

STATE OF IDAHO       )  
                              : ss.               Wednesday, April 2, 2025  
County of Bingham    )

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

PRESENT:               Chairman Manwaring  
                              Commissioner Jensen  
                              Lindsey Dalley- Commission Clerk  
EXCUSED:               Commissioner Jackson

**CASH WARRANT**

One (1) Cash Warrant was approved in the amount of \$1,250.00.

**COLLEGE OF WESTERN IDAHO**

The Board approved one (1) Certificate of Residency which was sent to the College of Western Idaho for the following Bingham County student: Lily A. Groveman.

**COLLEGE OF EASTERN IDAHO**

The Board approved one (1) Certificate of Residency which was sent to the College of Eastern Idaho for the following Bingham County student: Olivia G. Messick.

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

**TAX INQUIRY DOCUMENT**

The Board approved one (1) Tax Inquiry document, which was as follows:

MH0193802               Year 2024           The Manufactured Home is no longer there

**Decision: Commissioner Jensen moved to approve the Tax Inquiry document as submitted. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

**APPROVAL OF COMMISSION MINUTES FOR MARCH 3-14, 2025**

The Board met to approve Commission Minutes for March 3-14, 2025.

**Decision: Commissioner Jensen moved to approve and sign Commission Minutes for March 3-14, 2025. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

**APPROVAL OF REASON & DECISION FOR MURKWOOD SUBDIVISION**

The Board met to approve and sign the Reason & Decision for Murkwood Subdivision.

**Decision: Commissioner Jensen moved to approve and sign the Reason & Decision for Murkwood Subdivision. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

**APPROVAL OF RESOLUTION 2025-14**

The Board met to approve and sign Bingham County Resolution 2025-14, a resolution regarding the destruction of Petitions for the Election Department.

**Decision: Commissioner Jensen moved to approve and sign Bingham County Resolution 2025-14, a resolution regarding the destruction of Petitions for the Election Department. Chairman Manwaring seconded. Both voted in favor. The motion carried and said resolution was approved as follows:**

BINGHAM COUNTY RESOLUTION 2025-14

RESOLUTION REGARDING THE DESTRUCTION OF PETITIONS

WHEREAS the Bingham County Clerk has requested permission to destroy certain election records; and,

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

WHEREAS Idaho Code §34-217 specifically addresses election records; and

WHEREAS the Bingham County Clerk has represented that the records for which destruction is sought pertain to matters which have been concluded for the designated period of time allowed in the above-referenced sections of the Idaho Code; and

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

THEREFORE, it is hereby resolved:

That the following records may be disposed of pursuant to Idaho Code §34-217(1) (a-g) as being at least five years, from the date the records were created:

**Petitions – 2018 for the Medicaid Expansion Initiative**

**Petitions – 2018 for the Horse Racing**

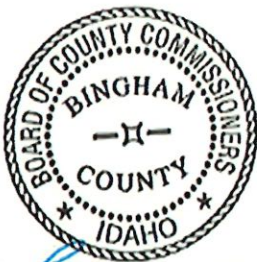
**Petitions – 2019 for the Bingham County Recreation District**

Furthermore, such records may be destroyed after April 2, 2025.

Signed and dated this 2<sup>nd</sup> day of April, 2025.

BINGHAM COUNTY COMMISSIONERS

ATTEST:



  
Pamela W. Eckhardt, Clerk

  
WHITNEY MANWARING, Chairman

ERIC JACKSON, Commissioner

  
DREW JENSEN, Commissioner



## SHERIFFS OFFICE

Present: Jeff Gardner- Sheriff  
Jordyn Nebeker- Chief Deputy Sheriff  
Ladd Carter- Citizen

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

A brief discussion was held in regards to campers parked on county property located at McTucker Ponds for long periods of time. Mr. Carter explained that there is a gentleman that has been camping on county property by McTucker Ponds since February and he is concerned about the liability for the county.

Sheriff Gardner stated there is nothing in County Code and therefore, this matter needs to be addressed. Chairman Manwaring stated that he agreed and that signage should also be placed.

There was no decision at this time. County Legal Counsel will conduct further research and bring this matter back before the board for further discussion and potential decision.

Sheriff Gardner provided an update regarding jail population and the jail expansion project.

## PUBLIC WORKS

Present: Dusty Whited- Public Works Director  
Troy Lenhart- Road & Bridge Supervisor  
Kraig Edwards- Weed Superintendent  
Derrick Goings- Solid Waste Supervisor  
Brandon Bird- Eastern Idaho State Fair

The Board met with Dusty Whited to discuss updates within Public Works and other agenda items.

Discussion was held in regards to the request submitted by the Blackfoot Animal Shelter for assistance with road base for the new animal shelter location. Amanda Cevering stated that they are requesting county assistance with gravel and road base, approximately 120 tons of 3/4 road base. Mr. Whited stated the requested amount is available and he has no concerns in regards to the request and the City of Blackfoot will be hauling material.

The approximate amount of the donation would be \$780.00. The Board had no concerns in regards to the request.

**Decision: Commissioner Jensen moved to approve the request from the Blackfoot Animal Shelter for 120 tons of gravel, the county would assist with loading the gravel but the City of Blackfoot will haul the material to the new location. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

Next, discussion was held in regards to the request submitted by Brandon Bird, Eastern Idaho State Fair, for county assistance with annual dust inhibitor spraying on the parking lots in preparation for fair and for tailings or left over reject pieces from Road and Bridge to use in its new rodeo pen project. Mr. Bird stated that the county has assisted with these items in the past and he is simply asking for the same assistance.

Mr. Whited stated for spreading of Mag Chloride, usage of the truck and labor is approximately \$957.00 in donation and for the cost on reject pieces at \$3.00 per ton is approximately \$108.00.

The Board had no concerns in regards to the submitted request.



**Decision: Commissioner Jensen moved to approve the donation of Mag Chloride, the Eastern Idaho State Fair will pay for materials and the county will assist with spreading and for the donation of 3 loads of reject. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

Next, discussion was held in regards to the purchase of signage to be place throughout the Wolverine area for recognition of Bill Sailer for his years of roadside litter cleanup. Mr. Whited stated that the cost for one sign, the post and materials is \$100.00 each. The Board stated that they would like to place 4, 2 on Wolverine Road and 2 on Mountain View Road.

**Decision: Commissioner Jensen moved to approve the purchase of 4 blue signs, wherein 2 will be placed on Wolverine Road and 2 would be placed on Mountain View Road, for recognition of Bill Sailer for his many years of roadside littler cleanup. Said purchase would be paid from Fund: 02-40-643-00 (Road and Bridge- Signage). Chairman Manwaring seconded. Both voted in favor. The motion carried.**

A brief discussion was held in regards to the proposed county wide free cleanup day and noxious weed enforcement throughout the county.

#### IT DEPARTMENT

Present: Matt Galloway- IT Director

The Board met with Matt Galloway to discuss updates within the IT Department.

#### WEEKLY UPDATE MEETING WITH PAUL ROGERS, COUNTY CIVIL ATTORNEY

Present: Paul Rogers- County Legal Counsel

The Board met with Paul Rogers to discuss updates on county matters.

**REQUEST BY BOONE CARTER, BINGHAM COUNTY FARM BUREAU CHAIRMAN OF PRESERVING LAND COMMITTEE, TO INTRODUCE COMMITTEE AND DISCUSS ANY ASSISTANCE THEY CAN PROVIDE TO THE COUNTY**

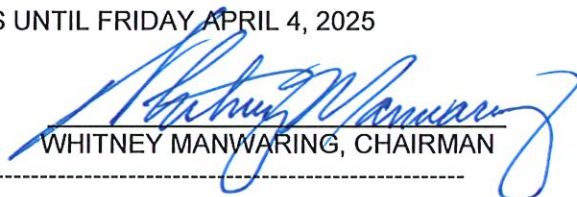
Present: Boone Carter- Farm Bureau- Chairman of Preserving Land Committee  
Dwight O'Brien- Farm Bureau- Preserving Land Committee  
Todd Cook- Preserving Land Committee

The Board met with Boone Carter to discuss any assistance that the Preserving Land Committee may be able to provide the county and potential involvement in the Agriculture Protection Area and Commission.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY APRIL 4, 2025



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO       )  
                              : ss.               Friday, April 4, 2025  
County of Bingham    )

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

PRESENT:               Chairman Manwaring  
                              Commissioner Jensen  
                              Lindsey Dalley- Commission Clerk  
EXCUSED:               Commissioner Jackson

**CLAIMS**

Claims were approved in the amount of \$226,324.31.

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

**APPROVAL OF BALLOT NUMBERS & POLLING LOCATIONS FOR THE MAY CONSOLIDATED ELECTION**

Present:               Megan Kearsley- Elections  
                              Kelli Robbins- Elections  
                              Pamela Eckhardt- County Clerk  
                              Danette Miller- Elections  
                              Paul Rogers- County Civil Attorney

The Board met to approve the Ballot Numbers and Polling Locations for the May Consolidated Election.

Megan Kearsley explained that all polling locations would remain the same and that she would propose to purchase 60% for Shelley and 30% for the other elections, of registered voters.

**Decision: Commissioner Jensen moved to approve polling locations and ballot numbers at 60% for Shelley and 30% of registered voters for other elections. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

**DECISION REGARDING TAX EXEMPTION APPLICATIONS PURSUANT TO IDAHO CODE SECTION 63-602**

Present:               Pamela Eckhardt- County Clerk  
                              Paul Rogers- Prosecuting Attorney  
                              Audrey Barzee- Assessors Office

The Board met to review and make a decision regarding Tax Exemption Applications pursuant to Idaho Code Section 63-602.

Clerk Eckhardt asked the Board to consider exempt properties under Idaho Code 63-602B, Religious Limited Liability Companies, Corporations and Societies, which were as follows:



**Apostolic Assembly of the Faith in Christ Jesus, Inc.**

RP1329600                      Airport Road

**Journey Church**

RP2080702                      505 N Park Ave, Shelley

**Decision: Commissioner Jensen moved to approve Tax Exemption Applications under Idaho Code 63-602B, Religious Limited Liability Companies, Corporations and Societies. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

Next, Clerk Eckhardt asked the Board to consider exempt properties under Idaho Code 63-602C, Fraternal, benevolent or charitable, which were as follows:

**BPOE No 1416 - Elks Lodge Building**

RP1041300                      123 N Ash, Blackfoot

**Heart 2 Hand Bingham Food Pantry Inc.**

RP2018200                      190 S Holmes Ave, Shelley

**Grove City Lodge #33 AFAM**

RP1011200                      7 NW Main, Blackfoot

Requesting 80% exemption as 20 % of building is rented

**Decision: Commissioner Jensen moved to approve Tax Exemption Applications under Idaho Code 63-602C, Fraternal, benevolent or charitable. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

Next, Clerk Eckhardt asked the Board to consider exempt properties under Idaho Code 63-602D, certain hospitals, which were as follows:

**Bingham Memorial Hospital**

LR1296602                      1350 Parkway Dr, Blackfoot  
1st Choice Urgent Care (Riverside  
Plaza)

RP1106500                      284 N Spruce, Blackfoot

Office space for Physician Services Operations

(approved in 2024 for first time)

**Decision: Commissioner Jensen moved to approve Tax Exemption Applications under Idaho Code 63-602D, certain hospitals. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

Next, Clerk Eckhardt asked the Board to consider exempt properties under Idaho Code 63-602GG, low income housing owned by nonprofit organizations, which were as follows:

**SEICCA**                              Southeastern Idaho Community Action  
Agency



RP1049100

apartments at 250 S  
Oak

**Decision: Commissioner Jensen moved to approve Tax Exemption Applications under Idaho Code 63-602GG. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

Lastly, Clerk Eckhardt asked the Board to consider exempt properties under Idaho Code 63-602E, property used for school or educational purposes including charter schools, which were as follows:

**Woodbury Corporation**

RP1296602

1350 Parkway  
Dr

Bingham Academy Charter School rents  
20.24% of the Riverside Plaza. Woodbury Corp.  
asking for a tax exemption for this area.

**Decision: Commissioner Jensen moved to approve Tax Exemption Applications under Idaho Code 63-602E, property used for school or educational purposes including charter schools. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

**DISCUSSION & DECISION REGARDING THE SUBMITTED REQUEST FROM CORONERS OFFICE TO EXPAND INTO VACANT OFFICE SPACE WITHIN THE COURTHOUSE ANNEX BUILDING**

Present: Jimmy Roberts- County Coroner  
Janelle Hill- Deputy Coroner  
Amanda Douglas- Deputy Coroner

The Board met to hold discussion regarding the request submitted by Jimmy Roberts to expand the Coroners Office into the vacant office space within the Courthouse Annex Building.

Mr. Roberts explained that as the previous lessee has vacated the premises, he would like to request that the Coroners Office be allowed to utilize the two now vacant offices on the Southside of the Courthouse Annex Building.

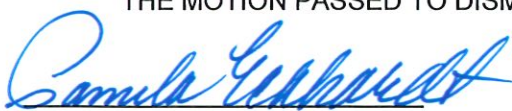
A brief conversation was held in regards to future expansion of the Coroners Office.

The Board had no concerns in regards to the request submitted by Mr. Roberts.

**Decision: Commissioner Jensen moved to allow the Coroners Office to use the two vacant offices and the Conference Room in the Courthouse Annex Building. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

**Commissioner Jensen moved to allow the Coroners Office to use the basement on the southside of the Courthouse Annex building for storage. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

THE MOTION PASSED TO DISMISS UNTIL MONDAY APRIL 7, 2025



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO       )  
                              : ss.               Monday, April 7, 2025  
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 Jensen

**STAFF MEETING**

Present:               Laura Lora- Payroll/Indigent Services  
                              Donavan Harrington- County Assessor  
                              Dusty Whited- Public Works Director  
                              Jimmy Roberts- County Coroner  
                              Scott Reese- Emergency Services/Parks & Recreation  
                              Laraine Pope- Human Resource Director  
                              Jason Marlow- Building Maintenance  
                              Tiffany Olsen- Planning & Development Director  
                              Shawn Hill- Probation Services  
                              Cody Lewis- Treatment Court  
                              Jeff Gardner- Sheriff  
                              Jordyn Nebeker- Chief Deputy Sheriff  
                              Jodi Ricks- Treasurers Office  
                              Matt Galloway- IT Director  
                              Danette Miller- Elections Office  
                              Ryan Jolley- Prosecuting Attorney  
                              Carmen Willmore- Extension Office  
                              Gordon Croft- Blackfoot Chief of Police

Excused:               Pamela Eckhardt- County Clerk  
                              Tanna Beal- County Treasurer  
                              Sheri Landon- Court Supervisor

The Commissioners met with department heads and Elected Officials for the April 2025 Staff Meeting. Chairman Manwaring conducted Staff Meeting.

