the position of Deputy Clerk to the individual discussed in Executive Session. Commissioner Bair seconded. All voted in favor. The motion carried.

In regards to the second matter discussed in Executive Session, Sheriff Gardner will work with Laraine Pope on the working out of class for Matt Galloway.

REVIEW & FURTHER DISCUSSION OF THE FISCAL YEAR 2024 BUDGET- REQUESTED BY CLERK ECKHARDT, WITH POSSIBLE DECISION

Present: Gina Perschon- Chief Deputy Clerk
Pamela Eckhardt- County Clerk
Paul Rogers- Prosecuting Attorney
Laraine Pope- Human Resources Director
Jeff Gardner- Sheriff
Debbie Cunningham- Chief Deputy Assessor
Jordyn Nebeker- Chief Deputy Sheriff
Donavan Harrington- County Assessor

The Board met to hold further discussion and make a possible decision regarding Fiscal year 2024 budget, wherein discussion was held regarding the following items:

- 1) Rather than budgeting for the purchase of specific equipment purchase, discussion was held regarding the possibility to purchase from the Road and Bridge Reserves in this Fiscal Year.
- 2) Cost of Living
- 3) Foregone
- 4) New Construction

This meeting was placed on hold in order to address the next meeting with Chief Howell.

DISCUSSION & POSSIBLE DECISION REGARDING REPLACEMENT OF MOTOR FOR THE 2008 BLACKFOOT AMBULANCE DISTRICT- REQUESTED BY CHIEF BRYON HOWELL

Present: Bryon Howell- Blackfoot Fire Chief
Grahm Anderson- City of Blackfoot Treasurer

The Board met to make a decision regarding the replacement of a motor for the 2008 Blackfoot Ambulance District.

Chief Howell stated he has provided the Board with three quotes in regards to replacement of the motor, which were as follows:

- 1) \$20,143.33, which is for a used engine with \$145k miles of usage
- 2) \$24,443.33, which is for a rebuilt engine with a 2-year warranty.
- 3) \$26,443.33, which is for a brand-new engine, also with a 2-year warranty.

Chairman Manwaring stated that he would be more comfortable purchasing a new engine that has not been used or re-built. A brief discussion was held in regards to the City of Blackfoot assisting with the cost, wherein Mr. Anderson stated if there was funding available, there would be no issue with that and he believes that cost share is good.

The Board is in favor of purchasing a new engine and asked that Chief Howell get in touch with Avery's Auto to see if there would be a down payment required and the time it would take to receive the engine.

CONTINUED DISCUSSION IN REGARDS TO THE FY 2024 BUDGET

Further discussion was held in regards to each fund and if there could be any adjustments made.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY, AUGUST 4, 2023


PAMELA W. ECKHARDT, CLERK
Lindsey Dalley- Commission Clerk


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Friday, August 4, 2023
County of Bingham)

THE BOARD OF BINGHAM COUNTY COMMISSIONERS MET IN REGULAR SESSION. The following matters were considered:

PRESENT: Chairman Manwaring
 Commissioner Jackson
 Lindsey Dalley- Commission Clerk
Excused: Commissioner Bair

CLAIMS

Claims were approved in the amount of \$314,476.10.

PERSONNEL ACTION FORMS

The Board approved Personnel Action Forms, which were as follows:

Employee Status Sheet:	Corporal (Detention) to Sergeant
Salary Increase Form:	Deputy Court Clerk
	Probation Officer
	Probation Officer
	Deputy Court Clerk
	Deputy Court Clerk

THE MOTION PASSED TO DISMISS UNTIL MONDAY, AUGUST 7, 2023


 PAMELA W. ECKHARDT, CLERK
 Lindsey Dalley- Commission Clerk-----


 WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Monday, August 7, 2023
 County of Bingham)

THE BOARD OF BINGHAM COUNTY COMMISSIONERS MET IN REGULAR SESSION. The following matters were considered:

PRESENT: Chairman Manwaring
 Commissioner Jackson
 Lindsey Dalley- Commission Clerk

Excused: Commissioner Bair

STAFF MEETING

Present: Pamela Eckhardt- County Clerk
 Laura Lora- Payroll/Indigent Services
 Donavan Harrington- County Assessor
 Debbie Cunningham- Chief Deputy Assessor
 Scott Reese- Emergency Services/Parks & Recreation
 Sheri Landon- Courts
 Jason Marlow- Building Maintenance
 Shawn Hill- Probation Department
 Dusty Whited- Public Works Director
 Laraine Pope- Human Resources Director
 Tiffany Olsen- Planning & Development Director
 Jordyn Nebeker- Chief Deputy Sheriff
 Cody Lewis- Drug Court
 Gordon Croft- City of Blackfoot Police Chief
 Julie Buck- Extension Office
 Paul Rogers- Prosecuting Attorney
 Lori Jorgensen- Prosecuting Attorney
 Jeff Gardner- Sheriff

Excused: Jimmy Roberts- County Coroner
 Grahm Anderson- City of Blackfoot Treasurer
 Marc Carroll- City of Blackfoot Mayor
 Danette Miller- Election Director

Tanna Beal- County Treasurer

The Commissioners met with department heads and Elected Officials for the August 2023 Staff Meeting. Chairman Manwaring conducted the Staff Meeting.

Pledge of Allegiance: Chairman Manwaring conducted.

Approval of Minutes for Staff Meeting held in July 2023: There were no changes to be made. Therefore, the Staff Meeting Minutes for July were approved as written.

Special Presentation: None.

Employee Years of Service Recognition: Clerk Eckhardt recognized Patty Walters for fifteen (15) years of service to Bingham County. Clerk Eckhardt stated that Patty started as the Human Resources Technician, transferred into Payroll and is now in the Clerk's Office completing the financials. Clerk Eckhardt stated that Patty also assists with recording, passports and marriage licenses. Patty is always willing to help, is positive and an asset to Bingham County.

Patty Walters stated it has been a wonderful fifteen (15) years and has gone by quick. She is grateful to have the opportunity to work for the county and appreciates the friendships that she has made. Patty also thanked Clerk Eckhardt for her patience and kind words.

Dusty Whited recognized Javier Ibarra for five (5) years of service to Bingham County and stated that Javier was originally hired as a Lube Tech. It didn't take long to figure out Javier's ability to work on a computer and find the best deal for Bingham County, wherein he was then re-classified as a Purchasing Agent for Public Works. Javier is great at his job and a huge asset to Bingham County.

Javier Ibarra thanked everyone for the opportunity to work for Bingham County. Javier stated that he was used to working six days per week and switching to four ten-hour work days has been a life change for him and has made it easier to spend time with his family.

Dusty Whited recognized John Ford for five (5) years of service to Bingham County and stated that prior to coming to work for the county, John was an Operator for H&K Construction. John came to Bingham County with experience and is a huge asset to the county.

Dusty Whited recognized Adam Ibarra for twenty (20) years of service to Bingham County and stated that Adam is a Senior Operator. Adam is great at his job and an asset to Bingham County.

Paul Rogers recognized Lori Jorgensen for twenty-five (25) years of service to Bingham County and stated that she is the Office Manager for the Prosecutors Office. Lori has worked for several elected Prosecutors through the years, is a huge asset to Bingham County and thanked her for all of her hard work.

Lori Jorgensen stated that she has worked with four elected Prosecutors. She stated that Bingham County is a great place to work and it is home.

Safety Concerns: Discussion was held in regards to training for the AED machines that have been placed throughout the courthouse and it was decided that the Sheriff's Office will put on a brief training session next Staff Meeting. Discussion was also held in regards to active shooter training, which will also occur in the near future. Mr. Whited added that he would like to have a panic button installed at the scale house here in town and in Aberdeen due to there being one employee working at some times.

Chairman Manwaring: The fair is approaching quickly, school will be starting and there is lots of construction, along with the windmill project taking place so there will be delays.

Commissioner Jackson: Had no updates at this time.

Clerk Eckhardt: Stated that the Public Hearing for the Fiscal Year 2024 budget is scheduled for August 23, 2023 at 10:30 a.m., and thanked everyone for their hard work during the budgeting process.

Laura Lora: Had no updates at this time.

Donavan Harrington: Had no updates at this time.

Dusty Whited: Stated that micro sealing is completed and chip sealing is almost complete.

Scott Reese: Had no updates at this time.

Sheri Landon: Stated there are two (2) new employees in the Courts, Lindsay Grimm and Kendall Bacon.

Laraine Pope: Had no updates at this time.

Jason Marlow: Had no updates at this time.

Tiffany Olsen: Stated that her department has a vacant Planner position. The first round of interviews was held but the position is still vacant. The Planner position will take on the lead code enforcement roll and therefore will be out in the field during seasonal months and in the office otherwise. Jonathan Stimens will be taking a position with the Sheriff's Office and therefore will have a vacant position for a Building Inspector as well. Ms. Olsen stated that she would like to thank the Assessor's Office as they are assisting with Division Right research.

Ms. Olsen stated Clearway Energy Group is the Contractor/Owner of the wind turbine project currently occurring and Wanzek is the Construction Contractor. Between the two companies, they asked Ms. Olsen if there were any community needs or things that they could give back within the community, which resulted in 150 backpacks being delivered to "The Village" for a school supply drive. It was amazing to see these companies give back to the community.

Lastly, Ms. Olsen would like to thank Javier Ibarra for all of his hard work and help with the fleet vehicles in the Planning & Development Division. He is always available to help or answer questions and being a team player like Javier is a huge asset to Bingham County.

Shawn Hill: Had no updates at this time.

Cody Lewis: Stated that Felony Drug Court Graduation will be held on August 29, 2023 at 4:00 p.m., and Misdemeanor Drug Court Graduation will be held on August 31, 2023 at 4:00 p.m.

Paul Rogers: Stated several attorneys from the Prosecutors Office will be attending the Idaho Prosecuting Attorneys Association Conference in Boise on August 8th through August 11th.

Sheriff Gardner: Stated the fair is quickly approaching, school is starting and it is harvest time. He appreciates all of the hard work on the budget and it has been a pleasure to work with everyone during the process. Sheriff stated that he would like to give a shout out to the City of Blackfoot Police and the great working relationship that has been built between the entities.

Julie Buck: Stated that the Bingham County 4-H Fair has concluded last week and there were 271 animals sold, which is 40 animals more than last year. There were more poultry and rabbits, which serves the community members that live within the city limits and do not have a large acreage. It was a great fair.

Clerk Eckhardt: Gave an update on behalf of the Election Office and stated there will be an Election held for the Shelley School District Levy on August 29, 2023.

Chief Gordon Croft: Stated that the school supply drive for "The Village" was amazing and he would like to thank the Sheriff's Office for sending deputies to participate. It was an amazing experience to see foster kids being able to get new supplies and interact with first responders.

Chief Croft added there will be a town hall meeting held at City Hall on September 13, 2023 at 7:00, to discuss the dangers of Fentanyl. There will be access via zoom for those that are unable to attend in person.

Sheri Landon added that the Chief Justices will be holding court in Courtroom 1 on August 23rd if anyone is interested in watching.

Chairman Manwaring stated next Staff Meeting is scheduled for Monday, September 11, 2023 at 8:30 a.m.

Nothing further.

THE MOTION PASSED TO DISMISS UNTIL TUESDAY, AUGUST 8, 2023

PAMELA W. ECKHARDT, CLERK

Lindsey Dalley- Commission Clerk-----

WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
: ss.
County of Bingham)

Tuesday, August 8, 2023

THE BOARD OF BINGHAM COUNTY COMMISSIONERS MET IN REGULAR SESSION. The following matters were considered:

PRESENT: Chairman Manwaring
Commissioner Jackson
Lindsey Dalley- Commission Clerk
Excused: Commissioner Bair

PLANNING & DEVELOPMENT

Present: Tiffany Olsen- Planning & Development Director
Laraine Pope- Human Resources Director
Via Zoom: Paul Rogers- Prosecuting Attorney

The Board met with Tiffany Olsen to discuss department updates and other agenda items.

Discussion was held in regards to the review and signing of the Lava Ridge Cove Final Plat. Ms. Olsen stated this property is zoned Residential/Agriculture on Lemhi Road and has 17 lots. There was a fiber tower erected in the right-of-way but that has since been removed. The functional classification of Lemhi Road is a minor collector and therefore the right-of-way is 30 feet. The structure was at 26 feet, wherein a photograph was received verifying that the tower had been removed.