Pledge of Allegiance: Chairman Manwaring conducted.

Approval of Minutes for Staff Meeting held in March 2025: There were no changes to be made. Therefore, the Staff Meeting Minutes for March were approved as written.

Special Presentation: No special presentation.

Safety Concerns: No safety concerns at this time.

Employee Years of Service Recognition: Sheriff Gardner recognized Chad Kent for 15 years of service to Bingham County. Chad has many responsibilities and is the liaison for Search & Rescue, oversees Waterways, sex offender registration, runs the county fleet program, handles evidence requests and is one of the most kind-hearted people that can develop a relationship with anyone that he works with. Chad is a huge asset to the county.



Chief Deputy Sheriff Nebeker recognized Shane Johnson for 10 years of service to Bingham County. Shane works front door security and is a great person, has a great attitude and fits in wherever he is asked to do something. Shane is very talented and in fact has made all of the leather badge holders for law enforcement and takes pride in his work. Shane has a great attitude and is a huge asset to the county.

Chief Deputy Sheriff Nebeker recognized Ben Kearsley for 10 years of service to Bingham County. Ben has a unique skill set and is truly a brainiac. He is very detailed oriented and in the Sheriff's Office, there are a lot of things that need to be tracked and when they are not Ben can figure out the issue. Ben's skill set will be used for the Ignite Program, which is the inmate communication to assist inmates in receiving their GED certificates. Ben is a great deputy, has a positive attitude and is a huge asset to the county.

Dusty Whited recognized Daran Mejia for 10 years of service to Bingham County and works at the Solid Waste Transfer Station. Daran is always great with the public, is a hard worker and is an asset to the county.

Chairman Manwaring: Had no updates at this time.

Commissioner Jackson: Had no updates at this time.

Jodi Ricks: Had no updates at this time.

Laura Lora: Stated that she has started working on personnel budgeting spreadsheets and within the next few weeks those will be sent out to each department. These will need to be reviewed for accuracy and to be sure that any vacant positions are correct.

Donavan Harrington: Had no updates at this time.

Dusty Whited: Stated that he had no updates other than to remind everyone that mountain roads are still closed.

Jimmy Roberts: Stated that he would like to thank Jason Marlow, as he is always so helpful. The Coroners Office will be expanding their department into a few other offices within the Courthouse Annex Building and he appreciates the Commissioners support in doing so. Jimmy reminded everyone that April is Mental Health Month and that suicide is still a huge issue in our county. Please take the time to check on friends, family and co-workers.

Scott Reese: Had no updates at this time.

Laraine Pope: Had no updates at this time.

Jason Marlow: Stated that he appreciates everyone and their patience with the air conditioning as it has not been working properly but reiterated that it is being fixed.

Tiffany Olsen: Had no updates at this time.

Shawn Hill: Had no updates at this time.

Cody Lewis: Stated that Felony Drug Court Graduation is scheduled for April 22<sup>nd</sup> at 4:00 p.m., and Misdemeanor Drug Court Graduation is scheduled for April 24<sup>th</sup> at 4:00 p.m.

Ryan Jolley: Stated that there has been an individual calling numerous different extensions within the courthouse and requesting employee information such as date of hire and salary. If anyone receives a similar call, please refer them to Human Resources.

Jeff Gardner: Stated that docks will be placed at Sportsman's Park in Aberdeen on Saturday and that DARE Graduation for 3 Blackfoot schools is scheduled for 6:00 p.m., tomorrow at the Blackfoot Performing Arts Center (BPAC).



Carmen Willmore: Stated that swine weigh-in is this month, team camp counselor training will be occurring for those that help at 4-H Camp and that scholarship interviews are being held today.

Matt Galloway: Stated that the first round of county cell phones has been received and that he will have those provided this week.

Danette Miller: Stated that the Election Office is preparing for the May 20<sup>th</sup> Election.

Police Chief Gordon Croft: Stated that the city was approached by a car club who requested to hold a new event at the RV Park, which will be an autocross timed event and will be held May 2-4. They don't expect more than 50-60 applicants, there will be no racing against each other with max speeds being 30-40 mph, street stock class and hopefully noise will not be an issue. The Blackfoot Animal Shelter Grand Opening will be held May 1<sup>st</sup> but he is not sure of the exact time currently. The Ordinance Officer for the City has a scheduled meeting with the Board to discuss a potential City/County Cleanup day, for a tentative date of May 24<sup>th</sup>. Lastly, the 2<sup>nd</sup> week of April is Telecommunication Appreciation Week, so a huge thank you to the Dispatch team for all they do.

Chairman Manwaring stated next Staff Meeting is scheduled for Monday, May 5, 2025 at 8:30 a.m.

Nothing further.

**APPROVAL & SIGNING OF BINGHAM COUNTY RESOLUTION 2025-15, A RESOLUTION AMENDING THE BINGHAM COUNTY ROAD STANDARDS MANUAL FOR USE BY BINGHAM COUNTY PUBLIC WORKS DEPARTMENT**

Present:           Dusty Whited- Public Works Director

The Board met to approve and sign Bingham County Resolution 2025-15, a resolution amending the Bingham County Road Standards Manual for use by Bingham County Public Works Department.

**Decision: Commissioner Jensen moved to approve Bingham County Resolution 2025-15, a resolution amending the Bingham County Road Standards Manual for use by Bingham County Public Works. Chairman Manwaring seconded. Both voted in favor. The motion carried and said resolution was approved as follows:**

**BINGHAM COUNTY  
RESOLUTION 2025-15**

**A RESOLUTION AMENDING THE BINGHAM COUNTY ROAD STANDARDS  
MANUAL FOR USE BY THE BINGHAM COUNTY PUBLIC WORKS DEPARTMENT**

Be it ordained by the Board of County Commissioners of Bingham County, Idaho:

1. The current Road Standards Manual being used by the Bingham County Public Works Department provided by Bingham County, will have amendments to the following Figures;
  - a. Section III Design Criteria, H- Approaches and Intersections, subsection 1- to remove reference to the Bingham County Approach Spacing Standards.
  - b. Section III Design Criteria, O- Right of Ways, all Subdivisions, design and maintenance- to remove reference to the Bingham County Approach Spacing Standards.
2. Said Amendments can be viewed at the Bingham County Public Works Department or on the Bingham County Website.

Pursuant to discussions held on December 4, 2024 and per Bingham County Ordinance 2025-02, adopted on February 12, 2025, the above changes will be in effect as of February 12, 2025.


Dated this 7<sup>th</sup> day of April, 2025

BINGHAM COUNTY COMMISSION



  
Whitney Manwaring, Chairman

\_\_\_\_\_  
Eric Jackson, Commissioner

  
Pamela W. Eckhardt,  
Bingham County Clerk

  
Drew Jensen, Commissioner

PRIOR APPROVAL FOR MAJOR PURCHASE OF COSTS TO ATTEND ALL RISE CONFERENCE IN KISSIMMEE, FLORIDA- REQUESTED BY SHAWN HILL

Present: Shawn Hill- Probation Department

The Board met with Shawn Hill to discuss the submitted Prior Approval for Major Purchase of costs to attend the All Rise Conference in Kissimmee, Florida.

Mr. Hill explained that this was previously approved but that there were additional costs after previous approval. Mr. Hill stated that the previously approved amount was \$20,470.00 and the end cost is \$21,384.65, for a difference of \$644.62.

Chairman Manwaring reiterated that this cost would be paid from OPIOID Settlement Funds (Fund: 49-00-559-00) as it meets the requirements for usage of funds.

**Decision: Commissioner Jensen moved to approve the Prior Approval for Major Purchase in the amount of \$644.62, for difference in cost for Probation Department employees to attend training. Said purchase is to be paid from OPIOID Settlement Funds (Fund: 49-00-559-00) as it meets the requirements for usage of funds. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

SIGNING OF PROCLAMATION DECLARING APRIL 6-12, 2025, AS NATIONAL CRIME VICTIMS' RIGHTS WEEK

The Board met to sign the Proclamation declaring April 6-12, 2025, as National Crime Victims' Rights Week, which was signed as follows:





## Proclamation

### National Crime Victims' Right's Week

April 6-12, 2025

**Whereas**, Americans are the victims of over 20 million crimes each year, affecting individuals and communities; and

**Whereas**, years of investment in crime victims' rights and services have developed a system of victim response that can help victims recover from crime; and

**Whereas**, reaching and serving all victims of crime is essential to supporting thriving communities, because those who receive holistic services and support are more likely to remain invested in their communities; and

**Whereas**, dedicated victim service providers are working every day to meet the needs of crime victims, yet there are still too many victims without meaningful access to rights and services; and

**Whereas**, many victims face barriers, such as isolation, distrust of authorities, language limitations, lack of transportation, or cultural barriers, that keep them from accessing the services and criminal justice systems that can help them recover from crime; and

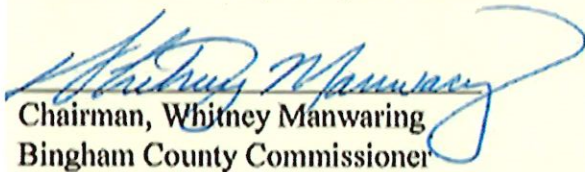
**Whereas**, we must make a dedicated effort to expand the circle of those prepared to respond to victims and link them to the resources that can help them recover; and

**Whereas**, engaging a broader array of healthcare providers, community leaders, faith organizations, educators, and businesses can provide new links between victims and services that improve their safety, healing, and access to justice; and

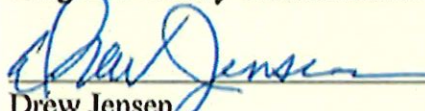
**Whereas, National Crime Victims' Right's Week, April 6-12, 2025, provides an opportunity to recommit to ensuring that all victims of crime, especially those who are challenging to reach or serve, are afforded their rights and receive a trauma informed response; and**


**Now, Therefore, be it resolved, that on the 7<sup>th</sup> day of April, 2025, it is hereby proclaimed that the week of April 6-12, 2025, is to be Crime Victims' Rights Week, and that Bingham County reaffirms a commitment to creating a victim service and criminal justice response that assists victims of crimes throughout the year; and expresses our gratitude for those community members, victim service providers and criminal justice professionals who are committed to improving our response to victims of crime so that they may find assistance, support, justice and peace.**

**DATED this 7<sup>th</sup> day of April, 2025.**

  
Chairman, Whitney Manwaring  
Bingham County Commissioner

\_\_\_\_\_  
Eric Jackson  
Bingham County Commissioner

  
Drew Jensen  
Bingham County Commissioner

  
Mayor Marc Carroll  
City of Blackfoot

  
Sheriff Jeff Gardner  
Bingham County




Chief Gordon Croft  
Blackfoot Police Department

Chief Chad Purser  
Shelley Police Department

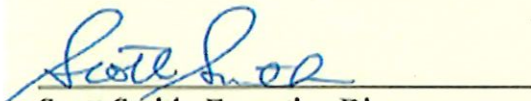


Ryan Jolley  
Bingham County Prosecuting Attorney

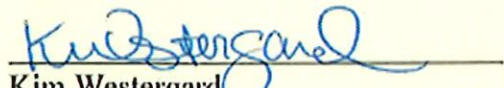
Garrett Sandow  
Prosecuting Attorney for the City of Blackfoot  
Shelley and Aberdeen



Zoie J. Laggis  
Special Assistant United States Attorney



Scott Smith, Executive Director  
Bingham Crisis Center



Kim Westergard  
City of Shelley Councilwomen

REQUEST SUBMITTED BY JACQUE BURT FOR WAIVER OF SOLID WASTE FEES FOR MATERIALS  
FROM THE OUTREACH CENTER REMODEL

Present: Jacques Burt- The Village

The Board met with Jacques Burt to discuss the request submitted for waiver of Solid Waste Fees for materials from the outreach center remodel.

Ms. Burt explained that this would solely be for old papers and documents, there would be no major items.



The Board had no concerns in regards to the request submitted.

**Decision: Commissioner Jensen moved to approve the request to waive Solid Waste dumping fees for the Outreach Center remodel project at the Transfer Station. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY APRIL 9, 2025

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

  
WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO       )  
                              : ss.               Wednesday, April 9, 2025  
County of Bingham    )

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

PRESENT:               Chairman Manwaring  
                              Commissioner Jackson  
                              Commissioner Jensen  
                              Pamela Eckhardt- County Clerk

#### CASH WARRANTS

One (1) Cash Warrant was approved in the amount of \$390.19.

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

#### SHERIFFS OFFICE

Present:               Jeff Gardner- Sheriff  
                              Jordyn Nebeker- Chief Deputy Sheriff

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

Discussion was held in regards to the submitted Prior Approval for Major Purchase of five (5) Smith and Wesson 9mm Duty Weapons which associated streamlight weapon light, Holosun optic and Safariland duty holster. Said purchase is in the amount of \$5,445.00, which is to be paid from Fund: 05-02-556-00 (Weapons and Ammunition).

**Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of five (5) Smith and Wesson 9mm Duty Weapons which associated streamlight weapon light, Holosun optic and Safariland duty holster. Said purchase is in the amount of \$5,445.00, which is to be paid from Fund: 05-02-556-00 (Weapons and Ammunition). Commissioner Jensen seconded. All voted in favor. The motion carried.**

#### BUILDING MAINTENANCE

Present:               Jason Marlow- Building Maintenance Supervisor

The Board met with Jason Marlow to discuss updates within the Building Maintenance Division.

PROSECUTORS OFFICE

Present: Ryan Jolley- Prosecuting Attorney

The Board met with Ryan Jolley to discuss updates within the Prosecutors Office.

WEEKLY UPDATE MEETING WITH PAUL ROGERS- COUNTY LEGAL COUNSEL

Present: Paul Rogers- County Legal Counsel

The Board met with Paul Rogers to discuss updates on county matters.

APPROVAL OF PRELIMINARY DESIGN FOR BRIDGE ON BASELINE ROAD 1200 NORTH OVER LITTLE SAND CREEK

Present: Troy Lenhart- Road & Bridge Supervisor  
Paul Rogers- County Legal Counsel

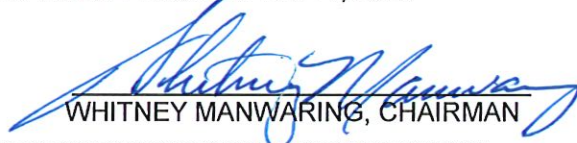
The Board met to approve the Preliminary Design for the bridge located on Baseline Road 1200 North over Little Sand Creek.

The Board had no concerns.

**Decision: Commissioner Jensen moved to approve the Preliminary Design for the bridge on Baseline Road 1200 North over Little Sand Creek. Commissioner Jackson seconded. All voted in favor. The motion carried.**

THE MOTION PASSED TO DISMISS UNTIL FRIDAY APRIL 11, 2025

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

  
WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO       )  
                              : ss.               Friday, April 11, 2025  
County of Bingham    )

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

PRESENT:               Chairman Manwaring  
                              Commissioner Jackson  
                              Commissioner Jensen  
                              Lindsey Dalley- Commission Clerk

CLAIMS

Claims were approved in the amount of \$344,645.38.

PERSONNEL ACTION FORMS

The Board met to approve Personnel Action Forms, which were as follows:

Salary Increase Form:       Deputy Court Clerk  
                                      Deputy Clerk/Treasurers Office



Permit Technician  
Weed Tech II  
Patrol Corporal  
Patrol Corporal  
Patrol Corporal  
Patrol Deputy  
Detention Deputy  
Deputy Court Clerk  
Probation Officer  
Solid Waste Operator  
Solid Waste Operator  
Solid Waste Operator  
Sr. Mechanic  
Crusher Operator in Training

#### COLLEGE OF EASTERN IDAHO

The Board approved one (1) Certificate of Residency and sent to the College of Eastern Idaho for the following Bingham County student: Whitney M. Korth.

**Decision: Commissioner Jensen moved to approve Cash Warrants, Claims, Administrative Documents and Personnel Action Forms. Commissioner Jackson seconded. All voted in favor. The motion carried.**

#### MEETING REQUEST SUBMITTED BY TONY DIXEY, BINGHAM GROUNDWATER, TO DISCUSS DEVELOPING A RECHARGE SITE AND APPROVAL OF LETTER OF ACKNOWLEDGEMENT

Present: Tony Dixey- Bingham Groundwater  
Connie Christensen- Bingham Groundwater  
Shaun VanOrden-Bingham Groundwater  
Tiffany Olsen- Planning & Development Director  
Paul Rogers- County Legal Counsel  
Alan Jackson- Bingham Groundwater

The Board met with individuals from Bingham Groundwater to discuss developing a recharge site and the request to approve and sign a letter of acknowledgement.

No decision was made. There will be amendments made to the letter, legal counsel review and at that time it would be brought before the Board for signing.

#### PRIOR APPROVAL- IT DEPARTMENT

Present: Matt Galloway- IT Director

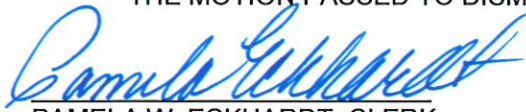
The Board met to discuss the submitted prior approval for major purchase of Office 365 licensing. This is new licensing needed in order to move the exchange server from on premises to Microsoft Cloud.

Said purchase is in the amount of \$84,589.62, which is to be paid from Fund: 01-14-524-01 (IT- Software Renewals).

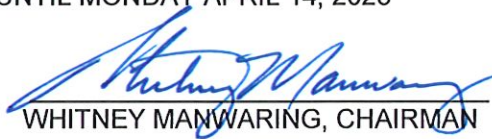
**Decision: Commissioner Jackson moved to approve the prior approval for major purchase of Office 365 licensing. This is new licensing needed in order to move the exchange server from on premises to Microsoft Cloud. Said purchase is in the amount of \$84,589.62, which is to be paid from Fund: 01-14-524-01 (IT- Software Renewals). Commissioner Jensen seconded. All voted in favor. The motion carried.**



THE MOTION PASSED TO DISMISS UNTIL MONDAY APRIL 14, 2025



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO       )  
                              : ss.               Monday, April 14, 2025  
County of Bingham    )

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

PRESENT:               Chairman Manwaring  
                              Commissioner Jackson  
                              Commissioner Jensen  
                              Lindsey Dalley- Commission Clerk

**APPROVAL & SIGNING OF LETTER OF ACKNOWLEDGEMENT AND LETTER OF SUPPORT FOR BINGHAM GROUNDWATER TO PROCEED WITH GRANT PROCESS**

Present:               Tiffany Olsen- Planning & Development Director  
                              Alan Jackson- Bingham Groundwater District  
                              Tony Dixey- Bingham Groundwater District

The Board met to approve and sign a Letter of Acknowledgement and Letter of Support for Bingham Groundwater to proceed with grant process.

Chairman Manwaring stated that the proposed changes had been made and that the Board was in favor of signing the two proposed letters in order for Bingham Groundwater to proceed with applying for grant funding.

**Decision: Commissioner Jensen moved to approve and sign the letter of support to the Idaho Resources Board for Bingham Groundwater to proceed with a grant. Commissioner Jackson seconded. All voted in favor. The motion carried.**

**Commissioner Jackson moved to approve and sign the letter of support to Congressman Mike Simpson, to allow Bingham Groundwater to proceed with a grant. Commissioner Jensen seconded. All voted in favor. The motion carried.**

**PRESENTATION OF POLE BARN/POST AND BEAM STANDARD GUIDE, WITH DECISION**

Present:               Tiffany Olsen- Planning & Development Director  
                              Jacob Martin- Building Official

The Board met to receive presentation of the pole barn/post and beam standard guide.

Mr. Martin stated in the past it has been required to have engineering for pole barns and that is specifically because in the IRC there is no prescriptive standard for sinking poles into the ground and there is not a general guideline for that type of building. Mr. Martin stated because Bingham County follows the IRC, engineering has been required. However, following other counties lead on this, Mr. Martin felt like each time that he has gone through a plan review, 90% of the plans are identical and it does not make sense that the county is requiring individuals to pay \$3,500, sometimes more, to hire an engineer.

Mr. Martin stated the proposed Bingham County Pole Barn Construction Guide is a mimic of what Elmore County currently uses as a guide and how they handle pole barns. There are a few differences as far as requirements and one of the bigger differences is the actual dimensions that is being allowed went to an 80-foot length because Mr. Martin had received a suggestion from one of the farmers within the area and that he would like to pull a semi in. Mr. Martin stated that most counties would go with a 60-foot length but he felt there is no reason that the county could not increase to an 80-foot.

Mr. Martin stated that two local engineers have reviewed the proposed guide, wherein Mr. Martin explained that one was in favor and one was not.

Chairman Manwaring stated that he had spoke with Tiffany Olsen previously and it was mentioned that there would be some sort of waiver signed by the developer stating that the county is not liable. Ms. Olsen stated that she and Mr. Martin had discussed this further and the potential of adding a disclaimer that the guide is prepared as a guide for the applicant to use in lieu of procuring engineering. In visiting with legal counsel, it may be better to have as an acknowledgement within the Building Permit Application, for that person to acknowledge that they have the opportunity and the right to procure engineering for the structure. However, they acknowledge that they are using the county's guide instead. Ms. Olsen stated that legal counsel felt that would be satisfactory.

Ms. Olsen stated this guide is not something that is going to be placed on the county website but will be readily available within the office.

Discussion was held in regards to the potential of the pole barn built being sold and that the seller must inform the buyer that the pole barn was built using the county guide, due to liability. Ms. Olsen stated that verbiage could be placed on documentation for building permit stating that the pole barn was built using the guide and did not receive independent engineering.

All Commissioners were in favor of allowing Planning & Development to proceed with using the Pole Barn Construction Guide.

**Decision: Commissioner Jensen moved to approve use of the Pole Barn/Post and Beam Standard Guide as presented by Jacob Martin, with the note that anything over the maximum dimension will need to be engineered. Commissioner Jackson seconded. All voted in favor. The motion carried.**

#### DISCUSSION & DECISION REGARDING PURCHASE OF NEW FUEL SOFTWARE FOR THE PUBLIC WORKS DEPARTMENT

Present:           Dusty Whited- Public Works Director  
                  Matt Galloway- IT Director

The Board met to hold discussion and make a decision regarding the purchase of a new fuel software for the Public Works Department.

Said purchase is in the amount of \$36,628.69, which is to be paid from Fund: 02-40-471-00 (Road and Bridge- Vehicles-Fuel, Diesel).

**Decision: Commissioner Jackson moved to approve proceeding with West Tech Equipment Installation of new pump software system. Said purchase is in the amount of \$36,628.69 and \$1,100.00 per year for Maintenance Contract, which is to be paid from Fund: 02-40-471-00. Commissioner Jensen seconded. All voted in favor. The motion carried.**



PUBLIC HEARING TO RECEIVE THE PLANNING & ZONING COMMISSION'S RECOMMENDATION TO DENY SLT PROPERTIES LLC REQUEST TO AMEND THE ZONING OF TWO PARCELS TOTALING 143.97 ACRES OF LAND FROM R/A TO A LOCATED NORTH AND EAST OF 574 W 200 N, BLACKFOOT, IDAHO

Present:

- Bradley Adams- Citizen
- Neil Nurdock- Citizen
- Carla Murdock- Citizen
- Catherine Salisbury- Citizen
- Keith Salisbury- Citizen
- Beverly Salisbury- Citizen
- Mathew Hrabik- Citizen
- Kathleen Hrabik- Citizen
- Ann Marie Campbell- Citizen
- Chelsey Campbell- Citizen
- Lyle Campbell- Citizen
- Jackie Harris- Citizen
- Jeff Harris- Citizen
- Megan Winter- Applicant's Representative
- Scott Searle- Property Owner
- David Kruek- Attorney for Knife River Construction
- Joseph Smith- Citizen
- William Bricker- Citizen
- John Kirkpatrick- Citizen
- Tara Lyon- Citizen
- Brent Lyon- Citizen
- Lori Mecham- Citizen
- Kevin Mecham- Citizen
- Tiffany Olsen- Planning & Development Director
- Paul Rogers- County Legal Counsel

The Board held a Public Hearing to receive the Planning & Zoning Commission's recommendation to deny SLT Properties LLC request to amend the zoning of two parcels totaling 143.97 acres of land from RA to A located North and East of 574 W. 200 N, Blackfoot, Idaho.

Pursuant to Idaho Code Section 74-403 and 7404, Chairman Manwaring recused himself due to a conflict.

Commissioner Jensen was acting Chairman.

The record provided to the Board is comprised of the following:

1. Exhibits to the Board Public Hearing Staff Report:
  - CC-1: Staff Report- Board of County Commissioners
  - CC-2: Findings of Fact, Conclusions of Law and Memorandum Decision- Basic American Foods, Inc, Application for Special Use Permit- dated May 8, 1997
  - CC-3: Basic American Foods- Blackfoot Land Treatment System Map
  - CC-4: Proof of Publication- Idaho State Journal and Post Register- Board of County Commissioners
  - CC-5: Blackfoot/Snake River Government Agency Notice List & Notice- Lindsey Dalley, Commission Clerk
  - CC-6: Property Owners Notice List & Notice- Lindsey Dalley, Commission Clerk
  - CC-7: Notice of Posting- Ashley Taylor, Planner
2. Testimony received prior to the Public Hearing included:
  - CC-8: Beverly Salisbury, 556 W. 200 N., Blackfoot, ID, submitted testimony in opposition of the Application



CC-9: Keith & Catherine Salisbury, 226 N. 500 W., Blackfoot ID, submitted testimony in opposition of the Application

CC-10: Vestle Wixom, 208 N. 500 W., Blackfoot, ID, submitted testimony in opposition of the Application

CC-11: Carmen Hensen, submitted testimony in opposition of the Application

CC-12: LeeAnn & Jason Bird, 476 W. 200 N., Blackfoot, ID, submitted testimony in opposition of the Application

CC-13: Martin & Kathleen Hrabik, 574 W. 200 N., Blackfoot, ID, submitted testimony in opposition of the Application

CC-14: Brent Lyon, 546 W. 200 N., Blackfoot, ID, submitted testimony in opposition of the Application

CC-15: Tara Lyon, 546 W. 200 N., Blackfoot, ID, submitted testimony in opposition of the Application

CC-16: Bingham County Zoning Map & Comprehensive Plan and Building Construction Map- Submitted by Megan Winter, Representative for SLT Properties, LLC

CC-17: Rodney & Andrea Severin, 528 W. 200 N., Blackfoot, ID, submitted testimony in opposition of the Application

CC-18: Richard & Penny Severin, 538 W. 200 N., Blackfoot, ID, submitted testimony in opposition of the Application

CC-19: Ann Marie Campbell, 550 W. 200 N., Blackfoot, ID, submitted a map regarding property loss values and four (4) photographs

CC-20: David T. Kruek, legal counsel for Knife River Construction, 877 W. Main Street, Suite 200, Boise, Idaho, submitted testimony in favor of the Application

CC-21: Bradley Adams, 185 N. 600 W., Blackfoot, ID, submitted testimony in opposition of the Application

CC-22: Ann Marie Campbell, 550 W. 200 N., Blackfoot, ID, submitted testimony in opposition of the Application

CC-23: Ann Marie Campbell, 550 W. 200 N., Blackfoot, ID, submitted further testimony in opposition of the Application

CC-24: Kami Amrein, 526 W. 200 N., Blackfoot, ID, submitted testimony in opposition of the Application

CC-25: Neil Murdock, 568 W. 200 N., Blackfoot, ID, submitted testimony in opposition of the Application

CC-26: A letter placed within several mailboxes surrounding the subject property, which was provided to Lindsey Dalley, Commission Clerk, by the Blackfoot Postmaster

S-1: Planning & Zoning Commission Staff Report

As to procedural items, the Board of County Commissioners finds the following:

1. Requested Action: The Public Hearing was held pursuant to Bingham County Code Section 10-3-6(A)(11) where the Board held a Public Hearing, using the same notice and hearing procedures as the Commission, on the Application for an Amendment to the Zoning Designation.
2. In accordance with Bingham County Code 10-3-6, Notice of the Boards Public Hearing was provided as follows:
  - a. Sent to Government Agencies on March 11, 2025 (CC-5 List of Blackfoot/Snake River Government Agencies and Notice)
  - b. Published in the Bingham News Chronicle on March 15, 2025 (CC-4- Affidavit of Publication)
  - c. Sent to 20 property owners within 300' of this property on March 11, 2025. (CC-6 Property Owners Mailing List and Notice)
  - d. Site was posted on March 26, 2025 (CC-7 Notice of Posting Affidavit and pictures)



At the outset of the meeting, Commissioner Jensen reviewed the rules and procedures to be following during the Public Hearing, which included the proposal to set a five (5) minute time limit for testimony per individual.