The Board had no issues at this time.

Decision: Commissioner Jackson moved to approve and sign the Final Plat for Lava Ridge Cove as presented. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Discussion was held in regards to the request to advertise a Building Inspector position with range of pay to be determined upon experience. Ms. Olsen explained that Mr. Stimens provided his two weeks' notice and will be transferring to the Sheriff's Office. To replace this position, Ms. Olsen stated that she would like to advertise as soon as possible, with a range depending on experience. The paygrade is an N19 for this specific position and starting range would be \$19.44 and would conclude at \$28.52, according to the current

pay scale. There is an option for an N20, in the event that the applicant successfully hired has their mechanical license or if the person hired obtains their mechanical license.

Ms. Olsen reiterated when the proper individual is interviewed, she would come before the Board with the specific amount that she would like to offer.

Decision: Commissioner Jackson moved to approve the advertisement of a Building Inspector position at N19, with range of pay to be determined upon experience. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Next, discussion was held in regards to the submitted Prior Approval for Major Purchase of a desk, drawer and pencil drawer from Idaho Correctional Industries, in the amount of \$1,233.00 and adding a hutch cabinet and tack board to existing desk, in the amount of \$508.00. Ms. Olsen stated with the addition of a new Planner position, the new Planner will utilize the existing Building Inspector's desk and have the addition of a hutch cabinet and tack board. The Building Inspector will receive the new desk, drawer set, and pencil drawer. Estimated total cost is \$1,741.00, to be paid from Fund 01-24-484-00- Professional Services.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of a desk, drawer and pencil drawer from Idaho Correctional Industries, in the amount of \$1,233.00 and adding a hutch cabinet and tack board to existing desk, in the amount of \$508.00. Ms. Olsen stated with the addition of a new Planner position, the new Planner will utilize the existing Building Inspector's desk and have the addition of a hutch cabinet and tack board. The Building Inspector will receive the new desk, drawer set, and pencil drawer. The total estimated amount of \$1,741.00, to be paid from Fund 01-21-484-00- Professional Services. Chairman Manwaring seconded. Both voted in favor. The motion carried.

OPEN MEETING REQUESTED BY KALEB PHELPS TO DISCUSS ISSUES WITH RIVER RUN ESTATES DEVELOPMENT

Present: Tiffany Olsen- Planning & Development Director
Luke Jolley- HLE
Terry Vance- Property Owner
Kaleb Phelps- River Run Estates
Lisa Phelps- River Run Estates
David Gillmore- Property Owner
Brian Ricks- River Run Estates
Addie Jo Harris- Planning & Development
Randy Adams- Shelley Fire Chief
Jacob Phelps- Property Owner
Dusty Whited- Public Works Director
Chris Street- HLE
Via Zoom: Paul Rogers- Prosecuting Attorney

The Board held an Open Meeting to hold discussion regarding issues with the River Run Estates Development. Said meeting was requested by Kaleb Phelps. Chairman Manwaring welcomed all to the meeting and introductions were held.

Mr. Rogers explained that this meeting needs to be defined and the specific issues need to be stated and addressed one by one. This meeting is not a negotiation meeting and no decision will be made today. This meeting is being held due to the fact that during the last meeting Ms. Olsen was not present to address the concerns that pertained to her and her department.

Discussion was held in regards to the following issues:

- 1) Mr. Phelps would like to discuss the reasons why Ms. Olsen presented to the Commissioners that he owned a parcel in which he did not own. Mr. Phelps stated that Ms. Olsen was aware that they did not own said parcel, as well as Mr. Dewey. Mr. Phelps stated during the public meeting when this matter was discussed, he leaned over to Mr. Dewey and asked him to correct the misinformation, which did not occur. Mr. Phelps stated that he did not speak up because he was informed that he did not have the ability to speak.

Mr. Rogers stated that this issue was discussed last week and the remedies regarding this issue are found in Title 10, Chapter 10 and Idaho Code Title 67, Chapter 52, wherein an appeal should have been filed or the matter should be taken to Judicial Review when an individual believes that a decision was made in inadequate light or without the correct evidence. There are specific timeline requirements in which the Appeal should be filed or the request to take to Judicial Review should be filed, which have both lapsed.

Mr. Rogers stated when this discussion was held, it seemed as though Mr. Phelps was in agreement and should have happened but it did not. Therefore, the discussion concluded and continued to the next issue.

- 2) Mr. Phelps would like to discuss the reason why Ms. Olsen ordered HLE to change the location of the Bolander (1376 N 695 E) long established legal access. Mr. Phelps stated that changing this access location on his property was done without his knowledge and that he would like to discuss the effects of changing the access.

Mr. Rogers stated discussion was held during the last meeting, which was left open-ended because no individuals that were present knew the answer and Ms. Olsen needed to be present for the discussion.

- 3) Mr. Phelps would like to discuss the reasoning that Ms. Olsen asked Terry and Sarah Vance to deed this parcel back to the Phelps. This was shortly after the meeting in which she purposefully presented the misinformation.

Mr. Rogers stated there was also discussion held during the last meeting, wherein the discussion was left open-ended as well.

Mr. Rogers stated after the previous meeting he received several emails that informed there would be additional individuals attending and additional issues would be addressed. One specific issue came up during the last meeting pertaining to a fire road and it may be that the width of the fire road should be discussed during this meeting as Chief Adams is present now as well.

Mr. Rogers stated he does not believe that this type of issue has occurred in Bingham County in this manner. The appropriate way to handle concerns such as these is to go through the Appeal process or Judicial Review, in which those times are extremely expired at this time. Mr. Rogers stated the Board further needs explanation of each matter, why it is coming before the Board and if a cure is being requested for these issues, a code or ordinance needs to be presented to the Board stating they have the authority to do so outside of the expired and lapsed time.

Mr. Rogers stated at this point two issues brought up by Mr. Phelps are now resolved. The first one was that the procedure of appeal should have been utilized but the time has since lapsed. Second, in regards to the fire road, 20-feet is what is required per the International Fire Code and therefore, the Chief is unable to minimize that amount of footage. Mr. Rogers stated there were issues presented at the last meeting, which may lead to a personnel grievance and if so, this matter shall move into Executive Session.

At this time, this meeting was concluded as further discussion would be held in Executive Session.

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider Personnel matters. Commissioner Jackson moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Chairman Manwaring seconded. All in favor. The Board moved into Executive Session at 3:58 p.m. The Board moved out of Executive Session at 5:11 p.m.

Decision: No decision was made at this time.

DISCUSSION & DECISION REGARDING REPLACEMENT OF MOTOR FOR THE 2008 BLACKFOOT AMBULANCE

Via Phone: Bryon Howell- Blackfoot Fire Chief

The Board met to discuss and make a decision regarding replacement of a motor for the 2008 Blackfoot Ambulance.

Mr. Howell explained that he has spoke with Mr. Avery at Avery's Auto, who has informed him that the engine could be delivered within 3 days of ordering and that no down payment would be required.

Decision: Commissioner Jackson moved to approve the purchase of a replacement motor for the 2008 Blackfoot Ambulance. Said purchase is in the amount of \$26,443.33. Chairman Manwaring seconded. Both voted in favor. Chairman Manwaring stated this matter will be placed on the agenda for decision as to which Fund said purchase would be paid from, due to Clerk Eckhardt being out of the office.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY, AUGUST 9, 2023



PAMELA W. ECKHARDT, CLERK

Lindsey Dalley- Commission Clerk



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
: ss. Wednesday, August 9, 2023
County of Bingham)

THE BOARD OF BINGHAM COUNTY COMMISSIONERS MET IN REGULAR SESSION. The following matters were considered:

PRESENT: Chairman Manwaring
Commissioner Jackson
Lindsey Dalley- Commission Clerk
Excused: Commissioner Bair

RESOLUTION 2023-42

The Board met to approve and sign Bingham County Resolution 2023-42, a resolution for surplus property, specifically for the Bingham County Road & Bridge Department.

Decision: Commissioner Jackson moved to approve and sign Bingham County Resolution 2023-42, a resolution for surplus property specifically for the Bingham County Road & Bridge Department. Chairman Manwaring seconded. Both voted in favor. The motion carried and said resolution was approved as follows:

**BINGHAM COUNTY
RESOLUTION NO. 2023-42**

**A FORMAL RESOLUTION DECLARING CERTAIN BINGHAM COUNTY PROPERTY
NOT NECESSARY FOR USE IN BINGHAM COUNTY, IDAHO**

WHEREAS, The Bingham County Commissioners have the authority to manage county property, (Idaho Code §31-807);

WHEREAS, The Bingham County Commissioners have the authority to sell or offer for sale personal property not exceeding two hundred fifty dollars (\$250) in value at private sale, (Idaho Code §31-808);

THEREFORE BE IT HEREBY RESOLVED, by the Board of County Commissioners, Bingham County, Idaho, that the following items may be sold as excess property:

BINGHAM COUNTY ROAD & BRIDGE

5 pallets of retaining block
Old loader bucket

DATED this 9th day of August 2023.



ATTEST:


Pamela W. Eckhardt
Bingham County Clerk

BINGHAM COUNTY COMMISSION


Whitney Manwaring, Chairman

Mark R. Bair, Commissioner


Eric Jackson, Commissioner

CASH WARRANTS

Cash Warrants were approved in the amount of \$498.19 and \$405.50, for a total of \$903.69.

COLLEGE OF EASTERN IDAHO

Certificate of Residency documents were approved by the Board and sent to the College of Eastern Idaho for the following Bingham County students: Jesse Woolsey, John T. Briggs, and Teague E. Briggs.

Decision: Commissioner Jackson moved to approve Cash Warrants, Claims and Administrative Documents for August 9, 2023. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF COMMISSIONER MINUTES FOR JULY 1-14, 2023

The Board met to approve and sign the Commissioner Minutes from July 1-14, 2023. Chairman Manwaring confirmed that the proposed minutes have been reviewed and necessary changes have been made.

Decision: Commissioner Jackson moved to approve and sign the Commissioner Minutes for July 1-14, 2023 as written. Chairman Manwaring seconded. Both voted in favor. The motion carried.

SHERIFF'S OFFICE

Present: Jeff Gardner- Sheriff
Jordyn Nebeker- Chief Deputy Sheriff
Matt Galloway- Sheriff's Office

The Board met with Sheriff Gardner to discuss updates within the Sheriff's Office and other agenda items.

Discussion was held in regards to the Prior Approval for Major Purchase submitted by Matt Galloway, for purchase of renewal licensing for Oracle Java. Said purchase is in the amount of \$8,100.00, to be paid from Fund: 01-14-524-01- Computer Software.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of renewal licensing for Oracle Java in the amount of \$8,100.00, to be paid from Fund: 01-14-524-01- Computer Software. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Sheriff Gardner gave updates regarding jail population, the jail expansion project and leased vehicles through Bancorp.

PUBLIC WORKS

Present: Dusty Whited- Public Works Director

The Board met with Dusty Whited to discuss department updates and other agenda items.

Discussion was held in regards to the final documentation for the Sign Grant Project Closeout, wherein Mr. Whited explained this documentation is to close out the Sign Grant. Mr. Whited stated that the county has received \$30,000.00, to replace old and worn out signs throughout the county. The county spent approximately \$39,000.00, which was spent out of the regular sign purchase fund. Mr. Whited stated that photographs will be attached to the closeout documentation. Mr. Whited stated that receipts for expenditures will also be included.

Decision: Commissioner Jackson moved to approve and sign the final documentation for the Sign Grant Project Closeout. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Discussion was held in regards to the proposed new Solid Waste Credit Application to be used when an individual or company are requesting a charge account at the Central Transfer Station. Mr. Whited explained there have been discussions held in regards to amendments that the Board would like to make to the Application. Mr. Whited stated the section requesting references has been removed, a section has

Commissioner Jackson moved to approve the loan payoff for the 2018 CAT Mower Grader in the amount of \$173,418.49, to be paid out of Road & Bridge Capital 02-40-803-00. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Lastly, discussion was held in regards to the county lot located at Airport and Royal Street, wherein it was stated that the area should be fenced due to surrounding neighbors parking vehicles on the lot. At the previous meeting, it was approved for up to \$1,700.00, to be paid from PILT. Since that meeting was held, it was decided that the other lot across the street should be fenced as well, which added additional cost. Therefore, Mr. Whited is before the Board today in order to receive approval for the increased amount.