**Decision: Commissioner Jackson moved to set a five (5) minute time limit for testimony per individual. Commissioner Jensen seconded. Both voted in favor. The motion carried.**

At the Public Hearing, the Staff Report was presented by Tiffany Olsen, Planning & Development Director.

Commissioner Jensen stated within the Staff Report, it stated that Dusty Whited, Bingham County Public Works Director, had no concerns regarding the Application. Commissioner Jensen asked Mr. Whited to confirm that he had no issues regarding the Application, wherein Mr. Whited explained that the subject property has been farm ground, there is farm ground around the subject property and he does not believe that the Zone Change would affect the road system.

Megan Winter, Applicant's Representative (CC-27), 5450 W. Gowen Road, Boise, stated that subject property is currently zoned "R/A" Residential Agriculture and the request is to amend the zoning to "A" Agriculture, which is the current use of the land, along with the surrounding zoning designations. The Bingham County Comprehensive Plan has the subject property designated as "A" Agriculture, which also supports the Zoning Amendment. As Mr. Whited mentioned the current land use is Agriculture and therefore, fits the purpose of an Agriculture zone and is also compatible with surrounding land uses that are zoned Agriculture. Ms. Winter referred to her submitted maps (CC-16) wherein there are two (2) maps from the Bingham County GIS Map. The first map shows the current zoning of the property, which shows that the subject property is right where the Residential Agricultural Zone meets the Agriculture Zone, therefore this Application would not be spot zoning and is compatible with the surrounding land use. Ms. Winter stated that she would like to point out that across the street to the West of the subject property is a parcel owned by Snake River Livestock who operates a feed lot that is approximately 127 acres of Agricultural land and directly to the North is Basic American Foods who has three different parcels, all varying in size between 100 and 200 acres, for a total of 465 acres of Agricultural land. The Residential Agricultural parcel's that are to the South and West of the property all vary in size but for the most part are between 1 1/2 to 10 acres. Ms. Winter stated that she wanted to reiterate this in showing that the size of the subject parcel is more compatible with an Agricultural zone.

Ms. Winter referred to the second map submitted (CC-16), which is the Bingham County Comprehensive Plan and shows an orange shaded area to the east of the subject property, that is Residential and Residential Agricultural land. The reference map shows blue splotches are titled "Building Construction Heat Map", which shows building construction that is permitted with the County and is the where the building construction would be performed surrounding the parcel. Ms. Winter stated the blue splotches are encroaching on the sliver of Agricultural land. During the Planning & Zoning Commission Public Hearing there was discussion of needing a buffer zone between Agriculture and Residential/Agriculture land but with all of the construction that is being built in the area, this map shows that there is a lot of construction in the area and if the subject parcel is rezoned to Agriculture, it will expand that buffer zone by 144 acres, widening the area and protecting the natural resource that is just to the North of the subject property.

Ms. Winter stated per Ms. Olsen, this rezoning will limit the infiltration of urban development in the Agriculture area. Ms. Winter referred to Bingham County Comprehensive Plan Policy B1, Orderly Growth, the policy mandates orderly and rational growth patterns that provide for preservation of prime agricultural and natural resources lands as well as allowing for residential and commercial growth. Ms. Winter stated that Agricultural land is needed to provide products and materials to help sustain the growth that is shown on the projected map. Ms. Winter stated that the primary land use surrounding the subject property is Agriculture and the County's Comprehensive Plan states that the county should encourage the protection of prime agricultural forestry and mining lands for productions of food, fiber and minerals for the county. The size of this property and the location makes it a prime opportunity to preserve and protect the decreasing supply of agricultural land.

With no further questions for Ms. Winter, Commissioner Jensen called for testimony from the public.



Testimony in support was received as follows:

Joseph Smith, Representative for Knife River Construction (CC-28), 5450 W. Gowen Rd., Boise, stated during the Planning & Zoning Commission Public Hearing and again during this hearing, all testimony that was read is in relation to a future Application that has not been submitted yet. Mr. Smith stated that in sitting in the Planning & Zoning Commission Public Hearing, he believes that testimony impacted the results of the hearing but in looking at the Zoning Amendment Application itself, it is compatible with the Bingham County Comprehensive Plan, the current land use, the surrounding land uses and therefore he would recommend that the Board approve the Zoning Amendment Application. Mr. Smith stated if a Conditional Use Permit is submitted in the future, Knife River Construction would like to hear the concerns of the neighbors and work through those concerns, which is why there was a neighborhood meeting held but those concerns are not a part of the Application being heard today.

Commissioner Jackson asked Mr. Smith if he knew of the number of people that attended the neighborhood meeting. Mr. Smith stated approximately 25-30 people were in attendance.

David Kruek, Hawley Troxel Attorneys and Counselors & Attorney for Knife River Construction (CC-29), 877 W. Main Street, Suite 200, Boise, stated that he is in favor of the Application and would like to recommend that the Board approve the Application. Mr. Kruek stated he did not attend the neighborhood meeting or the Planning & Zoning Commission Public Hearing but from what he has been told, the testimony provided had mixed comments about a potential gravel pit and the testimony did not focus on the Zoning Amendment. Mr. Kruek referred to Idaho Code 6765 (11), which primarily focuses on the Comprehensive Plan and any strain or negative impact on public services when deciding to approve or deny a Zoning Amendment. Mr. Kruek stated that the Comprehensive Plan anticipates the subject property being zoned Agriculture and in looking at the testimony, he was trying to figure out where the intent of a buffer zone came from which was found within the Findings of Facts and Conclusions of Law from the Basic American Application from 1997 that is more than one decade prior to the adoption of the current Comprehensive Plan. Therefore, that use was already considered when the county anticipated the property would be zoned Agricultural. Mr. Kruek stated as far as public services within the record, the Public Works Director stated he had no concerns regarding the Zoning Amendment. Therefore, he believes that the Application should be approved for the purpose of the Zone Change as all elements meet statute. If a gravel pit is approved in the future, that is a short-term project and the ground would return to Agriculture land.

Scott Searle (CC-30), Applicant- SLT Properties LLC, 959 E. 1400 N., Shelley, stated that he appreciates input from the neighboring individuals and when there is change in the area it is hard. Mr. Searle stated with the current growth in Bingham County and surrounding areas, that this zone change is the appropriate thing to do with the subject property in order to accommodate growth.

Commissioner Jackson asked Mr. Searle if he has raised potatoes on the subject property and if so, when was that done. Mr. Searle stated that there had been potatoes raised on the property and that was done two (2) years ago.

There was no testimony in neutral.

Testimony in opposition was received as follows:

Neil Murdock (CC-31), 568 W. 200 N., Blackfoot, stated according to what is on the county website, there is not a map that shows the subject property as being Agriculture but that it shows the subject property as Residential/Agriculture and asked county staff to clarify. Tiffany Olsen, Planning & Development Director, explained there are two (2) designations that are looked at, one being the Zoning District which is Residential/Agriculture and the second being the Comprehensive Plan Map, which is designated as Agriculture.

Mr. Murdock stated according to the Comprehensive Plan, there are certain items that need to be addressed prior to any Zone Change occurring. One of those items is the air quality, per Policy F7, E, of



the Comprehensive Plan, which reads "for the most part, air quality in the county is very good. However, the Snake River Valley from Rexburg to Fort Hall experiences windblown particulates from agricultural lands". Mr. Murdock stated that he is confused as why a Zone Change is being requested if the Applicant is going to be Agricultural anyway. Mr. Murdock stated at the meeting, the Applicant was who brought up the 120 houses being developed, not the individuals that are in opposition of the Application. Mr. Murdock stated the reason why Basic American did not get the extra eighty (80) acres is because that ground is porous, the wells in the area are only at sixty (60) or eighty (80) feet, and whatever is done on the subject property, they need to be extremely careful to make sure that the wells are not contaminated in the aquifer. Lastly, Mr. Murdock stated that he is not sure what the Zone Change would do or how it would change anything other than opening the property up for other uses besides Agriculture. Mr. Murdock stated there is no purpose for changing the zone from the Residential Agriculture to Agriculture, even though the Comprehensive Plan has it designated as Agriculture.

Chelsea Campbell (CC-32) 550 W. 200 N., Blackfoot, stated that within the Application, it mentioned that property values increased after development was put in. That is a fallacy or misuse of statistics. Ms. Campbell stated during the period of time, the entire housing market went up and is still up and the \$120,000 homes that existed are now \$300,000. This will allow things to come into the area that will affect the values of the surrounding properties. Second, the zone is currently Residential Agriculture and is specifically to allow for low density residential development in areas where agriculture is also present. Usually it is with the intention of preserving rural character. Ms. Campbell stated that rural character is described as a predominant visual landscape of open spaces, mountains, forests, farms and the activities in which preserve such features. Ms. Campbell stated that the community and her neighbors have been established for well over 40 to 50 years and have chosen to live in the subject area for various reasons such as the love of farming, wide open spaces and the quiet. Some of these things are vital to functioning in their day to day lives. Some need the land to be able to farm and provide for their families, some need clean air and water for their health, and some need the quiet because noise can trigger PTSD episodes that can make it to where they cannot function as a responsible member of society. Hence, the choice to live in a Residential Agriculture zone. Ms. Campbell stated their homes are supposed to be a place of peace and respite and changing the zone from Residential Agriculture to Agriculture makes it a loop hole for other entities that are not Agricultural to enter. Brian Searle, President of Farm Bureau, stated that once farm land is developed on, it is gone forever. Ms. Campbell asked the Board to please uphold the denial and take into consideration the future liabilities can happen.

Ann Marie Campbell (CC-33) 550 W. 200 N., Blackfoot, stated that her home is located on the boundary of the proposed Zone Change and her well is three (3) feet from the fence line. Ms. Campbell stated that she is very concerned about the proposal and that it would be devastating to her and the residents in the area. The residents have done their due diligence in purchasing land within an R/A zone, 30 plus years ago, which allows them to invest their time, energy and monetary means into a future home of their making. It has allowed them enjoyment of animals, farming and yet it still gave them provisions of protection for quality of life and investment for future securities. Ms. Campbell stated that she is trusting the Board to do its due diligence as Commissioners in protecting or becoming what she would call a watchdog over all property rights, land, water and investments that have been established prior to this request for Zone Change. Ms. Campbell stated that she does not want to be forced to put trust in unknown hands for the next 15-20 years and would prefer to put trust in the hands of the county as the Commissioners follow the Bingham County Comprehensive Plan which protects their land. Ma. Campbell stated the subject property is the last block of the R/A within the area.

Lyle Campbell (CC-34) 550 W. 200 N., Blackfoot, stated that he was one of the first people to buy property in the subject area and had done so because it was peaceful and quiet. Mr. Campbell stated that he has good irrigation rights and his land waters well and in doing so, the aquifer is replenished with the ground watering systems in place. In regards to the buffer zone, the buffer zone at the Applicants location in Idaho Falls is a berm of dirt with no grass or anything on it, only dirt to be carried over and dumped into yards, window wells and window seals anything the wind blows. Mr. Campbell stated at the community meeting held, Mr. Searle did not attend and only Knife River attended, who is not part of this community but are from Boise and have no actual interest except to make millions of dollars. Mr. Campbell stated that mining is not agriculture and rocks are not on the commodities market. Mr. Campbell stated that he submitted an estimate



from Keller Williams stating that the property values will be reduced by 20-50%, which would be similar to taking \$200,000 out of his wallet. Mr. Campbell stated the noise, chemicals, concrete dust and the smell is not a way to promote better health for anyone. Mr. Campbell stated the definition of Agriculture is the science or practice of farming, including cultivation of the soil for the growing areas of crops and the rearing of animals to provide food, wool and other products. Mr. Campbell reiterated that mining is not listed in the definition and is he asking the Board to deny the Zone Change. Mr. Campbell showed the Board a photograph (CC-34A, which was requested by County Civil Attorney and Planning & Development Director by email, however were not received) of a sunset taken a few days prior and if a dirt berm is built, he will not be able to enjoy those sunsets.

Bradley Adams (CC-35) 185 N. 600 W., Blackfoot, stated that his property borders Highway 26, 600 West and 200 North Porterville. Mr. Adams stated that his parents bought said property in 1957 and he has lived there since he was three (3) years old. One of his concerns is that 600 West is already congested with trucks and farm equipment, it is a terrible mess and any time after 2:00 a.m., the semis traveling the road hit their jake brake which brings him out of bed and cannot go back to sleep. Mr. Adams stated that he has watched the subject property be farmed his whole life. Mr. Adams reiterated that it was stated that the ground could only be harvested down to 30-35 feet and Mr. Adams raised the concern as to what would happen with the nitrogen, fertilizer and chemical if clay or hard pan were hit. Mr. Adams asked if the applicant is going to be digging that up if this is approved and contaminating the air. Mr. Adams stated if a berm is placed around the corner of Porterville and 600, which is already congested, you will not be able to see if there is oncoming traffic, which is dangerous. Mr. Adams stated that he has grandkids at his house all of the time and he is very concerned for their health and welfare and he would disapprove of this Zone Change.