Decision: Commissioner Jackson moved to approve the cost to place fencing around the two (2) county owned lots located at Airport and Royal Street. Said purchase is in the amount of \$2,661.02, to be paid from the PILT Fund. Chairman Manwaring seconded. Both voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY, AUGUST 11, 2023

PAMELA W. ECKHARDT, CLERK

Lindsey Dalley- Commission Clerk-----

WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. **Friday, August 11, 2023**
County of Bingham)

THE BOARD OF BINGHAM COUNTY COMMISSIONERS MET IN REGULAR SESSION. The following matters were considered:

PRESENT: Chairman Manwaring
 Commissioner Jackson
 Lindsey Dalley- Commission Clerk
Excused: Commissioner Bair

CLAIMS

Claims were approved in the amount of \$1,257,854.45.

COLLEGE OF EASTERN IDAHO

Certificate of Residency documents were approved by the Board and sent to the College of Eastern Idaho for the following Bingham County students: Isaac N. Buck, Cody Herrera, Karlee Hunter, Lydonna M. Stephenson and Brandon P. Zepeda.

PERSONNEL ACTION FORMS

The Board approved Personnel Action Forms, which were as follows:

Salary Increase Form: Detention Corporal
 Sergeant
 Emergency Communication Officer
 Patrol Corporal
 Detention Deputy
 Animal Control Officer
 Detention Deputy

New Employee Status Sheet:	Detention Deputy Patrol Deputy Deputy Court Clerk Deputy Court Clerk Drug Testing Tech
Employee Status Sheet:	Building Inspector to Patrol Deputy

Decision: Commissioner Jackson moved to approve and sign Cash Warrants, Claims, Administrative Documents and Personnel Action Forms for August 11, 2023. Chairman Manwaring seconded. Both voted in favor. The motion carried.

BUILDING MAINTENANCE

Present: Jason Marlow- Building Maintenance Supervisor
Pamela Eckhardt- County Clerk

The Board met with Jason Marlow to discuss department updates and other agenda items.

Discussion was held in regards to the submitted Prior Approval for Major Purchase of an Icon Electric Controller Components for jail holding cells. Currently the mechanical lavatory and toilet controls are at end of life and requiring replacement. With the purchase of the components, the holding cells can be converted to be electric. This will allow booking area to control and monitor the holding cells water consumption, along with reducing the severity of flooding in the holding cells. Said purchase is in the amount of \$2,093.78, to be paid from Fund: 01-10-506-00- Jail Repairs.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of an Icon Electric Controller Components for the jail holding cells. Said purchase is in the amount of \$2,093.78, to be paid from Fund: 01-10-506-00-Jail Repairs. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Discussion was held in regards to the submitted Prior Approval for Major Purchase of a HVAC Honeywell Supervisor and Graphics update, Upgrade to "Backnet", and remote key access. The current Honeywell controls are based over a "LON" system which is at max capacity. This upgrade is a hardware and software upgrade that will be faster, more secure and inhouse. Updated software and graphics for better user interface, data logging, and remote access over our current system. Said purchase is in the amount of \$12,048.73, to be paid from Fund: 01-10-494-00-Repairs, Building and Fixtures.

Decision: Commissioner Jackson moved to approve the submitted Prior Approval for Major Purchase of a HVAC Honeywell Supervisor and Graphics update, Upgrade to "Backnet", and remote key access. Said purchase is in the amount of \$12,048.73, to be paid from Fund: 01-10-494-00-Repairs, Building and Fixtures. Chairman Manwaring seconded. Both voted in favor. The motion carried.

DISCUSSION & DECISION REGARDING THE EMERGENCY MANAGEMENT DIRECTOR

Present: Jeff Gardner- Sheriff
Scott Reese- Emergency Management Director
Laraine Pope- Human Resources

The Board met to discuss and make a decision in regards to who should directly supervise the Emergency Management Director.

Chairman Manwaring stated this has been a discussion for some time and this meeting was scheduled in order to receive feedback from Mr. Reese and Sheriff Gardner.

Mr. Reese stated ultimately it is the Boards decision but he appreciates the opportunity to discuss this further. He has enjoyed working with the Sheriff's Office and has done so for the past 11 years, so why change something that is working well. Mr. Reese stated that half of his salary is paid for by an EMPG Grant received yearly.

Mr. Reese stated there have been a few declared emergencies and he has worked well with both the Sheriff's Office and the Board. When he is out of town and unavailable, the Sheriff or Chief Deputy cover for him, which has worked well.

Sheriff Gardner stated that he received input from Bannock County, wherein their Emergency Management Director used to be under the Sheriff's Office but is now under the Board of County Commissioners and has worked well.

Decision: Chairman Manwaring and Commissioner Jackson were both in favor of leaving things as is and having the Emergency Management Director being under direct supervision of the Sheriff's Office.

HUMAN RESOURCES

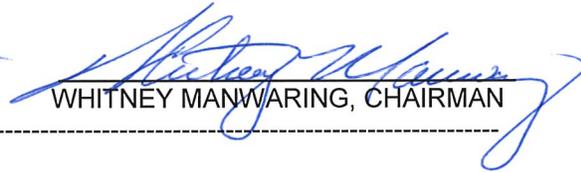
Present: Laraine Pope- Human Resources Director

The Board met with Laraine Pope to discuss department updates within the Human Resources Department, which included recruitments and vacancies within the county.

THE MOTION PASSED TO DISMISS UNTIL MONDAY, AUGUST 14, 2023



PAMELA W. ECKHARDT, CLERK
Lindsey Dalley- Commission Clerk-----



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Monday, August 14, 2023
County of Bingham)

THE BOARD OF BINGHAM COUNTY COMMISSIONERS MET IN REGULAR SESSION. The following matters were considered:

PRESENT: Chairman Manwaring
 Commissioner Jackson
 Lindsey Dalley- Commission Clerk
Excused: Commissioner Bair

APPROVAL OF RESOLUTION 2023-43

The Board met to approve and sign Bingham County Resolution 2023-43, a formal resolution regarding the destruction of records maintained by the Clerks Office, specifically for Commissioners files.

Decision: Commissioner Jackson moved to approve and sign Bingham County Resolution 2023-43, a formal resolution regarding the destruction of records maintained by the Clerks Office. Chairman Manwaring seconded. Both voted in favor. The motion carried and said resolution was approved and sign as follows:

BINGHAM COUNTY
RESOLUTION 2023-43

RESOLUTION REGARDING THE DESTRUCTION OF RECORDS
FOR THE CLERKS OFFICE

WHEREAS the Bingham County Clerks Office has requested permission to destroy certain records; and

WHEREAS the Idaho Code §31-871 empowers the Board of County Commissioners with the responsibility for classifying records for purposes of retention and destruction; and

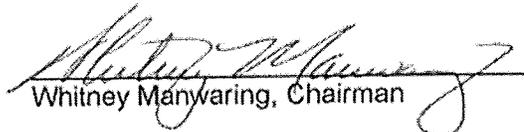
WHEREAS the Clerk's Office has represented that all records for which destruction is sought pertain to documents listed in the attached "Exhibit A"; and

WHEREAS none of the records for which destruction is requested are those required to be kept by the County permanently and indefinitely pursuant to I.C. §31-709;

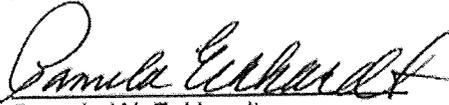
THEREFORE, it is hereby resolved that: The Clerks Office files are hereby classified as "temporary," as defined in I.C. §31-871(1)(d). Furthermore, such records may now be destroyed.

Dated this 4 day of August 2023.

BINGHAM COUNTY COMMISSION

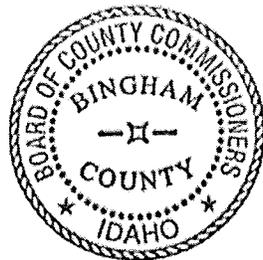

Whitney Manwaring, Chairman

ATTEST:


Pamela W. Eckhardt
Bingham County Clerk

Mark R. Bair, Commissioner


Eric Jackson, Commissioner



"Exhibit A" to Bingham County Resolution 2023-43

- 2006-Gravel Purchase- Lease Agreement- Thorn Springs Ranch, Inc.
- 2004-2019- Miscellaneous Christmas Cards, Extension Office Brochures and Miscellaneous Letters.
- 2008 Damage Claim- Kenneth Sellers
- 2008 Damage Claim- Audrey Barzee
- 2009 Damage Claim- Samuel Walton
- 2009 Damage Claim- Laramie Bingham
- 2009 Tort Claim- Kevin Jack Fielding
- 2009 Damage Claim- Skyler Campbell & Ken Saunders
- 2016 Tort Claim- David Evans
- 2010 Notice of Claim- Alexander Woodley
- 2006 Landfill Options
- 2007 & 2015 Miscellaneous letters regarding Bingham County Youth Court Program
- 2001 & 2009 Children's Residential Care Facility Applications
- 2009 Agreement & letter regarding Agreement with Brad Alleman for Mental Health Court Testing
- 2009- Medically Indigent Hearing- Nora Fernandez
- 2008- Electronic Transaction & Access for Assessor's Office documents
- 2008 & 2010-Extension Office Vehicle Purchase documents (no longer have the vehicle)
- Brochure regarding Public Works Contractor Licensing
- 2008 (copy) Service Provider Agreement with Eastern Idaho Regional Medical Center for mental health services.
- 2007 Logite Credit Rating
- 2010-2013 Census documentation
- 2005 Miscellaneous Commissioners Information
- 2013-2014- notes and list of surplus items
- 2013 NACo Prescription Discount Card Program
- 2013-2013 Human Rights Commission Claim- Bill Prouse
- 2013-2013- Cope of letters regarding legislature for personal property taxes
- 2004-2007- RTC Federal Assistance Grant Request
- 2005-2007- Memorandum of Understanding- Stop Violence Against Women
- 2007- ID Rural Community Block Grant- EISF
- 2004- Wolverine Sellars Creek Area- Letter regarding Bingham County Police Patrol and Protection
- 2005-2006- Complaints against Planning & Zoning
- 2005-2019- Miscellaneous Community Action Partnership documents
- 2016 Catastrophic Health Care Board Elections- Assignments
- 2011 Engagement Letter with Echohawk Law Office for litigation
- Brownfield Programs Information packet
- 2004 & 2013- Radio Loan- for Search & Rescue Program
- 2003- Correspondence from IAC regarding communication towers
- 2003- Regional Economic Development Meeting Minutes
- 2004- Letter regarding purchase of 2 snow machines for Sheriff's Office
- 2004- Miscellaneous documents regarding frost load limit publication
- 2004- Application for Multi-jurisdiction drug task force grant
- 2004- Proposed reduction of commitments to the Department of Juvenile Corrections

- 2004 & 2009- Mental Health Agreement Correspondence
- 2004- Indian Exempt Enrollment List
- 2004- Letter regarding Project Safe Place
- 2004-2012- Miscellaneous Southeastern District Health Department documents
- 2005- Mountain Village LLC- Tax Exemption Status documents
- 2004- Sheriff's Office Grant for Tow Vehicle
- 2004-RTC Miscellaneous letters
- 2004- Idaho Rural Economic Development Professional Program
- 2004- Partner's for Prosperity- Early Learning Grant- email
- 2006-2007-Fiscal Year 2003 Juvenile Accountability Incentive Block Grant
- 2004- McLeod USA Invoice
- 2004- Health & Welfare Contract Amendment
- 2004- SEIC Meeting Motorola Maps
- 2004- Aberdeen Springfield Canal- Storage Allocation Letter
- 2009- Medical Indigent Hearing- Laurie Phelps
- 2009- Medical Indigent Hearing- Kristine Adamson
- 2008- Medical Indigent Hearing- Mike Holm
- 2015- Tommy Vaughn Marathon minutes & copy of resolution
- 2012 – Highway & Street Standards Manual
- 2012- Resolutions to coordinate
- 2012-Agreement- Southwest Idaho Wireless Integrated Network
- 2012-Proposal- Short Term Residential Crisis/Detox Center
- 2011- Juvenile Probation- Project Award for Video Arraignment Equipment
- 2011-Agreement with Paragon Consulting Inc
- 2011- Landfill Notice of Delegation and Certificate of Representation
- 2011-2017- Agreement with Intermountain Hospital
- 2011-Commission on Hispanic Affairs
- 2010-2016- Frontier Phone Book Billing- Invoices
- 2010- Minority Communication Board
- 2010- Medical Indigent Hearing- Lani Farrens
- 2013-Medical Indigent Hearing- Pierre Vorobiev
- 2017-County Budget Information

APPROVAL & SIGNING OF IDAHO AIRPORT AID PROGRAM GRANT AGREEMENT FOR FISCAL YEAR 2024, ALONG WITH RESOLUTION 2023-44

Present: Scott Reese- Emergency Management Director/Parks & Recreation
Paul Rogers- Prosecuting Attorney
Tanna Beal- Treasurer

The Board met to approve and sign the Idaho Airport Aid Program Grant Agreement for Fiscal Year 2024, along with Resolution 2023-44.

Mr. Reese explained that this project is for the Rockford Airport Runway and apron reconstruction. This grant is in the amount of \$259,000.00 with \$0.00 match from Bingham County. At this time, he would recommend that the Chairman sign the proper documentation to move forward with this project.

Mr. Reese stated that he gathered two bids for this project, which is what was submitted for the grant.

Decision: Commissioner Jackson moved to approve and sign the Idaho Airport Aid Program Grant Agreement for Fiscal Year 2024, along with Resolution 2023-44. Chairman Manwaring seconded. Both voted in favor. The motion carried and said resolution was approved as follows:

BINGHAM COUNTY RESOLUTION 2023-44

Extract from the minutes of a regular meeting
of the County Commission of Bingham County, Idaho
Held on August 14, 2023.

The following Resolution was introduced by Chairman Whitney Manwaring, read in full, considered and adopted:

Resolution No. 2023-44 of Bingham County, Idaho accepting the Grant Offer of the State of Idaho through the Idaho Transportation Department, Division of Aeronautics, in the maximum amount of \$259,000.00 to be used under the Idaho Airport Aid Program, FS Program number: L2482U4, Project number: SP-2U4-06 in the development of the Rockford Municipal Airport; and

Be it resolved by the Chairman and County Commission of Bingham County, Idaho (herein referred to as the "County" as follows:

Sec. 1. That the Chairman shall accept the Grant Offer of the State of Idaho in the amount of \$259,000.00, for the purpose of obtaining State Aid under FS Program Number: L2482U4, Project Number: SP-2U4-06 in the development of the Rockford Municipal Airport; and

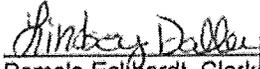
Sec. 2. That the Chairman of Bingham County is hereby authorized and directed to sign the statement of Acceptance of said Grant Offer (entitled Acceptance) on behalf of the County. The County Clerk is hereby authorized and directed to attest the signature of the Chairman and to impress the official seal of the County on the aforesaid statement of Acceptance; and

Sec. 3. A true copy of the Grant Agreement referred to herein be attached hereto and made a part thereof.

Passed by the County Commission and approved by the Chairman this 14th day of August, 2023.

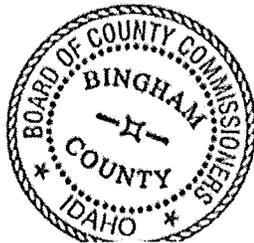

WHITNEY MANWARING, Chairman

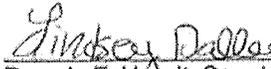
ATTEST:


Lindsey Dalley - Deputy Clerk for:
Pamela Eckhardt, Clerk

CERTIFICATE

Lindsey Dalley Deputy
I, Pamela Eckhardt, County Clerk do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 2023-44 adopted at a regular meeting of the County Commission held on the 14th day of August, 2023, and that the same is now in full force and effect. IN WITNESS WHEREOF, I have hereunto set my hand and impressed the official seal of the County, this 14th day of August, 2023.




Lindsey Dalley - Deputy Clerk for:
Pamela Eckhardt, County Clerk

TREASURERS OFFICE

Present: Tanna Beal- Treasurer

The Board met with Tanna Beal to discuss updates within the Treasurers Office.

PRIOR APPROVAL FOR MAJOR PURCHASE- BUILDING MAINTENANCE

Present: Jason Marlow- Building Maintenance Supervisor

The Board met to discuss and make a decision regarding the submitted Prior Approval for Major Purchase of a desk and cupboards for the Bailiff's Office in the jail. Said purchase is in the amount of \$4,000.00 to be paid from Fund: 01-10-506-00- Jail Repairs. Said purchase will be made through the Idaho Correctional Industries.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of a desk and cupboards for the Bailiff's Office in the jail. Said purchase is in the amount of \$4,000.00, to be paid from Fund: 01-10-506-00- Jail Repairs. Chairman Manwaring seconded. Both voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL TUESDAY AUGUST 15, 2023


PAMELA W. ECKHARDT, CLERK
Lindsey Dalley- Commission Clerk-----


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
: ss. Tuesday, August 15, 2023
County of Bingham)

THE BOARD OF BINGHAM COUNTY COMMISSIONERS MET IN REGULAR SESSION. The following matters were considered:

PRESENT: Chairman Manwaring
Commissioner Jackson
Lindsey Dalley- Commission Clerk
Excused: Commissioner Bair

PUBLIC TAX DEED AUCTION

Present: Carla Bennett- Bingham County
Tanna Beal- Treasurer
Barbara Marlett- Chief Deputy Treasurer
Brandon Morrell- Auctioneer

The Board met in Commission Chambers for a Public Auction of one property taken on Tax Deed. After the Public Auction, the winning bid on the one Tax Deed property was as follows:

<u>Sale Lot</u>	<u>Parcel #</u>	<u>Former Owner</u>	<u>Buyer</u>	<u>Sale Price</u>
1	RP7007200	Trudy Haggard	Martin Pelayo For Jasmine Lujan	\$16,000.00

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY, AUGUST 16, 2023



PAMELA W. ECKHARDT, CLERK

Lindsey Dalley- Commission Clerk-----



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)

: ss.

Wednesday, August 16, 2023

County of Bingham)

THE BOARD OF BINGHAM COUNTY COMMISSIONERS MET IN REGULAR SESSION. The following matters were considered:

- PRESENT: Chairman Manwaring
 Commissioner Jackson
 Lindsey Dalley- Commission Clerk
- Excused: Commissioner Bair

COLLEGE OF SOUTHERN IDAHO

A Certificate of Residency was approved by the Board and sent to the College of Southern Idaho for the following Bingham County student: MaCenz D. Andersen.

COLLEGE OF EASTERN IDAHO

Certificate of Residency documents were approved by the Board and sent to the College of Eastern Idaho for the following Bingham County students: Liliana G. Frutos, Morgan Bess Hanson, Wyatt L. Newsom, Melissa R. Penrod, Melisa Oliva Guzman and Audrey R. Stoddart.

Decision: Commissioner Jackson moved to approve Cash Warrants, Claims and Administrative document for August 16, 2023. Chairman Manwaring seconded. Both voted in favor. The motion carried.

TAX INQUIRIES

The Board approved Tax Inquiry documents submitted by the County Assessor, which were as follows:

MH8169700	Year 2023	Mobile home was gone in 2022
MH8170100	Year 2023	Mobile home was gone in 2022
RP8031502	Year 2023	Homeowner signed up for homeowners exemption for 2023
RP2005000	Year 2023	Homeowner signed up for homeowners exemption for 2023
RP5010001	Year 2023	Homeowner signed up for homeowners exemption for 2023
RP0366403	Year 2023	Homeowner signed up for homeowners exemption for 2023
RP2036400	Year 2023	Homeowner signed up for homeowners exemption for 2023
MH8011100	Year 2023	Homeowner signed up for homeowners exemption for 2023
MH0536103	Year 2023	Homeowner signed up for homeowners exemption for 2023
RP0536103	Year 2023	Homeowner signed up for homeowners exemption for 2023
RP8221300	Year 2023	Homeowner signed up for homeowners exemption for 2023
RP8070600	Year 2023	Homeowner signed up for homeowners exemption for 2023
RP0635500		Owners are Indian Exempt
RP1308406	Year 2022	Homeowner signed up for homeowners exemption in 2021 and was not put in for 2022
RP1308406	Year 2023	Homeowner signed up for homeowners exemption in 2023

RP2117700	Year 2023	Homeowner signed up for homeowners exemption in 2023
RP1153900	Year 2023	Homeowner signed up for homeowners exemption in 2023

Decision: Commissioner Jackson moved to approve and sign the Tax Inquiry documents as presented. Chairman Manwaring seconded. Both voted in favor. The motion carried.

SHERIFF'S OFFICE

Present: Jordyn Nebeker- Chief Deputy Sheriff
Kris Talbot- Lieutenant
Laraine Pope- Human Resources Director
Paul Rogers- Prosecuting Attorney

The Board met with Jordyn Nebeker to discuss updates within the Sheriff's Office and other agenda items.

Discussion was held in regards to the request for retroactive out of class status for Administrative Corporal working within the IT Department to assist in the duties of an absent director. Chief Deputy Nebeker explained during the first week of May, the IT Director of Bingham County became a vacancy. Changes were made for succession planning and Mr. Galloway immediately started to take on more tasks to assist. Mr. Galloway has worked in conjunction with an outside contractor to absorb the vacancy, while still performing his essential functions for the Sheriff's Office.

As of August 1st, Mr. Galloway received his merit increase and was placed at S4, Step 5 (\$29.73). To honor the system in place while accommodating Mr. Galloway's efforts from May to that date, the request is that he receive that wage retroactively to May 15th. After August 1st, the request is that the out of class pay come in the form of being an S4, Step 6 (\$30.62). Further, it is requested that any and all supplements to Mr. Galloway's Sheriff's Office salary, be paid out of salary savings within the IT Budget, as it is most prudent according to Bingham County Policy 14.5.1.

Ms. Pope stated that she is in favor and has no concerns regarding the request for Mr. Galloway to work out of class.

Chief Deputy Nebeker stated the hope is to move forward with a job description that would allow Mr. Galloway to cover both positions, for the upcoming Fiscal Year. This would be created with Human Resources in moving forward.

Decision: Commissioner Jackson moved to approve the request to allow Matthew Galloway to work out of class per discussion held and documentation provided by Chief Deputy Nebeker. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Next, discussion was held in regards to the request for temporary out of class status in the jail for two (2) deputies to take 2-month turns rotating into the vacant Corporal slot to assess the ability to be promoted.

Lieutenant Talbot stated there are two employees that have tested high and they would like to propose that they be allowed to work as interim corporal in order to give them the chance to work in the capacity and review each of their performances. Deputy Kearsley would start September 1st and continue for two months, after which he would return to his normal deputy pay. Deputy Kearsley is currently at S2, Step 4 (\$25.27) and would receive out of class pay by going to S3, Step 4 (\$26.60). The next two months would give Deputy Curzon the opportunity to do the same. Deputy Curzon's pay as of November 1st will be S3, Step 3 (\$23.84). The proposed out of class pay for Deputy Curzon would be S3, Step 3 (\$25.09), after which he would return to his normal deputy pay. After that time lapses, a decision would be made between the two as to who would fill the Corporal position.

Ms. Pope stated she has no issue with the request as the policy allows for an out of class request such as this. The only concern she has is included within the request is a variance to allow 80- hour provision within Employee Policy 14.5, due to the totality of the circumstances being pre-planned and to relieve

administrative and/or payroll complications. Chief Deputy Nebeker stated he would request that the two-weeks to be waived and the pay start immediately rather than waiting per the policy, doing two full months of the out of class pay.

Chief Deputy Nebeker stated during each two-month period, the deputy working out of class would be supervised and their performance would be documented.

Chairman Manwaring asked for confirmation that this request would be covered within the budget, which Chief Deputy Nebeker confirmed the out of class would be covered for both deputies.