Commissioner Jensen asked Mr. Adams if Mr. Searle were to develop a subdivision would it be a bigger strain on the intersections and roads, to which Mr. Adams stated that he does not believe so because there would not be more semi-trucks. Mr. Adams stated that the semi-trucks are already a mess plus there is large farm equipment.

William Bricker (CC-36) 625 W. 350 N., Blackfoot, stated this all comes down to a couple of items within the Comprehensive Plan, environmental quality, quality of living and the largest thing that is not mentioned is reclamation. This would disturb the water quality and air quality. Mr. Bricker stated that he is against the Zone Change and stated that the Applicant has stated that he would like to be a good member of the community and communicate but he was not present at the first meeting but Knife River was and now he has an attorney involved. Mr. Bricker was concerned as to whether the citizens were going to be left to cleanup the area after the project was completed in 20 years. Mr. Bricker stated he is aware of similar projects that are complete and still not cleaned up. Individuals throw all kinds of money into the project and say they will be a good neighbor but nothing ever happens. Mr. Bricker stated that he is concerned the same thing will occur with this future project.

Mr. Bricker asked what would occur if there is a tie vote and only 2/3 of the Commissioners present to hear the Application, wherein Ms. Olsen stated Bingham County Code states that the decision of the Planning & Zoning Commission would stand.

Martin Hrabik (CC-37) 574 W. 200 N., Blackfoot, stated his home is right on the corner of the subject property and has lost water to his ditch and a portion of his access road without consent and a pivot was placed. Mr. Hrabik stated that he has Multiple Sclerosis and his wife has Lupus, and this entire situation has been extremely hard on them and their health. Mr. Bricker stated he has lived in his home for twenty-five (25) years and he has six and one half (6 ½) years until he can retire and if this project occurs, he cannot take a hit in property value. Mr. Hrabik stated that if the Zone Change is granted, it will open up the area for other entities to come in. Mr. Hrabik stated that he feels that he is already being infringed upon by individuals coming onto his property and if this approved, it will be worse. Mr. Hrabik stated his waterline goes right down the boundary line of the subject property, there is a road that is supposed to be maintained and guarantees that he can properly receive his water but that is not the case currently. If the Zone Change is approved, it will be worse.



Keith Salisbury (CC-38) 226 N. 500 W., Blackfoot, stated that he would like to add to the testimony that he has provided and that he had conducted more research on the topic of a gravel pit in this location and his question is should this be classified as a natural resource or natural resource agriculture zoning change. The 2018 Bingham County Comprehensive Plan definition of an R/A mentions mineral resources. The definition is area for soil, gravel, sanders and other material aggregate. Mr. Salisbury stated that Idaho Code, Title 47, Chapter 15 defines minerals as clay, coal, stone and gravel and State Code 47-1503 (7) the definition of mining operation is activities performed on surface and surface underground mine extraction. Mr. Salisbury stated the Bingham County Comprehensive Plan Policy 8, page 10, question 2, is does this property dedicate a portion of the property or grant easement? Mr. Salisbury stated there are a couple of private ditches across this property, wherein Megan Winter with Knife River contacted him in regards to said ditches and Mr. Salisbury advised her who the proper contact is for said ditches. Per Ms. Winters testimony at the Bingham County Planning and Zoning Commission Public Hearing, she stated that the only concern he had was gophers digging in the ditches. Mr. Salisbury stated that he is the President of the Riverside Canal, the main canal that feeds the Augustine that feeds the Zollinger ditch, utilized by Bruce Lake. Mr. Salisbury stated that he does not have the authority to tell anyone what to do on the Zollinger ditch as President of the Riverside ditch. Mr. Salisbury stated that he advised Ms. Winter that the person to contact is Pete Mickelson who is the President of the Zollinger ditch, who she never notified. On page 56 of the Bingham County Comprehensive Plan, Spot Zoning, states A reclassification that does not bear a substantial relationship to public health, safety or general welfare, and in conflict of Comprehensive Plan, including the singling out of small parcels of land for use classification that are inconsistent with those of the surrounding area to be determined by the other permitted existing uses.

Carla Murdock (CC-39) 568 W. 200 N., Blackfoot, stated that she is strongly opposed to the Application. She has lived at her current residence for fifty (50) years and enjoys the area. Ms. Murdock stated that she completed research and within a one-mile circumference of the subject property, there is approximately 1,300 men, women and children that live within the area and that is the lives that are being talked about. The reason it is Residential/Agriculture is that those people that live there chose to live there because of the protection that zoning is going to give. Many years ago, she remembers the buffer zone being discussed and the Commissioners at the time, had the foresight to look at the potential development of the area in the future, wherein it was designated Residential/Agriculture, which has worked really well. Ms. Murdock stated that people look at what the zoning is and how it is going to impact their values of their property and gives them security. Ms. Murdock asked the Board to deny the proposal, protect Bingham County residents and their lives, and uphold the foresight and the wisdom that was put in place to protect Bingham County and keep it such a beautiful vibrant area.

Tara Lyon (CC-40) 546 W. 200 N., Blackfoot, stated that she is not sure the purpose of changing the zone as they are able to farm the ground. Ms. Lyon stated that 600 West is a natural border, as it goes west of that is the feed lot and that is zoned Agriculture. The road is a natural boundary and when the area is all zoned R/A, why is it necessary to rezone on just that portion when the rest of the blocks are all zoned R/A? Ms. Lyon stated her concern is 20 years down the road, the citizens will be right where they are today because that land will no longer be valuable as farm ground and they will want to return the land to R/A. Ms. Lyon stated if there is no consideration to a potential Conditional Use Permit, there is no reason to change the zone and she is strongly opposed to the Application.

Kathleen Hrabik (CC-41) 574 W. 200 N., Blackfoot, stated her property is probably closest to the subject property and stated she has already seen what has happened in the area over the last 6 months during the 25 years she has lived there. Ms. Hrabik stated that Gale Lim trucks are already going down their road from Gale Lim building to the Moreland Rose Pit and it is already a lot with the noise, traffic and mud but she has not complained as she moved in knowing it was an agriculture area. Ms. Hrabik stated if the application is approved, it will be way more than dust. Silica is put into the air and down into the aquifer. The Snake River Feed Lot is right across the street and those cows drink the water, people eat those cows and the cycle goes on and on. Ms. Hrabik stated that she received a text message from Jay Miller with 2J Honey, which is also across the street from the subject property, and she would like to read said text message for the record. Ms. Olsen stated that said text would be entered into the record as Exhibit CC-41, (was requested by County Civil Attorney and Director, to be provided to the Director but have not been received). Ms. Hrabik stated that the text reads as follows: "I do not support a gravel pit that close to any homes. I



recognize the need for a gravel resource, but the property value damage it does and the residents seem too significant and long lasting. Thank you".

Brent Lyon (CC-42) 546 W. 200 N., Blackfoot, stated that he is opposed to the application. The previous Commissioners had a plan and from the Snake River on Porterville, 200 North, to Groveland, all the way to Moreland is all Residential Agriculture and highly concentrated area of residences. Mr. Lyon stated currently there is Basic American, Gail Lim Construction, Snake River Feed Lot, the Bingham County Transfer Station and gravel pits all around the area. So, there has been Commercial development but that corridor has worked and he would like it not to change. Mr. Lyon stated that the only people who are in attendance and in favor of the application are from out of the area. The SLT Property Manager said that they want the zone change to protect agricultural area and then the land owner came up stated that he wants it to promote urban development, so it shows the end game. Mr. Lyon asked that the current zoning remain and to protect the residents in the area.

Rebuttal Statement was provided by Megan Winter, Applicant's Representative, stated that most of the testimony presented today is in conjunction with a Conditional Use Permit that will be submitted if the rezone is approved. The Application being discussed today is specific to the rezone and changing the subject parcel to Agricultural instead of Residential/Agriculture. Originally when the Application was submitted, it was solely for the rezone first and then the Conditional Use Permit to try to avoid confusion but they work hand in hand and therefore, they were submitted together so that all parties have the big picture of what will occur. Ms. Winter stated the neighborhood meeting was hosted on November 7, 2024 and all neighbors within a 500-foot radius of the parcel were invited to attend. A lot of information that has been mentioned today was also discussed at that neighborhood meeting and all of the concerns were addressed in the Conditional Use Permit, which included a traffic impact study that was reviewed by Dusty Whited, Bingham County Public Works, who recommended that turn lanes be widened to avoid congestion in certain areas. Ms. Winter stated a ground water impact study by a third party was also submitted in order to identify areas of concern with impact to ground water. Ms. Winter stated that there is an approved reclamation plan that was approved by the Idaho Department of Lands as part of the Conditional Use Permit and therefore she would like to reiterate that all concerns had been addressed.

Ms. Winter stated that 600 West was mentioned and being the border of where Residential and Agricultural lands are. There are several 100 acres of Agricultural land just north, so on the east side of 600 west, but just North of the subject site. Therefore, there is Agriculture on both sides of the road.

Ms. Winter again reiterated that the application being discussed today is whether or not to change the zone from Residential/Agriculture to Agriculture. The Comprehensive Plan has this property designated as Agricultural, it fits the purpose of agriculture and because it is currently being used as farmland, it is compatible with surrounding lands zoned as agricultural.

Commissioner Jackson asked Ms. Winter where the headquarters for Knife River is, wherein Ms. Winter stated it is located in Boise. Commissioner Jackson asked Ms. Winter if SLT Properties is run out of Boise as well, to which Ms. Winter stated that SLT Properties is local out of Shelley.

Public Testimony was closed and the Commissioners deliberated as follows:

Commissioner Jackson stated that the rezone and Conditional Use Permit are inseparable and it is a loophole. Commissioner Jackson stated that he is not sure why they are not intertwined. To him, things are working well the way they are going now. Commissioner Jackson stated that Mr. Searle can farm and raise potatoes, which is his livelihood and people are living there and they are happy. Commissioner Jackson stated that he has been taught if something is working, don't mess with it.

Commissioner Jensen stated there is more building out in the county and outside of the city limits and with that it causes a problem in that one day, if it is necessary for the county public works department to grow, or a gravel pit in the area, because some of the gravel pits are about mined out due to the population growth, that if we do not constrict some of the urbanization, then there will not be any place to go because of that.



Paul Rogers, County Civil Attorney, stated that the Board should mention within its decision, the code that is used in making the decision and review the purposes of the zoning for the record.

### **REASON**

The Board hereby finds:

Commissioner Jensen reviewed Bingham County Code Section 10-4-2 (B), which states the purpose of the "A" 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 in order to:

1. Allow productive agricultural land areas to be protected.
2. To promote public health, safety, and welfare by encouraging the protection of viable farm land, in accordance with the Comprehensive Plan, to encourage urban density development inside cities and in areas of City impact; and to protect fish, wildlife, and recreation resources, consistent with the purposes of the Local Land Use Planning Act, Idaho Code Section 67-6501 et seq., as amended.
3. Protect agricultural and range land uses and wildlife management areas from unreasonable adverse impacts from adjacent development.

Paul Rogers, County Civil Attorney, advised when the Board is making its decision, be sure to state the basis of the decision for the record.

There was no further discussion and Commissioner Jensen requested a motion at this time.

### **DECISION**

**Commissioner Jackson moved to uphold the recommendation of the Planning & Zoning Commission to deny the Zone Change from "R/A" to "A", submitted by SLT Properties LLC, for the reason of promoting public health and safety of those living in the area.**

**The motion failed for lack of a second and the denial rendered by the Planning & Zoning Commission stands.**

**Request for Reconsideration/Judicial Review:** Upon denial or approval of a zone change, with adverse conditions, pursuant to Idaho Code Section 67-6535(2)(b), the Applicant or affected person seeking Judicial Review of compliance with the provisions of this section must first seek reconsideration of the final decision within fourteen (14) days. Such written request must identify specific deficiencies in the decision for which reconsideration is sought.

**Regulatory Takings:** Additionally, the Applicant may request a regulatory takings analysis as per Idaho Code Section 67-8003. An affected person aggrieved by a final decision concerning matters identified in Section 67-6521(1)(a), Idaho Code may within twenty-eight (28) days after all remedies have been exhausted under local ordinance, seek Judicial Review as provided by Chapter 52, Title 67, Idaho Code.

### **TREASURERS OFFICE**

Present: Tanna Beal- County Treasurer

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



DISCUSSION & DECISION REGARDING AMENDMENT OF ACREAGE WITHIN THE MCDONALDVILLE PROPERTY LEASE

Present: TC Mickelsen- Lessee  
Gwen Inskeep- County Surveyor

The Board met to hold discussion and make a decision regarding amendment of acreage within the McDonaldville Property Lease.

Discussion was held in regards to the areas that should be removed from the lease due to not being able to irrigate.

It was proposed to amend the acreage from 116.99 to 110 acres, wherein both the Commissioners and Mr. Mickelsen were in favor.

**Decision: Commissioner Jensen moved to reduce acreage from 116.99 to 110 acres for the McDonaldville property lease with TC Mickelsen. Commissioner Jackson seconded. All voted in favor. The motion carried.**

DISCUSSION & DECISION REGARDING COST TO REPAIR HAND PIPE ON THE MCDONALDVILLE PROPERTY

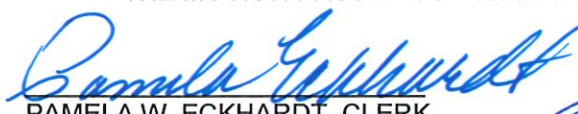
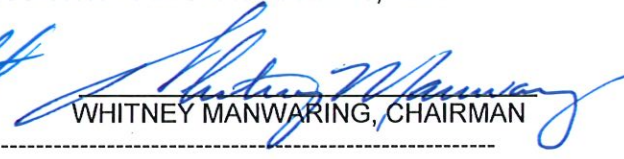
Present: TC Mickelsen- Lessee

The Board met to hold discussion and make a decision regarding cost to repair hand pipe located on the county owned McDonaldville property.