Decision: Commissioner Jackson moved to approve the request to allow two Detention Deputies to work out of class, Deputy Kearsley and Deputy Curzon, as Corporal, for the time appropriated. Chairman Manwaring seconded. Both voted in favor. The motion carried. It was further confirmed that Policy 14.5 would be followed and the request to waive the two (2) full work week and start out of class pay immediately was not approved.

Chief Deputy Nebeker gave an update regarding jail population, Bancorp and the jail expansion project.

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
 Paul Rogers- Prosecuting Attorney

The Board met with Dusty Whited to discuss department updates and other agenda items.

Mr. Whited explained the Fiscal Year 2024 Local Transportation Grant for the New Sweden Road Rehab Project and stated that this would be for a project in the future. Mr. Whited stated the project specifics are to be determined at a later date but his anticipation is a mill and overlay.

Mr. Whited stated he is gathering letters of support that would be attached to the Grant Application as well.

Decision: Commissioner Jackson moved to approve and sign the Fiscal Year 2024 Local Transportation Grant for the New Sweden Rehab Project as presented. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Next, discussion was held in regards to the waiver of Right-of-Way fee for two bridge projects, specifically on Firth Road and Country Club Road. Mr. Whited explained that the geo-technical work is to begin the design on the specified bridges, wherein he is requesting that the Right-of-Way Permit Fees be waived for the two projects.

Decision: Commissioner Jackson moved to approve the waiver of Right of Way Permit Fees for the two bridge projects on Firth Road and Country Club Road, per the request of Mr. Whited. Chairman Manwaring seconded. Both voted in favor. The motion carried.

DISCUSSION & DECISION REGARDING LEASE AGREEMENT WITH BLACKFOOT HIGH SCHOOL BRONCO BOOSTERS AND THE SNAKE RIVER CROSS COUNTRY FOR FAIR PARKING

Present: Katie Hone- Blackfoot Booster President
 Mike Kirkham- Snake River Cross Country Coach
 Paul Rogers- Prosecuting Attorney
 Jared Anderson- Deputy Prosecuting Attorney

The Board met to discuss and sign the agreements in regards to fair parking for Blackfoot High School Bronco Boosters and the Snake River Cross Country.

The Blackfoot High School Bronco Boosters will have the 1.7 acre lot located north side of Royal Street and the Snake River Cross Country would have the .6 acre lot located on the south side of Royal Street

There were no concerns in regards to the two Lease Agreements. The Chairman and Representative for both the Blackfoot High School Bronco Boosters and Snake River Cross Country, signed the Lease Agreements as written.

UPDATE MEETING WITH THE IDAHO TRANSPORTATION DEPARTMENT REGARDING THE I-15, US-26/BLACKFOOT INTERCHANGE PROJECT

Present: Brandon Coates- RBCI
Malcom Tencate- ITD
Cortay Gibbs- ITD

The Board met to receive an update in regarding to the I-15, US-26/Blackfoot Interchange Project.

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider Personnel matters. Commissioner Jackson moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Chairman Manwaring seconded. All in favor. The Board moved into Executive Session at 2:04 p.m. The Board moved out of Executive Session at 2:40 p.m.

Decision: Commissioner Jackson moved to approve the request to advertise the Parks Foreman position, starting at entry level (N20, \$20.00 per hour- Depending on qualifications/experience). Chairman Manwaring seconded. Both voted in favor. The motion carried.

DISCUSSION & DECISION REGARDING AN IDAHO DEPARTMENT OF COMMERCE GRANT WITH THE SHELLEY-FIRTH FIRE DISTRICT- REQUESTED BY CONSULTANT TED HENDRICKS

Present: Ted Hendricks- Consultant
Lavar Jolley- Firth Fire

The Board met to hold discussion and make a possible decision in regards to an Idaho Department of Commerce Grant with the Shelley-Firth Fire District.

Mr. Hendricks stated that the Idaho Department of Commerce has a CDBG Program, which is a federal program funded through HUD and the state gets an allocation to give out to small cities for public and community facility projects. HUD requires a municipal sponsor, either a city or a county, for the grant. Mr. Hendricks stated that he has been assisting the Shelley-Firth Fire District on the project to rebuild. The fire district does not qualify by census and therefore they are in the process of doing a survey in order for them to become qualified so that they can apply to the state for one of these community development block grants. The state has indicated that they are supportive of the efforts and have indicated that they would prefer the funding to go towards a piece of equipment because it is federal funding and comes along with all of the federal strings and requirements.

In this particular case, it was preferred to have the county apply on behalf of the Shelley-Firth Fire District and subgrant, per the resolution provided to the Board for review. The county is the Grantee but also has the ability to subgrant the money to the fire district. Mr. Hendricks stated if the grant is awarded the funding would be used to put towards purchase of a fire truck. Funding was also applied for through Congressman Simpson, who will be meeting in Firth on the 22nd, wherein the Board has been invited and there will be a presentation on the site and project. This funding would come through the agricultural bill that the United States Department of Agriculture Rural Development will manage and authorize, which is roughly \$6 million.

Mr. Hendricks stated that a public hearing will need to be held, which will occur close to the deadline for the grant application and is around the middle of November. After which, another public hearing will need to be

held halfway through the project, which will be the status of funds hearing. Those are things that the county will need to take lead on and the public hearing will occur here in Bingham County. Mr. Hendricks stated that he would provide all information needed to hold the public hearing but the Board will need to approve and conduct the hearing.

Mr. Hendricks stated that the county is not obligated to provide funding but could do so. The funding will not be available until 2024 even though the grant process is beginning during 2023. Mr. Hendricks stated if the Block Grant is not awarded, the fire district and the county will have to come up with funds. In order to get all of the special allocation funding, \$2 million is needed but the special allocation funding is said to be promising.

The Board had no major concern.

Decision: Commissioner Jackson moved to approve and sign Bingham County Resolution 2023-45, a formal authorizing resolution for the submission of a Community Development Block Grant (CDBG) Application on behalf of the Shelley-Firth Fire District, Bingham County, Idaho. Chairman Manwaring seconded. Both voted in favor. The motion carried and said resolution was approved as follows:

BINGHAM COUNTY RESOLUTION NO. 202 3-45

A FORMAL AUTHORIZING RESOLUTION FOR THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION ON BEHALF OF THE SHELLEY-FIRTH FIRE DISTRICT, BINGHAM COUNTY, IDAHO

Relating to Bingham County's participation in sponsoring the Community Development Block Grant application to the Idaho Department of Commerce;

WHEREAS, Federal monies are available under the Community Development Block Grant (CDBG) program, administered by the Idaho Department of Commerce (IDOC) for the purpose of or for the provision of community and public facility projects; and

WHEREAS, after due consideration, the Board of County Commissioners has determined that an application be submitted to IDOC on behalf of the Shelley-Firth Fire District for the following project: to purchase equipment and/or for the building of a new fire station in the greater Firth Area; and

WHEREAS, it is necessary for the Board of County Commissioners to sponsor and approve the preparation and filing of an application for the County to receive funds and then subgrant those funds from this program to the Shelley-Firth Fire District; and

WHEREAS, the County Board has reviewed the need for the proposed project and the benefits to be gained therefrom;

NOW, THEREFORE, BE IT RESOLVED, by the Bingham County Board of County Commissioners, do hereby approve and authorize the preparation and filing of an application for the above-named project as outlined herein; and that the County Board Chair is hereby authorized to sign all necessary documents on behalf of the County; and that Authority is hereby granted to the County Board to take the necessary steps to prepare and file the application for funds under this program in accordance with this resolution.

This Resolution will be effective apart from the date executed.

DATED this 16 day of August 2023.

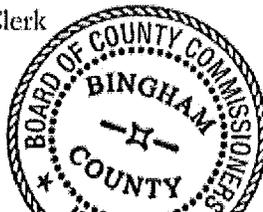
BOARD OF COUNTY COMMISSIONERS

By: Whitney Manwaring
Whitney Manwaring, Chairman

ATTEST: Pam Eckhardt for
Pam Eckhardt
Bingham County Clerk

Mark R. Bair, Commissioner

Eric Jackson
Eric Jackson, Commissioner



FURTHER DISCUSSION & DECISION REGARDING COST OF LIVING FOR FISCAL YEAR 2024

Present: Jordyn Nebeker- Chief Deputy Sheriff
Dusty Whited- Public Works Director
Paul Rogers- Prosecuting Attorney
Tanna Beal- County Treasurer
Laraine Pope- Human Resources
Jason Marlow- Building Maintenance Supervisor
Jimmy Roberts- County Coroner
Debbie Cunningham- Chief Deputy Assessor
Pamela Eckhardt- County Clerk

The Board met to hold further discussion and make a possible decision regarding cost of living for Fiscal Year 2024.

Chairman Manwaring stated it is always challenging to work through the budget process and he appreciates all of the hard work from the Clerks Office. There have been purchases proposed to be paid out of Reserves and decrease the projected budget for Fiscal Year 2024, along with decreases that were made to each budget.

Paul Rogers read a statement from Commissioner Bair, which was as follows,

"Last year Bonneville County approved a 6% Cost of Living increase. This year Bonneville County is approving a 5% cost of living increase. If Bingham County approved a 3% cost of living increase, that means that Bonneville County Employees will have received an 11% raise over 2 years while Bingham County employees will have received a 5% raise over 2 years.

Bingham County loses more employees to Bonneville County than any other county.

Bonneville County is on a similar step and grade scale as Bingham County. It is more difficult to compare salaries with Bannock County as they have a different pay system without steps or grades.

At the Commissioners and Clerks Conference in Moscow in June 2023, discussion was held as to the percentage of cost of living increases to be approved by each county. Most counties were predicting a 4-6% increase but had not finalized numbers.

My recommendation is that we approve a 4% increase for all employees. Approving a 4% cost of living increase this year will show employees that they are valued and appreciated".

Clerk Eckhardt stated this year is the year that she is comfortable with approving a 4% cost of living. In looking at the Reserves and the purchases that ere made to ease the burden for next year, that helps ease her mind of any concerns in approving a 4% cost of living.

Chairman Manwaring stated that he appreciates all of the hard work put forth by the department heads and Elected Officials. He has seen a lot of change and things occur over the years that he has been in office and it is a benefit to the county to have reliable employees that can all work together. At this time, Chairman Manwaring stated that he would be in favor of approving a 4% cost of living increase for the county employees.

Commissioner Jackson stated that he would like to thank all of the employees for making the county function and that it takes a great team to do so. At this time, Commissioner Jackson stated that he would be in favor of a 4% cost of living increase as well.

Decision: Commissioner Jackson moved to approve a 4% Cost of Living Increase for Fiscal Year 2024. Chairman Manwaring seconded. Both voted in favor. The motion carried.

DECISION TO AUTHORIZE \$3,700.00 FROM THE HISTORICAL SOCIETY FUND TO COMPLETE THE INSTALLATION OF A HISTORICALLY APPROPRIATE MAPLE WOOD FLOOR IN THE FIREPLACE PARLOR ROOM AT THE BINGHAM COUNTY HISTORICAL MUSEUM

Present: Pamela Eckhardt- County Clerk
Jordyn Nebeker- Chief Deputy Sheriff
Paul Rogers- Prosecuting Attorney
Jason Marlow- Building Maintenance

The Board met to hold discussion and make a decision regarding the request to spend \$3,700.00 from the Historical Society Fund to complete the installation of a historically appropriate maple wood floor in the fireplace parlor room at the Bingham County Historical Museum.

Clerk Eckhardt stated last summer (2022), the Historical Society Director and the Bingham County Museum Director decided to remove the pink carpet in the fireplace parlor room at the Bingham County Museum. They had determined it was wood underneath but it was actually a tile floor with black asbestos glue. Their decision was made before they understood that any changes to the interior of the museum needed to be approved by the commissioners. The commissioners approved assistance to them of \$500.00 to go to the asbestos removal and \$500.00 to the new floor. It has been difficult to find a company that can install a historically correct flooring. Meyers Architects in Pocatello connected Heather McPhie with Rocky Mountain Hardwood Floors, who submitted a bid in the amount of \$5,200.00.