Chairman Manwaring explained that the county had piping that was on the property but most of it needs to be replaced. Mr. Mickelsen anticipates that it will take approximately 15-20 of the 3-inch piping, to replace what is no longer usable.

There was no decision made on the record but Mr. Mickelsen will look into a quote to purchase handlines for the property and that it would take approximately 15-20 3-inch pipe. The Board was in favor of the county assisting with the cost as it will remain on county owned property.

THE MOTION PASSED TO DISMISS UNTIL TUESDAY APRIL 15, 2025

  
PAMELA W. ECKHARDT, CLERK  
Lindsey Dalley- Commission Clerk-----  
  
WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO       )  
                              : ss.       Tuesday, April 15, 2025  
County of Bingham    )

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

PRESENT:               Chairman Manwaring  
                              Commissioner Jackson  
                              Commissioner Jensen  
                              Lindsey Dalley- Commission Clerk

## EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(d), to consider records that are exempt from public disclosure. Commissioner Jensen moved to go into Executive Session pursuant to Idaho Code §74-206(1)(d), to consider records that are exempt from public disclosure. Commissioner Jackson seconded. Both in favor. The Board moved into Executive Session at 11:33 a.m. Commissioner Jackson moved to go out of Executive Session. Commissioner Jensen seconded. The Board moved out of Executive Session at 11:40 a.m.

**Decision: Commissioner Jackson moved to approve Indigent Cremation Application Case No 2025-03. Commissioner Jensen seconded. All voted in favor. The motion carried.**

**Commissioner Jensen moved to approve Indigent Cremation Application Case No. 2025-04. Commissioner Jackson seconded. All voted in favor. The motion carried.**

PUBLIC HEARING TO RECEIVE THE PLANNING & ZONING COMMISSION'S RECOMMENDATION TO AMEND THE COMPREHENSIVE PLAN MAP AREA DESIGNATION FROM INDUSTRIAL/COMMERCIAL TO RESIDENTIAL/RESIDENTIAL AGRICULTURE AND TO RECOMMEND CONDITIONAL APPROVAL OF THE SCHOOL VIEW ESTATES SUBDIVISION TO CREATE A 5-LOT RESIDENTIAL SUBDIVISION, LOCATED AT APPROXIMATELY 19 S. 700 W. AND 23 S. 700 W, IN BLACKFOOT, IDAHO, ON A TOTAL OF APPROXIMATELY 2.92 ACRES, AS PROPOSED BY PROPERTY OWNERS RIVIN LLC

Present: Jamie Popejoy- Citizen  
Josh Popejoy- Citizen  
Ilene Taylor- Citizen  
Tim Adams- Citizen  
Chris Street- HLE- Applicant's Representative  
Lisa Taylor- Citizen  
Raela Scott- Citizen  
Joseph Despain- Applicant  
Russell Daniel- Citizen

The Board held a Public Hearing to receive the Planning & Zoning Commission's recommendation to amend the Comprehensive Plan Map area designation from Industrial/Commercial to Residential/Residential Agriculture and to recommend conditional approval of the School View Estates Subdivision to create a 5-Lot Residential Subdivision, located at approximately 19 S. 700 W. and 23 S. 700 W, in Blackfoot, Idaho, on a total of approximately 2.92 acres, as proposed by Property Owners Rivin LLC. Chairman Manwaring welcomed all to the meeting and introductions were held.

The record provided to the Board is comprised of the following:

3. Exhibits to the Board Public Hearing Staff Report:
  - CC-1: Staff Report- Board of County Commissioners
  - CC-2: Updated Preliminary Plat
  - CC-3: Description of location for Popejoy septic system and drain field as well as the other three (3) adjacent parcels septic systems, drain fields, and culinary wells, which are outside of the plat scale.
  - CC-4: Letter from Wearyrick Ditch Manager
  - CC-5: Proof of Publication- Idaho State Journal and Post Register-Board of County Commissioners
  - CC-6: Blackfoot/Snake River Government Agency Notice- Lindsey Dalley, Commission Clerk
  - CC-7: Property Owners Notice List & Notice- Lindsey Dalley, Commission Clerk
  - CC-8: Notice of Posting- Ashley Taylor, Planner
  - CC-9: Oath of Affirmation- Chris Street



CC-10: Oath of Affirmation- Joe Despain  
CC-11: Oath of Affirmation- Lisa Taylor  
CC-12: Oath of Affirmation- Jamie Popejoy  
CC-13: Oath of Affirmation- Russell Daniel  
CC-14: Oath of Affirmation- Tim Adams  
CC-15: Oath of Affirmation- Raela Scott

4. Exhibits to the Planning & Zoning Commission Staff Report:
- S-1: Staff Report- Planning & Zoning Commission
  - A-1: Application for Subdivision Plat
  - A-2: School View Estates Subdivision Narrative
  - A-3: School View Estates Plat
  - A-3A: School View Estates Preliminary Plat
  - A-4: Correction Warranty Deed
  - A-5: Guarantee- Flying S Title and Escrow of Idaho, Inc
  - A-5A: Second Guarantee- Flying S Title and Escrow of Idaho, Inc
  - A-6: Custom Soil Resource Report- United States Department of Agriculture
  - A-7: Well Construction Search- Idaho Department of Water Resources
  - A-8: Postal Box Approval Letter
  - S-2: Aerial Map
  - S-3: Zoning & Subdivision Map
  - S-4: Comprehensive Plan Map
  - S-5: Utilities Map
  - S-6: Irrigation Provider Map
  - S-7: GIS Map
  - S-8: Notice of Posting- Addie Jo Jackman, Assistant Director/Lead Planner
  - S-9: Site Photographs
  - S-10: Proof of Publication- Idaho State Journal and Post Register- Planning & Zoning Commission Public Hearing Notice
  - S-11: Blackfoot/Snake River Government Agency Notice List & Notice of Mailing- Addie Jo Jackman, Assistant Director/Lead Planner
  - S-12: Property Owners List and Notice of Mailing- Addie Jo Jackman, Assistant Director/Lead Planner

As to procedural items, the Board of County Commissioners finds the following:

3. In accordance with Bingham County Code 10-3-6, Notice of the Boards Public Hearing was provided as follows:
- a. Sent to Government Agencies on March 11, 2025 (CC-6 Government Agencies List and Notice)
  - b. Published in the Idaho State Journal and Post Register on March 15, 2025 (CC-5- Affidavit of Publication)
  - c. Sent to property owners within 300' of this property on March 11, 2025. (CC-7 Property Owners Mailing List and Notice)
  - d. Site was posted on-site in three (3) locations, one on each parcel, on March 26, 2025 and photographs of the site were taken on January 3, 2025 (CC-8 Notice of Posting Affidavit and S-9 pictures)

There was no testimony received prior to the Boards Public Hearing.

At the Public Hearing, the Staff Report was presented by Tiffany Olsen, Planning & Development Director.



Commissioner Jackson stated if a new home is being constructed, what is the required distance that a well and septic system should be from existing drain field, to which Ms. Olsen stated the requirement is 100 feet.

Commissioner Jackson stated directly East of the North end of the subject property, there used to be a big dip and asked if that was a gravel pit, to which Ms. Olsen stated she was not certain but that she had visited with a member of the public regarding that specific portion of ground being indicated and according to the elevation chart, it could have been but potentially the Applicant's Representative would have the answer.

Commissioner Jensen asked Ms. Olsen in looking at the size of the proposed lots and the requirements, there is to be a plan in case the drain field fails and asked if there is enough room on the property to have a backup plan. Ms. Olsen stated that each lot will have a replacement area and as far as she understands, if there was to be a joint or shared replacement area, that would be something that would be known or seen on the Plat but potentially Mr. Street could answer.

Chairman Manwaring stated that ½ acre lots are acceptable because of hooking up to the septic or water and if they are not, if they are together they would have to be on a 1-acre lot. Chairman Manwaring stated that is an issue and that Department of Public Health does require and look at property so if something fails there is sufficient room to add to it. There would not be room for replacement area if on ½ acre lots and everyone had their own septic. Ms. Olsen stated it is challenging on a ½ acre lot, to have an individual well and a drain field and still be able to meet distance requirements. Ms. Olsen stated on larger lots such as the .77-acre lot, it is visible as it is proposed that there is an appropriate distance between the well and the existing drain field as that well is set to be abandoned but that is something that is detailed in the Applicant's Subdivision Application to the Department of Public Health, to indicate where the anticipated locations will be. Ms. Olsen stated typically that is a state that typically occurs in between the Application and Final Plat being recorded to be sure that standards are met. In the event that it does not meet standards, the Department of Public Health indicated that those lots were not of a sufficient size to accommodate that infrastructure then this would come back before the Board.

Chairman Manwaring asked Ms. Olsen to explain a Comprehensive Plan Amendment versus a Zone Change. Ms. Olsen stated in order for the subdivision to proceed in a Residential zone, it should be compatible with the Comprehensive Plan Map areas and it is contiguous to what it needs to be in order to support the proposed development. Chairman Manwaring asked why a Zone Change isn't being done rather than a Comprehensive Plan Amendment, wherein Ms. Olsen explained that the current zoning of the subject property is Residential and it fits with the lot size development that it being proposed. Ms. Olsen stated that she is unable to explain why the subject property is designated as Industrial/Commercial but would anticipate that as the county looks at the Comprehensive Plan Map areas and amendments are made in the future, the section being discussed would become Residential to be in conformance with the current lot sizes and the use within the area, which is Residential.

Ms. Olsen explained in 2018 the Board of County Commissioners created a new area that is called a Multi-Use zone, which supports all zoning districts. Ms. Olsen stated when she read the Residential/Residential Agriculture Comprehensive Plan area, she mentioned that it supports the Residential Zone and the Residential/Agriculture Zone but the Multi-Use area supports all zoning districts. The purpose behind that was to create a path for development, so if there were a Commercial business that was applying for a Building Permit, the county would know that it is appropriate because it supports any and all zones. Ms. Olsen stated there are different sections of the Multi-Use corridor, along Highway 39, Highway 91 and various sections of Highway 26.

With no further questions from the Board, testimony was presented by Chris Street, Applicants Representative (CC-9), stated the proposed use matches the zoning but he knows the biggest concern is sewer. Mr. Street stated there was also a concern brought up in regards to the estimate put together because they used numbers that were from a couple of years prior but in order to get a true cost HLE would need to design the system and send it out to bid. As many know, HLE is the Engineer for Groveland Water and Sewer system, Mud Lake Sewer Department and Declo Sewer Department, therefore, they have a pretty good feeling for what these types of systems would cost. The estimated system would be a private



lift station and that station would need to be maintained by the 5 homeowners and in order to do that the Department of Environmental Quality put requirements on the homeowners. They will need to be able to prove that they are capable of maintaining the system and have to have the financial capabilities that if something goes wrong, to cure any issue. Mr. Street stated that is sometimes in the realm of having money in escrow or in an account for this specific use if needed. Therefore, there are complications when it comes to private lift stations versus public lift stations. Mr. Street feels as though the estimate provided is a good representation of what it would actually cost and in fact may be a lower cost estimate. Mr. Street stated between the Planning & Zoning Commission Public Hearing and this one, there has been the opportunity to bid out pumps for other lift stations, one for Groveland Water and Sewer and their pump is a little bigger but just for the pump and control panels were \$83,000.00 and that is with an existing wet well and no other infrastructure included. Mr. Street stated they also quoted for Mud Lake, which is comparable to the size of pumps that would be required for this Application, which came to approximately \$55,000.00, only for the pump and panels. Mr. Street reiterated that he believes the estimate provided is a good estimate.

Commissioner Jackson asked Mr. Street how many horsepower does there need to be for one pump, wherein Mr. Street stated he is not an expert but the system estimated for Mud Lake was an 11-horsepower pump.

Mr. Street stated usually HLE does not involve the health department until a later date but they in fact have already met with the Health Department, who have dug test holes, have tested the soil and they have been shown where the proposed septic systems would be and the replacement areas are. Mr. Street stated they had no issues or concerns and have approved that there is enough spacing for new septic systems in the proposed locations and also replacement areas.

Mr. Street stated that HLE was able to meet on-site with the Popejoys in order to locate where their well and verify dimensions in order to meet requirements. Mr. Street stated on the original Preliminary Plat, on Lot 4 they did not realize there was an abandoned drain field but it is shown on the updated Preliminary Plat but even with the abandoned well, it is not proposed to be used and will be abandoned, there is still room for septic systems and replacement areas.

Chairman Manwaring asked Mr. Street if there would be a replacement drain field on lot 5, wherein Mr. Street explained on Lot 5 there is an existing system, which will be abandoned and in order to do a replacement it would be too close to the well. Mr. Street stated that Lot 5 and Lot 3 have existing drain fields and Lot 4 has the abandoned one, which is the closest drain field to the Popejoys and is similar to the drain field that is on Lot 5.

Mr. Street referred to the question in regards to the possible gravel pit question, he does not know the history but potentially there is a surrounding property owner in attendance that may know more.

Lastly, Mr. Street stated that they have done their due diligence, he knows that it is not usual to see ½ acre lots with individual septic systems but there is sufficient room and the Health Department has approved with no concerns.

Chairman Manwaring asked as far as the septic, if there would be 1 or 2, wherein Mr. Street stated there would be 1 for each lot. Mr. Street stated that the Health Department is provided a map that has radiuses of all wells, proposed location, and replacement area locations, which is approved by them.

Chairman Manwaring asked where the well would be located, wherein Mr. Street stated there are two wells, Lot 3 has a well in front of the house and Lot 4 has a well in the northwest corner. Mr. Street stated the plan is to pipe those wells to an existing cinder wall pump house and then from that house with the pressure tanks. Chairman Manwaring clarified that both wells will go to the pump house and there will be enough water supply. Mr. Street stated that the Idaho Department of Water Resources allows to have up to 4 homes on a shared well without going to a public water system.

Mr. Street stated there are 3 wells total on the property. The well on Lot 4 is not currently in use and the plan is to install a new pump and use that to service the lots.



Chairman Manwaring referred to Planning & Zoning Commission Reason & Decision, page 6 of 7, number 4, which states that "the lots may not have irrigation water rights but with the lot sizes and shared culinary wells, there may be an option for the lot owners to irrigate with their domestic water rights", but in reading through the documentation he does not believe that the word "may" should be there. Mr. Street stated that it was verified with the irrigation district that there were no water rights being on the property.