The room is one of the most beautiful in the museum and it has been closed going on two years. The request is to approve to pay the rest of the estimate of \$3,700.00, from the Historical Society Fund. The county will be getting \$13,000.00 in grant money from the Idaho Heritage Trust for the roof replacement.

Decision: Commissioner Bair moved to approve the request to spend \$3,700.00 from the Historical Society Fund to complete the installation of a historically appropriate maple wood floor in the fireplace parlor room in the Bingham County Historical Society. Said purchase is to be paid from Fund: 12-00-494-00. Chairman Manwaring seconded. Both voted in favor. The motion carried.

PRIOR APPROVAL FOR MAJOR PURCHASE- SHERIFF'S OFFICE

Present: Jordyn Nebeker- Chief Deputy Sheriff

The Board met to make a decision in regards to the submitted Prior Approval for Major Purchase of vehicle lease payments in the amount of \$84,361.68, to be paid from Fund: 05-02-802-00.

Chief Deputy Nebeker stated this request is for the 2023 Annual Payments due to Bancorp.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase for vehicle lease payments in the amount of \$84,361.68, to be paid from Fund: 05-02-802-00. Chairman Manwaring seconded. Both voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL TUESDAY, AUGUST 22, 2023


PAMELA W. ECKHARDT, CLERK
Lindsey Dalley- Commission Clerk-----


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Tuesday, August 22, 2023
County of Bingham)

THE BOARD OF BINGHAM COUNTY COMMISSIONERS MET IN REGULAR SESSION. The following matters were considered:

PRESENT: Chairman Manwaring
 Commissioner Jackson
 Lindsey Dalley- Commission Clerk
Excused: Commissioner Bair

PLANNING & DEVELOPMENT

Present: Tiffany Olsen- Planning & Development Director
 Paul Rogers- Prosecuting Attorney
 Pamela Eckhardt- County Clerk
 Derick Dye- Great Western Subdivision
 Blake Jolley- Connect Engineering
 Health Mitchell- Great Western Subdivision

The Board met with Tiffany Olsen to discuss department updates and other agenda items.

Director Olsen stated the first item for the Board to approve is the proposed Development Agreement for Great Western Subdivision, wherein the Developer has provided a subdivision bond in the amount of \$741,600.00 and Legal Counsel has approved. The construction drawings have been reviewed and signed by all required parties and therefore, at this time, she is asking for the Boards approval and signature.

Decision: Commissioner Jackson moved to approve and sign the Development Agreement for Great Western Subdivision. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Next, Ms. Olsen stated that she would now ask for approval of the Final Plat for Great Western Subdivision. Ms. Olsen confirmed the taxes have been paid and all signatures are completed, with the Chairman being the last signature needed.

Decision: Commissioner Jackson moved to approve and sign the Final Plat for Great Western Subdivision. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Next, Ms. Olsen stated that she had attended the Eastern Idaho Regional Sewer District, wherein as a part of the transition From EIRWWA to EIRSD, there is a Grant Deed that needs to be procured and signed. The attorney for the Eastern Idaho Regional Sewer District asked that she bring the document before the Board for approval and signature. Ms. Olsen confirmed that county legal counsel has reviewed the document and has no issues.

Decision: Commissioner Jackson moved to approve and sign the Grant Deed from EIRWWA to EIRSD. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Next, Ms. Olsen referred to the appointment of Russell Butler to be the Planning & Zoning Commission within District 2 and Mr. Butler is the only applicant to submit since the position has been vacant for the last three months. Mr. Butler has attended the last two months of Planning & Zoning Public Hearings and although has not been able to participate, he has been engaged.

Ms. Olsen stated that Mr. Butler was referred by Chairman Leavitt and the Planning & Zoning Commission has reviewed the Application with no concerns.

Decision: Commissioner Jackson moved to appoint Russell Butler to the Planning & Zoning Commission for District 2 in Bingham County. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Next, discussion was held in regards to the REDI contribution, wherein the line item was previously its own fund and has since been moved within the Planning & Development budget. Ms. Olsen stated an annual contribution is made in the amount of \$10,000.00.

Ms. Olsen stated this year there was funding spent towards an economic development conference and \$2,000.00 was dedicated in the event Ms. Olsen needed to procure any engineering designs for a company or any type of activity that is economic development related. Clerk Eckhardt stated the only funds that have been spent from that line item is the \$10,000.00 for REDI and the additional \$2,000.00 had not been used.

Ms. Olsen stated the \$2,000.00 is budgeted in case it is needed and if the Board wishes, the fund could be budgeted for \$10,000.00 and possibly leave a smaller amount in case funding is needed for events. Chairman Manwaring asked if \$500.00 would be sufficient, to which Ms. Olsen confirmed.

Decision: Commissioner Jackson moved to decrease the Economic Development Fund from \$12,000.00 to \$10,500.00, with the \$500.00 to be used for events or supplies if needed in regards to Economic Development. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Lastly, Ms. Olsen gave a brief department update which included, Building Division and upcoming items.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY, AUGUST 23, 2023


PAMELA W. ECKHARDT, CLERK
Lindsey Dalley- Commission Clerk-----


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Wednesday, August 23, 2023
County of Bingham)

THE BOARD OF BINGHAM COUNTY COMMISSIONERS MET IN REGULAR SESSION. The following matters were considered:

PRESENT: Chairman Manwaring
 Commissioner Jackson
 Lindsey Dalley- Commission Clerk
Excused: Commissioner Bair

APPROVAL OF COMMISSIONER MINUTES FOR JULY 18-28, 2023

The Board met to approve Commissioner Minutes for July 18-28, 2023. Chairman Manwaring confirmed that all necessary changes had been made.

Decision: Commissioner Jackson moved to approve and sign the Commissioner Minutes for July 18-28, 2023 as written. Chairman Manwaring seconded. Both voted in favor. The motion carried.

SHERIFF'S OFFICE

Present: Jordyn Nebeker- Chief Deputy Sheriff
 Paul Rogers- Prosecuting Attorney

The Board met to discuss updates within the Sheriff's Office and other agenda items.

Chief Deputy Nebeker explained on Wednesday, August 16, 2023, it was approved by the Board for Mathew Galloway to go from S4, Step 5 (\$29.73) to S4, Step 6 (\$30.62), for out-of-class pay with an absent IT Director. This was as a result of a proposal drafted by the Sheriff's Office. After further discussion with Laraine Pope, Human Resources Director, it has been discovered that the increase proposed and approved was below the 5% prescribed in Bingham County Policy 14.5, which was a mistake.

Due to the above, the request is that out of-class pay for Mathew be amended from S4, Step 6 (\$30.62) to S4, Step 7 (31.54). This would have been effective August 1st.

The Board had no issues with the submitted request.

Decision: Commissioner Jackson moved to amend the approved working out of class for Mathew Galloway from S4, Step 6 (\$30.62) to S4, Step 7 (\$31.54). Chairman Manwaring seconded. Both voted in favor. The motion carried.

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
 Paul Rogers- Prosecuting Attorney

The Board met with Dusty Whited to discuss department updates and other agenda items.

Mr. Whited first explained the submitted Prior Approval for Major Purchase to lease a Rav-4 for the Solid Waste Department. Said lease payment is in the amount of \$2,967.24 per year and would be paid from Fund: 23-70-803-00. Mr. Whited stated that this was not within the budget but that Solid Waste had sold two pickups and therefore are down two vehicles, with the funding to cover the lease payment.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase to lease a Rac-4 for the Solid Waste Department. Said purchase is in the amount of \$2,964.24 per year and is to be paid from Fund: 23-70-803-00. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Next, discussion was held in regards to the submitted Prior Approval for Major Purchase of a stock order of tires for Solid Waste in the amount of \$3,747.98, to be paid from Fund: 23-70-473-01.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of a stock tire order in the amount of \$3,747.98, to be paid from Fund: 23-70-473-01. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Lastly, discussion was held in regards to the submitted Prior Approval for Major Purchase of a new flail side mount mower head. Said purchase is in the amount of \$22,028.00 and is to be paid from the Weed Trust Fund 9128.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of a new flail side mount mower head. Said purchase is in the amount of \$22,028.00 and is to be paid from the Weed Trust Fund 9128. Chairman Manwaring seconded. Both voted in favor. The motion carried.

DISCUSSION REGARDING REPAIR COST FOR VACANT COUNTY OWNED RENTAL HOUSE

Present: Jason Marlow- Building Maintenance Director
 Pamela Eckhardt- County Clerk
 Paul Rogers- Prosecuting Attorney

The Board met to hold discussion regarding the repair cost for vacant county owned rental house.

Mr. Marlow presented the list of repairs and approximate cost to be completed for the vacant county owned rental house located at 56 Airport Road, which could end up being more than \$15,600.00.

Chairman Manwaring stated after reviewing the list of repairs and the possible cost, he would be in favor of getting rid of the house and proposed speaking with the Fire Department about using for training and burn it down. Commissioner Jackson stated that he would agree that it would not be worth putting the amount of money that has been projected for remodel.

Clerk Eckhardt stated is was previously proposed if the home is torn down, making the property into a grassy park area that the employees could enjoy during their lunch break.

Chairman Manwaring will speak with the Fire Chief and this matter will be scheduled for a decision at a later date.

PUBLIC HEARING- FISCAL YEAR 2024 COUNTY BUDGET

- Present:
- Tanna Beal- County Treasurer
 - Paul Rogers- Prosecuting Attorney
 - Jason Marlow- Building Maintenance Director
 - Shawn Hill- Probation Department
 - Tiffany Olsen- Planning & Development Director
 - Debbie Cunningham- Assessors Office
 - Dusty Whited- Public Works Director
 - Laraine Pope- Human Resources Director
 - Pamela Eckhardt- County Clerk
- Via Zoom: Commissioner Bair

The Board met to hold a Public Hearing for the Fiscal Year 2024 County Budget.

Clerk Eckhardt stated that preparing the budget is a lengthy process guided by Idaho Code Section 31-1602 through 1605. Beginning in May, the department heads are asked to submit detailed expenditure budget requests by fund for the upcoming fiscal year to the County Clerk. These projections are based on the prior year's revenues along with trend analysis for the previous five years.

Clerk Eckhardt stated meetings are held with the Commissioners, Clerk, and Department Administrators to refine and evaluate the expenditure requests. A tentative balanced budget is formulated for each department and fund, and published in the Post Register/Idaho State Journal by the third week in August. A Public Hearing is held to allow public comment regarding the proposed budget. The Commissioners then approve and adopt the budget by resolution for the upcoming fiscal year.

Revenues & Expenditures

The Bingham County proposed budget for Fiscal Year 2024 is \$38,988,727.00.

Revenues: Broad and diverse sources of revenue are utilized to protect property taxpayers and promote the county's financial security. There are three revenue categories used for budgeting in Bingham County:

- "Other" revenue- consists of charges for services and user fees, licenses and permits, state and federal revenue sources, and interest on investments.
- Projected "other" revenue for fiscal year 2024 is: \$23,130,306
- Proposed property tax- proposed tax to be levied is: \$13,895,014
- Fund Balance reserves- proposed reserves to be used: \$1,963,407
- Total Revenues: **\$38,988,727**

Budget Highlights

- Bingham County is a member of Gem Plan, a health care pool with 22 other counties. Bingham County will have a 9% increase in healthcare costs for FY 2024. To assist employees, the increase in the cost for dependent care will be absorbed by the county.
- Nearly half of the County's budget is made up of salaries and benefits, making employees the county's most valuable asset. Increasing revenues from Sources other than property tax contribute to personnel investment. Departments also made cuts in their capital lint item requests to assist with funding a 4% cost of living adjustment for employees.
- Justice Fund: This fund accounts for 98 employees under the direction of the Bingham County Sheriff. This includes all deputies, civil employees, jail detention deputies, and 911 emergency communication dispatchers. A new School Resources Officer for Aberdeen School District has been added. The county is committed to staying competitive with surrounding Eastern Idaho law enforcement agency salaries. Training and certification for new personnel is costly and staying competitive protects this investment. Three new detention deputies will be hired in FY 2024 in preparation for the jail expansion project to begin this fall.
- Health District: Idaho Code Section 39-424A puts responsibility to the counties for providing annual aid to the public health districts. With this legislative act the county is required to contribute \$592,117 to Southeastern Idaho Public Health. The assessment is 70% based on population and 30% based on taxable market value of the county.
- Public Works: Increased ongoing Transportation Revenue Sharing from the State of Idaho has enabled the county to assess less property taxes for Road and Bridge, and support competitive wages enabling succession planning for skilled and trained employees. This increased funding has also assisted with capital investment in new Road and Bridge equipment.
- American Rescue Plan Act (ARPA): Federal dollars were sent directly to counties to cover increased expenditures, replenish lost revenue and mitigate economic hardshuip from Covid-19 pandemic. \$1 million has been budgeted for remodeling of District Court, remodeling the election equipment storage room, upgrading public restrooms, and the jail expansion.
- Property Tax: Proposed property tax request is \$13,895,014. This is \$220,000 less than the allowable 3% and new construction increase per Idaho Code.

Chairman Manwaring asked if there were any testimony in favor of the budget, wherein there was none.

Chairman Manwaring asked if there was any testimony in neutral of the budget, wherein there was none.

Chairman Manwaring asked if there was any testimony in opposition of the budget, wherein there was none.

Commissioner Jackson stated that he would like to thank all of the department heads for all of their hard work on the budget.

Decision: Commissioner Jackson moved to approve Resolution 2023-46, a resolution adopting the Fiscal Year 2024 County Budget in the amount of \$38,988,727.00. Chairman Manwaring seconded. Both voted in favor. The motion carried and said resolution was approved as follows:

BINGHAM COUNTY
RESOLUTION NO. 2023-46

A RESOLUTION ADOPTING THE BUDGET FOR FISCAL YEAR
2024 FOR THE COUNTY OF BINGHAM, STATE OF IDAHO

WHEREAS, Idaho Code §31-1605 requires a public hearing upon budget appropriations; and,

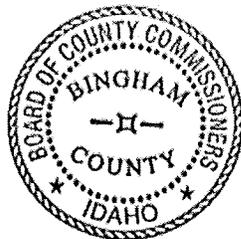
WHEREAS, The Board of County Commissioners met in Commission Chambers at the Bingham County Courthouse on August 23, 2023, pursuant to the designated published time;

AND WHEREAS, after discussion of the budget, and no objections found thereto,

THEREFORE, BE IT RESOLVED that upon conclusion of said hearing the Bingham County Board of Commissioners determined and fixed the amount of the FY 2024 Bingham County budget in the amount of **\$38,988,727** which is not greater than the amount of the published tentative budget, nor includes an amount to be raised from property taxes greater than the amount advertised.

ADOPTED August 23, 2023.

BOARD OF COUNTY COMMISSIONERS



By: *Whitney Manwaring*
Whitney Manwaring, Chairman

Mark R. Bair
Mark R. Bair, Commissioner

Eric Jackson
Eric Jackson, Commissioner

ATTEST: *Pamela Eckhardt*
Pamela W. Eckhardt
Bingham County Clerk

PUBLIC HEARING- FISCAL YEAR 2024 AMBULANCE DISTRICT BUDGET

Present: Pamela Eckhardt- County Clerk
 Bryon Howell- Blackfoot Fire Chief
 Via Zoom: Commissioner Bair

The Board held a Public Hearing for the Fiscal Year 2024 Bingham County Ambulance District Budget.

Chairman Manwaring welcomed all to the meeting and introductions were held.

Clerk Eckhardt stated there were several meetings held with the three fire districts to readjust the percentage for the ambulance distribution. There is always \$15,000.00 kept in the Ambulance Fund at all times, along with the projected revenue 10-01-2023 to 09-30-2024, which is as follows:

Property Taxes	\$1,126,849.00
Ag Replacement Monies	\$23,886.00
Personal Property Replacement	\$10,554.00
2022 Personal Property Replacement	\$3,512.00
Sales Tax/Other Revenue	\$110,000.00
TOTAL:	\$1,274,801.00

Clerk Eckhardt explained the projected expenditures 10-01-2023 to 09-30-2024, which were as follows:

Ambulance Vehicle Purchase Fund: \$20,000.00

With a balance for distribution in the amount of: \$1,254,801.00

Distribution would be as follows:

<u>Entity:</u>	<u>Apportionment</u>	<u>Percentage</u>
City of Blackfoot (B/SR Fire)	\$816,876.00	65.1%
Shelley/Firth Fire District	\$338,798.00	27.0%
Aberdeen Fire District	\$99,127.00	7.9%

Clerk Eckhardt noted that Aberdeen Fire District will be made whole to last year's distribution by use of county liquor funds distribution revenue.

Discussion was held in regards to the proposal to increase the amount for the Ambulance Vehicle Purchase Fund next year.

Chairman Manwaring asked if there was any testimony in favor, wherein there was none.

Chairman Manwaring asked if there was any testimony in neutral, wherein there was none.

Chairman Manwaring asked if there was any testimony in opposition, wherein there was none.

Decision: Commissioner Jackson moved to approve Resolution 2023-47, a resolution adopting the budget for Fiscal Year 2024 for the Bingham County Ambulance District. Chairman Manwaring seconded. Both voted in favor. The motion carried and said resolution was approved as follows:

BINGHAM COUNTY
RESOLUTION NO. 2023-47

A RESOLUTION ADOPTING THE BUDGET FOR FISCAL YEAR
2024 FOR THE BINGHAM COUNTY AMBULANCE DISTRICT,
BINGHAM COUNTY, STATE OF IDAHO

WHEREAS, Idaho Code §31-1605 requires a public hearing upon budget appropriations; and,

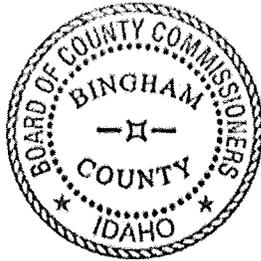
WHEREAS, The Board of County Commissioners met in Commission Chambers at the Bingham County Courthouse on August 23, 2023, pursuant to the designated published time; and,

WHEREAS, there was no opposition to said budget;

THEREFORE, BE IT RESOLVED that upon conclusion of said hearing, the Bingham County Board of Commissioners determined and fixed the amount of the FY 2024 Bingham County Ambulance District budget in the amount of **\$1,274,801**. The amount is not greater than the amount of the published tentative budget, nor includes an amount to be raised from property taxes greater than the amount advertised.

ADOPTED August 23, 2023.

BOARD OF COUNTY COMMISSIONERS



By: *Whitney Manwaring*
Whitney Manwaring, Chairman

Mark R. Bair

Mark R. Bair, Commissioner

Eric Jackson

Eric Jackson, Commissioner

ATTEST: *Pamela Eckhardt*
Pamela W. Eckhardt
Bingham County Clerk

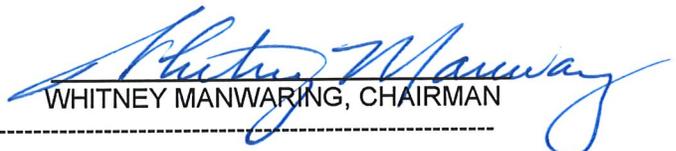
HUMAN RESOURCES

Present: Laraine Pope- Human Resources Director

The Board met with Laraine Pope to discuss department updates, which included current recruitments and current vacancies.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY, AUGUST 25, 2023


PAMELA W. ECKHARDT, CLERK
Lindsey Dalley- Commission Clerk-----


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Friday, August 25, 2023
County of Bingham)

THE BOARD OF BINGHAM COUNTY COMMISSIONERS MET IN REGULAR SESSION. The following matters were considered:

PRESENT: Chairman Manwaring
Commissioner Jackson
Lindsey Dalley- Commission Clerk
Excused: Commissioner Bair

CLAIMS

Claims were approved in the amount of \$166,191.26.

PERSONNEL ACTION FORMS

The Board approved Personnel Action Forms, which were as follows:

Employee Status Sheet: Working out of Class in IT Dept
New Employee Status Sheet: Mechanic
Emergency Communications Officer

COLLEGE OF EASTERN IDAHO

Certificate of Residency documents were approved by the Board and sent to the College of Eastern Idaho for the following Bingham County student's: Danica L. Valdez, Danielle L. Valdez and Monserrath Castanon.

Decision: Commissioner Jackson moved to approve Cash Warrants, Claims, Administrative Forms and Personnel Action Forms. Chairman Manwaring seconded. Both voted in favor. The motion carried.

PRIOR APPROVAL FOR MAJOR PURCHASE- IT DEPARTMENT

Present: Mathew Galloway- IT Department

The Board moved to discuss and make a decision regarding the submitted Prior Approval for Major Purchase of Dell Laptops and Monitors. Said purchase is in the amount of \$11,094.63, to be paid from Fund: 01-14-804-00.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of Dell Laptops and Monitors, in the amount of \$11,094.63 and is to be paid from Fund: 01-14-804-00. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Next, discussion was held in regards to the submitted Prior Approval for Major Purchase of network switches. Said purchase is in the amount of \$10,473.88, to be paid from Fund: 01-14-804-00.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of network switches. Said purchase is in the amount of \$10,473.88, to be paid from Fund: 01-14-804-00. Chairman Manwaring seconded. Both voted in favor. The motion carried.

FINAL DETERMINATION FOR SALE OF ODD LOT TO HILLSIDE PROPERTIES LLC

Present: Scott Reese- Emergency Management/Parks Director
Gwen Inskeep- County Surveyor
Aaron Reed- Gale Lim Construction
Paul Rogers- Prosecuting Attorney

The Board met to finalize the sale of odd lot to Hillside Properties LLC.

Gwen Inskeep explained the requirements have been met per code and Jared Fielding has requested to purchase the odd lot.

The Board had no concerns.

Decision: Commissioner Jackson moved to approve the sale of odd lot to Hillside Properties LLC. Chairman Manwaring seconded. Both voted in favor. The motion carried. The Quit Claim Deed signed by Chairman Manwaring was recorded as Instrument # 756756.

FINAL DETERMINATION FOR SALE OF ODD LOT TO RUKA LLC

Present: Scott Reese- Emergency Management/Parks Director
Gwen Inskeep- County Surveyor
Aaron Reed- Gale Lim Construction
Paul Rogers- Prosecuting Attorney

The Board met to finalize the sale of odd lot to Ruka LLC.

Gwen Inskeep explained that all requirements have been met per code and that Lindsey Dalley, Commission Clerk, has been in touch with Mr. Jones who is interested in purchasing the odd lot.

The Board had no concerns.

Decision: Commissioner Jackson moved to approve the sale of odd lot to Ruka LLC. Chairman Manwaring seconded. Both voted in favor. The motion carried. The Quit Claim Deed signed by Chairman Manwaring was recorded as Instrument # 756757.

DISCUSSION & DECISION REGARDING THE ROCKFORD AIRPORT GRANT RECONSIDERATION TO OPEN FOR BIDS

Present: Paul Rogers- Prosecuting Attorney
Scott Reese- Parks & Recreation
Aaron Reed- Gale Lim Construction
Gwen Inskeep- County Surveyor

The Board held a meeting to discuss and make a decision regarding the Rockford Airport Grant Reconsideration to open for bids.

Chairman Manwaring stated it came to the Boards attention that during the Grant Application process for the Rockford Airport paving project, the proper process was not followed in regards to Publication of the Notice Calling for Bids.

Mr. Rogers stated that a Notice would be drafted for publication and a Public Hearing held to open the submitted bids, after which a decision would be made and the quote from the company awarded would be submitted with the Grant Application.

Mr. Reed stated he is present for this meeting to be sure that Gale Lim has a fair opportunity to submit a quote for the project. Ms. Dalley informed Mr. Reed that once the Notice Calling for Bids is approved, it will be published in the newspaper, placed on the county website and if requested, could be sent via email.

Decision: Commissioner Jackson moved to approve proceeding with publication of the Notice for Bids to move forward with the Rockford Airport Grant Project. Chairman Manwaring seconded. Both voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY, AUGUST 30, 2023


PAMELA W. ECKHARDT, CLERK
Lindsey Dalley- Commission Clerk-----


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Wednesday, August 30, 2023
County of Bingham)

THE BOARD OF BINGHAM COUNTY COMMISSIONERS MET IN REGULAR SESSION. The following matters were considered:

PRESENT: Chairman Manwaring
Commissioner Jackson
Lindsey Dalley- Commission Clerk
Via Zoom: Commissioner Bair

COLLEGE OF SOUTHERN IDAHO

Two (2) Certificate of Residency documents were approved and sent to the College of Southern Idaho for the following Bingham County student's: Jace D. Mortensen and Abigail M. Brumpton.