With no further questions for Mr. Street, the Chairman called for testimony from the public.

Testimony in support was received as follows:

Joe Despain (CC-10) Applicant, 548 W. 75 S., Blackfoot, stated there has been a lot of concern about the septic and drain fields but stated that he is a builder in the area and was the one who dug the test holes for the Health Department on each lot. Chairman Manwaring confirmed that the test holes had already been dug, to which Mr. Despain confirmed. Mr. Despain stated that he met with the Health Department and there is sufficient room for a full septic system and a replacement area, which is without having to reduce size of the footprint. Mr. Despain stated that he understands that it is difficult to see growth and that he has been on both sides of an application such as this.

An attendee asked Mr. Despain how many bedroom homes would be placed on the septic systems, to which Mr. Despain stated the sized homes were 5-bedroom homes and that a 5-bedroom home requires a footprint of approximately 30 by 85 feet for a drain field. Chairman Manwaring stated the county can approve a subdivision and growth but as far as the septic system, the Department of Environmental Quality and the Health Department, is who regulates and makes that decision.

Mr. Despain stated on Lot 4 there is a previous septic system that he was not aware of years ago, there are some documents but the Health Department stated that it has been abandoned long enough that if there was a need, they would be able to write a permit for a septic system over that old system.

Commissioner Jensen asked Mr. Despain when the test holes were dug, how deep was the gravel or how much top soil was there, wherein Mr. Despain stated that it was a minimal top soil of 18 inches, which is common.

There was no testimony in neutral.

Testimony in opposition was received as follows:

Lisa Taylor (CC-11) 52 S. 700 W., Blackfoot, stated she knows that she understands the need for housing but the main reservation she has is with the septic. Ms. Taylor stated she is concerned that this may be setting up future homeowners and that allowing potentially 25 bedrooms on under 3 acres and 2 shares wells trying to support 25 bedrooms seems like a heavy load and could be inadvertently putting the future homeowners under a financial burden. Ms. Taylor stated that she thinks it needs to be taken into consideration that more households are not single generation homes. Therefore, what is the load that is actually going to be on the wells and septic systems.

Commissioner Jackson stated that the county does not set the criteria for what septic tank or well is installed, that is the Department of Environmental Quality. They test the ground and decide if it can handle the proposed development.

Jamie Popejoy (CC-12) 22 S. 690 W., Blackfoot, stated that she is concerned about the concentration of the wells and septic systems on the small area being proposed. Ms. Popejoy stated there are abandoned wells and septic systems on the property. Ms. Popejoy stated that the well for her home is abutted to the drain field on the existing home, which they had no idea that drain field was there when their well was drilled. Ms. Popejoy stated that one of the best solutions would be to have new homes tied into Groveland



Sewer, not only does that solve this problem but will provide that service to new homes that are being built in the area.

Chairman Manwaring asked Ms. Popejoy how far from the property line is their well, wherein Ms. Olsen referred to Exhibit CC-3, which indicates the distance for the Popejoy residence and that the drain field is 145 feet east of the proposed subdivision and the well is 38 feet to the east of the proposed subdivision.

Commissioner Jensen asked what the depth and water table of the well for the Popejoy residence is, wherein Ms. Popejoy stated the well is 100 feet but is not sure of the water table.

Ms. Popejoy referred to the question pertaining to an old gravel pit and stated at one point it was a gravel pit but eventually closed and became a junk yard. Therefore, there are old vehicles and many other items buried. Commissioner Jackson asked if that gravel pit has been filled in, to which Ms. Popejoy stated it has not.

Russell Daniel (CC-13) 29 S. 700 W., Blackfoot, stated that in placing the proposed size of homes, it would put the wells at a dangerous depth and in 15 years a large amount of money would need to be paid in order to fix or replace a well, which will be a financial burden. Mr. Daniel briefly discussed the potential contamination and having to then connect to a community system, which would also be a financial burden.

Tim Adams (CC-14) 36 S. 700 W., Blackfoot, stated that he is concerned with the drain field being placed and with so many lots crowded onto one system, especially with the school close by as well and it could potentially affect their well also. Mr. Adams stated where the gravel pit was years ago, that hole gets bigger slowly over time, especially the more it rains.

Raela Scott (CC-15) 16 S. 690 W., Blackfoot, stated there are a lot of items and vehicles buried in where the old gravel pit was located and is located close to her home. Ms. Scott stated that she has lived in the area for 40 plus years and the gravel pit has items buried that should not have ever been buried.

Chairman Manwaring asked Mr. Despain when the test holes were dug and the Department of Public Health was involved, how close were those test holes to the old gravel pit, wherein Mr. Despain stated that the test holes were dug approximately 30-40 feet from the pit/property line, which were dug 10 feet deep and there were no concerns from Public Health.

Commissioner Jensen asked what would happen if the foundation was dug and items are found, wherein Mr. Despain stated he is not sure what would occur but he reiterated that 4 test holes have been dug and there were no issues from Public Health.

With no further testimony from the public, Mr. Street gave a rebuttal statement stating that the old septic system mentioned has been abandoned. Mr. Street stated that he would like to reiterate that there is a rigorous process and protocol that is followed when it comes to installing a septic system. Mr. Street stated that it has been proven that there is sufficient room for the system and the Health Department has approved. Mr. Street reiterated that the Health Department approves and signs the Final Plat prior to it being brought before the Board of County Commissioners for approval.

Chairman Manwaring asked if the nearby school has its own septic system, to which Mr. Street stated his understanding is that they have a septic system that at one time failed and had to be replaced.

## **REASON**

Public testimony was closed and the Board moved into discussion and deliberation which was held and the Board hereby finds:



- a. The Board found that the Subdivision Application met the purpose of the Residential "R" Zoning District pursuant to Bingham County Code Section 10-4-2(D) as the parcels are located in Riverside Townsite, are compatible with existing uses in the immediate vicinity, with adequate service by roadways as access to proposed Lot 1 will be from 10 S. Woodruff Ave. and Lots 2-5 will have direct access from 700 W. Riverside Road; and
- b. The Board found that the Subdivision contains lot sizes of 0.52 acres to 0.77 acres, with an average lot size of 0.58 acres, which is consistent with surrounding single-family subdivision development in the area; and
- c. The Board found that in order to meet the Area Regulations of Bingham County Code Section 10-6-6(B)(2), lots in a Residential Zoning District may be one-half acre or greater with a well or septic coupled with an appropriate shared community water or septic system. From the Application, proposed Lots 1-3 will share a single well and Lots 4 and 5 will share a single well, subject to further permitting by Department of Water Resources, which will meet the Code requirements. The existing well located on Lot 5 will be abandoned to accommodate the development; and
- d. The Board found that the lots may not have irrigation water rights but with the lot sizes and shared culinary wells, there may be an option for the lot owners to irrigate with their domestic water rights; and
- e. That the Groveland Water and Sewer District (GWSD) has a high-pressure sewer line located approximately .12 miles north of the proposed subdivision with capacity to serve the development. HLE, Inc., provided a proposed estimate for connection in the amount of \$202,000.00. Mr. Pange (representing GWSD) found the estimate was prepared for a different subdivision containing 12-lots from two years ago but testified that some of the components within the estimate were predominantly accurate; and
- f. Nearby wells, septic systems and drain fields for adjacent properties outside of the subdivision were not included on the proposed plat which caused concern for an adjacent property owner to the east based on the proximity between her culinary well and Lot 5; and
- g. The Comprehensive Plan Map designation is Industrial/Commercial, which is inconsistent with the Residential land use of the parcels comprising the subdivision, the "R" Residential Zone, and the surrounding area. The Board found the Residential/Residential Agriculture map area is most compatible with current and future land uses; and
- h. The Public Hearing met the notice requirements of Idaho Code Title 67, Chapter 65 and Bingham County Code Section 10-3-6.

Chairman Manwaring stated on the subject property, there are already wells located in the area, which will be tied into a pump house to supply water for 3 houses, wherein the Department of Environmental Quality does promote for community wells but the issue is the moratorium on community wells but with the two wells on this application, it is similar to a community well to supply water.

Commissioner Jensen stated he would agree with Chairman Manwaring and asked where it would be a community well, if there would be a Homeowners Association in place. Ms. Olsen stated that a Water Users Agreement would be required, which will be recorded prior to the recording of the Final Plat.

Commissioner Jensen stated that personally he would not purchase Lot 1 due to the uncertainty of what is there but if the developers would like to take that chance that is their choice. Commissioner Jensen stated



that he agreed with the statement of when enough is enough but does not feel that it is the property owner's responsibility to build the ground water districts line, especially if it is a private line instead of a community line but they would not want to do that as they have their own systems.

Chairman Manwaring stated the cost of a lift station on a large subdivision could bare the cost but on a small subdivision, it is not feasible.

Chairman Manwaring referred to the testimony by Mr. Daniels in regards to water and stated the static water being at approximately 60 feet in the subject area but with the recharge in the canals, that has helped the water table increase over the last few years. Commissioner Jensen added that is why there is a great need for recharge sites.

Commissioner Jackson stated that he lives 2 miles west of the proposed development and he has lived there for 35 years but a neighbor of his has a feedlot and has large piles of manure on one side of the property and brought in 50 head of cattle. Commissioner Jackson stated originally that was concerning and he has his well-tested but he has been impressed with how well the sediment can be filtered out and there have been no issues with contamination.

Chairman Manwaring added that he appreciates Ms. Popejoys concern but the county does not regulate septic systems or their placement. Chairman Manwaring reiterated that Mr. Despain has already dug test holes and has been approved for septic and a replacement area.

#### DECISION

Commissioner Jensen moved to uphold the decision of the Planning & Zoning Commission recommendation, to approve the amendment to the Comprehensive Plan Map Area from Industrial/Commercial to Residential/Residential Agriculture. Commissioner Jackson seconded.

Commissioner Jensen amended the motion to add that this decision is based upon the review of Bingham County Code Section 10-4-2 and the requirements for the amendment to Residential/Residential Agriculture being met and recognize that the Application is applicable in Residential/Residential Agriculture to have ½ acre lots with septic systems, recognize that there is no irrigation from canal water on the lots, Groveland Water and Sewer was contacted and cannot demand that the subdivision be hooked up to the system and it was price prohibitive to do so, the nearby wells and septic systems were addressed and that the Department of Environmental Quality had no concerns and requirements have been met. Commissioner Jackson seconded. All voted in favor. The motion carried.

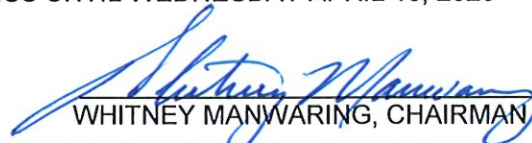
**Request for Reconsideration/Judicial Review:** Upon denial or approval of a zone change, with adverse conditions, pursuant to Idaho Code Section 67-6535(2)(b), the Applicant or affected person seeking Judicial Review of compliance with the provisions of this section must first seek reconsideration of the final decision within fourteen (14) days. Such written request must identify specific deficiencies in the decision for which reconsideration is sought.

**Regulatory Takings:** Additionally, the Applicant may request a regulatory takings analysis as per Idaho Code Section 67-8003. An affected person aggrieved by a final decision concerning matters identified in Section 67-6521(1)(a), Idaho Code may within twenty-eight (28) days after all remedies have been exhausted under local ordinance, seek Judicial Review as provided by Chapter 52, Title 67, Idaho Code.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY APRIL 16, 2025



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO       )  
                              : ss.               Wednesday, April 16, 2025  
County of Bingham    )

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

PRESENT:               Chairman Manwaring  
                              Commissioner Jackson  
                              Commissioner Jensen  
                              Lindsey Dalley- Commission Clerk

#### COLLEGE OF EASTERN IDAHO

The Board approved one (1) Certificate of Residency, which was sent to the College of Eastern Idaho for the following Bingham County student: Sadie J. Bowman.

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

#### TAX INQUIRY DOCUMENTS

The Board approved one (1) Tax Inquiry document, which was as follows:

RP1026200    Year 2024       Information sent to Pioneer Title and had the incorrect interest date.  
Pioneer Title paid for half.

MH354S290095               Year 2024       This parcel is Native American exempt

**Decision: Commissioner Jackson moved to approve and sign Tax Inquiry documents submitted by the County Assessor, as presented. Commissioner Jensen seconded. All voted in favor. The motion carried.**

#### SHERIFF'S OFFICE

Present:               Jeff Gardner- Sheriff  
                              Jordyn Nebeker- Chief Deputy Sheriff  
                              Mike Scott- Unified Fleet Services  
                              Bodie Taylor- Unified Fleet Services  
                              Sergeant Chad Kent- Sheriff's Office

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

Mike Scott, Unified Fleet Services, stated that he has reviewed the fleet analysis for the Sheriffs Office and have found that the residual value is higher than market value. Mr. Scott stated that he has been able to work out a plan to get the county fleet vehicles back on path and in the future get into better vehicles.

Chairman Manwaring asked if the lease would be for 3 years, wherein Mr. Scott stated that was correct, with a potential for a 5- or 7-year lease.

Chairman Manwaring stated that it was proposed to have monthly payments rather than yearly payments, wherein Clerk Eckhardt stated that was discussed with her and that she would prefer monthly payments.



Mr. Scott mentioned that the county is currently upside down on the Tundra pickups currently being leased and he would proposed getting rid of them to but that he wants to be sure that the best vehicle is leased for the county. Further discussion was held in regards to several types of vehicles and what would be best use for the county.

All Commissioners were in favor, after seeing the presentation from Unified Fleet Services several weeks ago, of switching from Bancorp. Sheriff Gardner stated that it is nothing against the current vendor but it is the responsibility of the Elected Officials to be fiscally responsible for money expended on the taxpayers behalf, to always look for the best option and he believes that Unified Fleet Services is the best option.

Legal Counsel will review the current lease with Bancorp to see if there are any requirements for getting out of the lease.