COLLEGE OF EASTERN IDAHO

One (1) Certificate of Residency document was approved and sent to the College of Eastern Idaho for the following Bingham County student: Ashley A. Jensen.

Decision: Commissioner Jackson moved to approve Cash Warrants, Claims and Administrative Documents. Chairman Manwaring seconded. All voted in favor. The motion carried.

SHERIFF'S OFFICE

Present: Jordyn Nebeker- Chief Deputy Sheriff
Jeff Gardner- Sheriff
Paul Rogers- Prosecuting Attorney

The Board met to discuss updates within the Sheriff's Office and other agenda items.

Sheriff Gardner gave a brief update in regards to the jail expansion and courthouse remodel project, jail population and stated that they are preparing for the Eastern Idaho State Fair.

Sheriff explained that the Sheriff's Office had been granted funding to cover overtime shifts for the fair but do not have the man power to cover. Therefore, his request is to get the Board's approval to allow Lieutenants to pick up shifts one-time to use this funding.

The Board had no issues with the submitted request.

Decision: Commissioner Jackson moved to allow two (2) Lieutenants within the Sheriff's Office to work overtime to use grant funding. Commissioner Bair seconded. All voted in favor. The motion carried.

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Jackson moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Bair seconded. All in favor. The Board moved into Executive Session at 9:08 a.m. The Board moved out of Executive Session at 9:25 a.m.

Decision: No decision to be made on the record.

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
Paul Rogers- Prosecuting Attorney

The Board met with Dusty Whited to discuss department updates and other agenda items.

Discussion was held in regards to the Prior Approval for Major Purchase of fall herbicides from Wilbur Ellis and Nutrien. Said purchase is in the amount of \$29,116.60, to be paid from Fund: 27-60-630-00.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of fall herbicides from Wilbur Ellis and Nutrien. Said purchase is in the amount of \$29,116.60 and is to be paid from 27-60-630-00. Commissioner Bair seconded. All voted in favor. The motion carried.

Next, discussion was held in regards to the Prior Approval for Major Purchase of cutting edges for the grader. Said purchase is in the amount of \$10,860.50 and is to be paid from Fund 02-47-499-01.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of cutting edges for the grader. Said purchase is in the amount of \$10,860.50 and is to be paid from Fund 02-47-499-01. Commissioner Bair seconded. All voted in favor. The motion carried.

Next, discussion was held in regards to the Prior Approval for Major Purchase of new tires to be used for inventory. Said purchase is in the amount of \$29,695.92 and is to be paid from Fund: 02-47-473-01.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of new tires to be used for inventory. Said purchase is in the amount of \$29,695.92 and is to be paid from Fund: 02-47-473-01. Commissioner Bair seconded. Both voted in favor. The motion carried.

Next, discussion was held in regards to the Prior Approval for Major Purchase of mower flails. Said purchase is in the amount of \$1,822.80 and is to be paid from Fund: 27-60-899-09.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of mower flails in the amount of \$1,822.80 and is to be paid from Fund: 27-60-899-09. Commissioner Bair seconded. All voted in favor. The motion carried.

MEETING TO RECEIVE THE PLANNING & ZONING COMMISSIONERS RECOMMENDATION TO APPROVE THE PARRIS SUBDIVISION AND A COMPREHENSIVE PLAN MAP AMENDMENT FROM AGRICULTURE TO RESIDENTIAL/RESIDENTIAL AGRICULTURE

Present: Tiffany Olsen- Planning & Development Director
Paul Rogers- Prosecuting Attorney

The Board held a meeting to receive the Planning & Zoning Commissioners recommendation to approve the Parris Subdivision and a Comprehensive Plan Map Amendment from Agriculture to Residential/Residential Agriculture. Chairman Manwaring welcomed all to the meeting, introductions were held and the time was turned over to Tiffany Olsen.

Director Olsen presented the Staff Report for the record.

Based on the entire record and Staff Report, the Board finds:

- a. The Board found that the Application met the requirements in Bingham County Code Section 10-4-2 (C) as the purpose of "R/A" zone is to permit the establishment of low-density single-family dwellings with lot sizes sufficient for individual sewer and water facilities. The proposed lot is 1.19 acres in size which meets the minimum acreage, per lot, required to comply with R/A Zone and Area Regulations. The Board found the proposed lot is similar to nearby lot sizes, compatible with the area, and has adequate road frontage with access from 250 N Jacobson Road; and
- b. The Board found that the Application met the requirements in Bingham County Ordinance Section 10-6-6(B)(4) and 10-14-4 (B) as the proposed lot meets the 1-acre minimum to qualify for individual culinary well and sanitary sewer system; and
- c. The Board found that the property is in the flood plain; however, the Applicant received a Letter of Map Revision Base on Fill (LMOR-F) Determination (Case No. 22-10-0943A, dated September 3, 2022) from the Federal Emergency Management Agency (FEMA) removing a portion of the property from the flood plain where the Applicant desires to construct a new residence; and
- d. The Board found that the Application met the requirements of Bingham County Code Section 10-14-4(A) as the Application was completed and included all items listed in Sections 10-14-4(A)1-23.

Chairman Manwaring had no concerns in regards to the Application.

Commissioner Jackson had no concerns in regards to the Application.

Commissioner Bair has no concerns in regards to the Application and stated that the Application meets all subdivision regulations.

Decision: Commissioner Jackson moved to uphold the decision of the Planning & Zoning Commission to approve Parris Subdivision, a 1-Lot Subdivision in a R/A Zoning District, and the Comprehensive Plan Map Amendment from Agriculture to Residential/Residential Agriculture. Chairman Manwaring amended the motion to add that this decision is based upon the record, the Reason & Decision of the Planning & Zoning Commission and discussion held. Commissioner Bair seconded. All voted in favor. The motion carried.

MEETING TO RECEIVE THE PLANNING & ZONING COMMISSIONERS RECOMMENDATION TO APPROVE THE WOOSY ACRES AT CREEK COVE SUBDIVISION PRELIMINARY PLAT

Present: Tiffany Olsen- Planning & Zoning Director
Paul Rogers- Prosecuting Attorney
Gwen Inskeep- County Surveyor

The Board held a meeting to receive the Planning & Zoning Commissioners recommendation to approve the Woodsy Acres at Creek Cove Subdivision Preliminary Plat. Chairman Manwaring welcomed all to the meeting, introductions were held and the time was turned over to Tiffany Olsen.

Director Olsen presented the Staff Report for the record.

Based on the entire record and Staff Report, the Board finds:

- a. The Board found that the Application met the requirements in Bingham County Code Section 10-4-2 (B) as the purpose of "A" Agriculture zone is to preserve and protect the decreasing supply of agricultural land. This zone also is established to control the infiltration of urban development into agricultural areas which will adversely affect agricultural operations. The proposed lot is increasing in size to 18.84 acres which meets the minimum acreage, per lot, required to be compliant with the Agricultural Zone and Area Regulations; and
- b. The Board found that the Application met the requirements in Bingham County Ordinance Section 10-6-6(B)(4) and 10-14-4 (B) as the proposed lot meets the 5-acre minimum and is sufficient in size to qualify for the addition of sanitary sewer system as the land already has a culinary well. If a public water drinking system is required by the Department of Environmental Quality, the Applicants shall work with appropriate agencies to procure the necessary permitting; and
- c. Irrigation water rights are assessed by the Idaho Irrigation District, with delivery from the Sand Creek Canal, through the existing mainline and pump in the easement as platted with the Spring Creek Estates Subdivision which remains the same with this proposed Subdivision; and
- d. 1200 E. Park Road has a Functional Classification of a Minor Arterial according to the Bingham County Road Standards. An access exists as part of the Spring Creek Estates Subdivision Plat that does not currently meet the Approach Standards, however, because it was platted prior to the Approach Standards being enacted, the approach will be authorized; and
- e. The Board found that the property is in the flood plain and the Applicants are aware that all development in the flood plain is required to be constructed to FEMA and Bingham County Regulations; and
- f. The Board found that the Application met the requirements of Bingham County Code Section 10-14-4(A) because the Application was completed and included all items listed in Sections 10-14-4(A)1-23; and

- g. The Board found that the proposed Subdivision is considered to be consistent with the Bingham County Comprehensive Plan as the area is designated as Residential/Residential Agriculture which allows for the desired use.
- h. Discussion was held in regards to testimony in opposition submitted by B.J. Driscoll, Attorney at Law, on behalf of Olivia's Land LLC, wherein Olivia's Land LLC owns a parcel south of the subject property. Mr. Driscoll stated the Applicant's amended the Spring Creek Estates Covenants without following proper procedure, which requires notice, input and involvement from those that are subject to the covenants. Chairman Manwaring confirmed with Legal Counsel that this issue had been addressed properly. Ms. Olsen stated that both original covenants and revised covenants have been rescinded. Mr. Rogers concluded that the concern was satisfied due to the rescinding of covenants.
- i. Chairman Manwaring confirmed with Ms. Olsen that there did not need to be a Comprehensive Plan Map Amendment made, to which Ms. Olsen stated there is a blended area but not too significant. In the future, if the Developer decided to densify, it would require a zoning amendment but for the current Application, there is no issue.
- j. Chairman Manwaring stated that his questions had been answered and he had no further concerns pertaining to the Application.
- k. Commissioner Jackson had no concerns pertaining to the Application.
- l. Commissioner Bair stated the Application meets all requirements and he had no further concerns pertaining to the Application.

Decision: Commissioner Jackson moved to uphold the decision of the Planning & Zoning Commission to approve the request by Dwight Enterprises, LLC, c/o John and Carla Dwight, for a replat of the Spring Creek Estates Subdivision to a 1-Lot Subdivision to be known as the "Woodsy Acres at Creek Cove," on approximately 18.84 acres in a "A" Agriculture Zone. Said decision is based upon the record, the Reason & Decision of the Planning & Zoning Commission and discussion held today. Commissioner Bair seconded. All voted in favor. The motion carried.

MEETING REQUESTED BY JASON LANEY- IDAHO DEPARTMENT OF LANDS, TO DISCUSS UPDATES REGARDING THE ARCO WIND AND SOLAR PROJECT

Present: Jason Laney- Idaho Department of Lands
Paul Rogers- Prosecuting Attorney
Heath Hancock- Idaho Department of Lands
Tiffany Olsen- Planning & Development Director

The Board held a meeting with Jason Laney, to discuss updates regarding the Arco Wind and Solar Project.

MEETING TO RECEIVE UPDATE FROM TIM SOLOMON- ROCKY MOUNTAIN POWER

Present: Tim Solomon- Rocky Mountain Power
Tiffany Olsen- Planning & Development Director
Paul Rogers- Prosecuting Attorney

The Board met with Tim Solomon to receive an update from Rocky Mountain Power.

CLAIMS FOR THE PREVIOUS MONTH WERE APPROVED AS FOLLOWS:

Current Expenses	\$443,207.15	Weeds	\$22,759.16
Road & Bridge	\$275,116.23	Emergency Communication.....	\$31,443.99
Justice Fund	\$416,274.61	Road & Bridge Special	
District Court.....	\$127,460.33	Projects.....	\$1,079,415.48
Preventative Health.....	\$177,681.75	Waterways.....	\$1,785.46
Historical Society & Museum.....	\$750.00	ARPA Funds.....	\$420,268.95
Parks & Recreation	\$12,121.60	Treatment Court Fund.....	\$4,015.39
Revaluation.....	\$26,333.12	Junior College Fund.....	\$300.00
Solid Waste.....	\$342,571.79	Consolidated Elections.....	\$4,006.63
Tort.....	\$1,500.00		
Veterans Memorial.....	\$570.21		

THE MOTION PASSED TO DISMISS UNTIL FRIDAY, SEPTEMBER 1, 2023

PAMELA W. ECKHARDT, CLERK
Lindsey Dalley- Commission Clerk-----

WHITNEY MANWARING, CHAIRMAN