**Decision: Commissioner Jensen moved to approve the buyout of portfolio from Bancorp by Unified Fleet Services for vehicle leasing and allow Sheriff Gardner to work with Legal Counsel to get out of the current lease with Bancorp. Commissioner Jackson seconded. All voted in favor. The motion carried.**

## **PUBLIC WORKS**

Present:           Dusty Whited- Public Works Director  
                  Troy Lenhart- Road & Bridge Supervisor  
                  Mayor Barrett- City of Aberdeen  
                  Paul Rogers- County Legal Counsel

The Board met with Dusty Whited to discuss updates within the Public Works Department, along with other agenda items.

Discussion was held in regards to the request submitted by City of Aberdeen Mayor, Larry Barrett, for county assistance in chipping of the roads within Aberdeen. Mr. Whited stated over the past several years, the county has assisted the City of Aberdeen with road maintenance but most of the time it has been double chipping gravel roads to get more paved road into the city limits. This year they would like to complete double chipping of some of the roads that are still within the city limits and eliminate gravel roads.

Mr. Whited stated that the City of Aberdeen has \$100,000 from a grant that they received and a small amount of funding from city funds. Mr. Whited met with Mayor Barrett and looked at the roads to be double chipped. After review of costs, the approximate cost is \$130,000 range.

Mr. Lenhart stated that the project is proposed to take two days to do complete double chipping and provide labor and equipment. Mr. Whited stated the county would provide the BST and equipment and the City of Aberdeen will purchase oils and will hire a company to prep the road.

**Decision: Commissioner Jensen moved to approve the request submitted by Mayor Barret, City of Aberdeen, for the county to assist with chipping of the roads within the City of Aberdeen. This will include 2 miles of roads; the county will supply BST and two days of labor in the approximate amount of \$38,000 and the City of Aberdeen will purchase the oils and hire a company to prep the road. Commissioner Jackson seconded. All voted in favor. The motion carried.**

Discussion was held in regards to the placement of signage on county owned property located by McTucker Ponds.

MEETING TO DISCUSS SOUTHEASTERN IDAHO PUBLIC HEALTH FISCAL YEAR 2026 BUDGET REQUEST- SUBMITTED BY TYLER BUTLER, WITH POTENTIAL DECISION

Present: Maggie Mann- Southeastern Idaho Public Health

The Board met to discuss the Fiscal Year 2026 budget request by Southeastern Idaho Public Health.

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 Jensen seconded. Both in favor. The Board moved into Executive Session at 10:39 a.m. Commissioner Jensen moved to go out of Executive Session. Commissioner Jackson seconded. The Board moved out of Executive Session at 10:50 a.m.

**Decision: Commissioner Jensen moved to approve the salary for North Bingham Park Manager Part-Time Employee from N10, Step 11 to N10, Step 12 and the anniversary date will remain the same. Commissioner Jackson seconded. All voted in favor. The motion carried.**

HUMAN RESOURCES

Present: Laraine Pope- Human Resources Director  
Paul Rogers- County Legal Counsel

The Board met with Laraine Pope to discuss updates within the Human Resource Department.

PRIOR APPROVAL- MAGISTRATE COURT

Present: Sheri Landon- Magistrate Court  
Pamela Eckhardt- County Clerk  
Paul Rogers- County Legal Counsel

The Board met to hold discussion regarding the submitted Prior Approval for Major Purchase to change out the window for the Magistrate Court, to open from the other direction for better use by the clerks.

Ms. Landon stated that she is requesting reasonable accommodation to switch direction of one of the windows opening at the front Magistrate Court window closest to Courtroom #1. It is requested to make it more ergonomically correct as the clerk sitting at the window has been suffering from chronic tension headaches. The windows currently open to the left, which means that the clerk is twisting to help people at the window since the computer site there. It is requested to switch the window to open the other direction so that the clerk will be able to help people without twisting.

Ms. Landon stated that she received one verbal quote in the amount of \$1,500.00 but that Building Maintenance stated they may be able to cure the issue without having to have a company. If it is necessary for a company to come in to cure the issue, the cost is proposed to be split between Fund: 06-50-899-00 (Courts) and 10-494-00 (Building Maintenance).

Ms. Landon will have Building Maintenance see if they can cure the issue prior to making any purchases.

**Decision: Commissioner Jackson moved to approve having Building Maintenance see if they can cure the issue of the window by switching the direction that it opens. If not, the Prior Approval for Major Purchase is approved in the amount of \$1,500.00, to be split between the Courts budget and Building Maintenance Budget. Commissioner Jensen seconded. All voted in favor. The motion carried.**



WEEKLY UPDATE MEETING WITH PAUL ROGERS- COUNTY LEGAL COUNSEL

Present: Paul Rogers- County Legal Counsel

The Board met with Paul Rogers to discuss any updates on current civil matters.

PLANNING & DEVELOPMENT

Present: Tiffany Olsen- Planning & Development Director  
Paul Rogers- County Legal Counsel  
Gwen Inskeep- County Surveyor

The Board met with Tiffany Olsen to discuss updates within Planning & Development.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY APRIL 18, 2025



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO       )  
                              : ss.               Friday, April 18, 2025  
County of Bingham    )

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

PRESENT:               Chairman Manwaring  
                              Commissioner Jackson  
                              Commissioner Jensen  
                              Lindsey Dalley- Commission Clerk

CASH WARRANTS

Cash Warrants were approved in the amount of \$29,114.14 and \$1,200.00, for a total of \$30,314.14.

CLAIMS

Claims were approved in the amount of \$312,668.08.

PERSONNEL ACTION FORMS

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

Salary Increase Form:	Emergency Communications Officer
	Deputy Court Clerk
Employee Status Sheet:	Part Time Parks Assistant
	Part Time Deputy Clerk/Election Assistant to Full Time Deputy Clerk/Election Director in Training
New Employee Status Sheet:	Driver's License Examiner
	Parks Maintenance Worker

**Decision: Commissioner Jensen moved to approve and sign Cash Warrants, Claims, Administrative Documents and Personnel Action Forms. Commissioner Jackson seconded. All voted in favor. The motion carried.**

**PRIOR APPROVAL FOR MAJOR PURCHASE**

Present: Dusty Whited- Public Works Director

The Board met to make a decision in regards to the invoice owed to Bair Irrigation for installation of irrigation system at the Hillman tree farm.

Commission Clerk, Lindsey Dalley, explained that on September 11, 2024 the Board approved payment to Bair Irrigation in the amount of \$80,000, for installation of irrigation at the Hillman tree farm. After receiving the final invoice, which was \$84,370.00, that leaves a remaining balance due of \$4,370.00, which is to be paid from Fund: 50-00-559-00 (PILT).

**Decision: Commissioner Jackson moved to approve payment to Bair Irrigation in the amount of \$4,370.00, which is to be paid from Fund: 50-00-559-00 (PILT). Commissioner Jensen seconded. All voted in favor. The motion carried.**

**REQUEST SUBMITTED BY THE ABERDEEN SENIOR CITIZENS CENTER FOR INCREASE IN QUARTERLY FUNDING- SUBMITTED BY BRETT NELSON**

Present: Todd Little- Aberdeen Senior Center  
Paul Rogers- County Legal Counsel  
Pamela Eckhardt- County Clerk

The Board met to discuss the request submitted by the Aberdeen Senior Citizens Center for increase in quarterly funding, due to cost of food and other items needed to continue running the Senior Citizens Center.

There was no decision made and this request would be considered during budget planning.

**DECISION REGARDING TAX EXEMPTION APPLICATION PURSUANT TO IDAHO CODE SECTION 63-602B**

Present: Pamela Eckhardt- County Clerk

The Board met to hold discussion regarding Tax Exemption Applications pursuant to Idaho Code Section 63-602B, which were as follows:

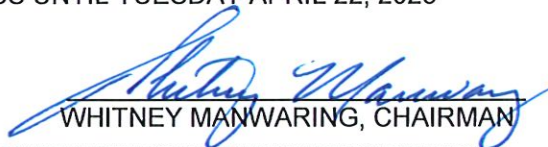
RP3019000                      309 N. Main, Aberdeen                      Mission International Inc.

**Decision: Commission Jensen moved to approve the Tax Exemption Application pursuant to Idaho Code Section 63-602B. Commissioner Jackson seconded. All voted in favor. The motion carried.**

THE MOTION PASSED TO DISMISS UNTIL TUESDAY APRIL 22, 2025



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



WHITNEY MANWARING, CHAIRMAN



STATE OF IDAHO       )  
                              : ss.       Tuesday, April 22, 2025  
County of Bingham    )

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

PRESENT:               Chairman Manwaring  
                              Commissioner Jackson  
                              Commissioner Jensen  
                              Lindsey Dalley- Commission Clerk

CASH WARRANTS

Cash Warrants were approved in the amount of \$4,370.00.

COLLEGE OF EASTERN IDAHO

One (1) Certificate of Residency form was approved and sent to the College of Eastern Idaho for the following Bingham County student: Hannah J. Hatch.

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

TAX INQUIRY DOCUMENTS

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

RP0441005    Year 2023/2024       This parcel goes with another parcel, was created by mistake

**Decision: Commissioner Jackson moved to approve Tax Inquiry Documents as submitted by the County Assessor. Commissioner Jensen seconded. All voted in favor. The motion carried.**

DISCUSSION & DECISION TO PURCHASE 20 STICKS OF 3-INCH PIPING FOR COUNTY OWNED MCDONALDVILLE PROPERTY

Present:       Dusty Whited- Public Works Director

The Board met to hold discussion and make a decision to purchase 20 sticks of 3-inch piping for the county owned McDonaldville Property.

Chairman Manwaring stated this was discussed previously and there was piping on the McDonaldville property that needs to be replaced.

The Board was in favor of paying for the cost to replace the pipe, as it is for county owned property.

**Decision: Commissioner Jensen moved to allow TC Mickelsen to purchase 20 pieces of 3-inch pipe at \$180 per stick from Double M Irrigation and this would be paid for from PILT. Commission Clerk, Lindsey Dalley will contact Double M Irrigation and create an account for Bingham County. Commissioner Jackson 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 Jensen seconded. Both in favor. The Board moved into Executive Session at 8:39 a.m. Commissioner Jensen moved to go out of Executive Session. Commissioner Jackson seconded. The Board moved out of Executive Session at 9:20 a.m.

**Decision: Commissioner Jensen moved to approve the lateral hiring contract for the individual discussed within Executive Session, which is on a six-month stage with the anniversary date being April 1<sup>st</sup> and the wage is based on the contract signed. Commissioner Jackson seconded. All voted in favor. The motion carried.**

## PUBLIC WORKS

Present:           Dusty Whited- Public Works Director  
                  Tiffany Olsen- Planning & Development Director  
                  Chris Matson- City of Blackfoot Ordinance Enforcement  
                  Kim Arms- City of Blackfoot  
                  Troy Lenhart- Road & Bridge Supervisor  
                  Derrick Going- Solid Waste Supervisor

The Board met with Dusty Whited to discuss updates within Public Works, along with other agenda items.

Discussion was held in regards to starting up the countywide free cleanup day. Chris Matson, City of Blackfoot Ordinance Officer, explained that it has been awhile since this was held for Bingham County due to budget restraints and other issues. Mr. Matson stated he believes this would encourage cleanup and assist in getting rid of garbage that may be collecting on properties. The proposed date is May 31<sup>st</sup> but can be changed. Mr. Matson stated that he has met with Dusty Whited and he has spoken with the City of Blackfoot, who all are in favor of the proposal provided.

Mr. Matson stated there will be certain items that will not be accepted such as household trash, Milcreek will bring a roll off for any metal items, the city will haul trash to the Central Transfer Station and Rattlesnake, as there are specific items that will need to be delivered to specific locations.

The following guidelines will be put in place:

- 1) Tree Limbs & Branches (accepted at all transfer locations)
- 2) Composting Materials (accepted at Rattlesnake & Aberdeen Transfer Stations)
- 3) Construction & demolition debris- Untreated wood that is clear of nails (accepted at Rattlesnake & Aberdeen Transfer Station)
- 4) Metal & Scrap Items (At City Street Department)
- 5) Household Electronics (At City Street Department)

Items that will not be accepted:

- 1) Tires
- 2) Mattresses
- 3) Liquids such as paints, solvents, cleaning fluids & ETC
- 4) Hazardous Materials
- 5) Any Household Trash

**Decision: Commissioner Jackson moved to approve the free cleanup day for May 31, 2025 from 8:00 a.m., to 2:00 p.m., with the guidelines put in place. Commissioner Jensen seconded. All voted in favor. The motion carried.**



Discussion was held in regards to waiver of fees for Rose Cleanup Service Project and Reimbursement for fees already paid. There was an issue when the individual in charge of the cleanup project came to the Central Transfer Station for dumping and would not pay the fee. Derrick Going went ahead and paid the \$10.00 out of his pocket and Mr. Whited is proposing to reimburse Mr. Going for that cost.

The Board had no issue.

**Decision: Commissioner Jensen moved to waive fees for the Rose Cleanup Service Project and reimburse Derrick Going for the \$10.00 that he paid when it was due. Commissioner Jackson seconded. All voted in favor. The motion carried.**

The Board held discussion regarding Bingham County Resolution 2025-16, to open mountain roads at 8:00 a.m., on April 24, 2025.

**Decision: Commissioner Jensen moved to approve Bingham County Resolution 2025-16, to open the mountain roads at 8:00 a.m., on April 24, 2025. Commissioner Jackson seconded. All voted in favor. The motion carried and said resolution was approved as follows:**

**BINGHAM COUNTY  
RESOLUTION 2025-16**

**RESOLUTION AND ORDER CHANGING THE USE OF COUNTY ROADS**

Pursuant to Idaho Code §31-714, 67-7109(5) and the Bingham County Snowmobile Trail Ordinance, it is hereby resolved and ordered by the Bingham County Commissioners as follows:

**Section 1: Road Use Change.** The Following roads shall be opened to use by conventional motor vehicles commencing at 8:00 a.m. on the April 24, 2025:

**Wolverine Road from Taylor Creek to the top and Sellers Creek from Pasa La Coma to the top.**

**Section 2: Notice**

For further information and map locations, contact Bingham County Road and Bridge between the hours of 8 a.m. and 5 p.m., Monday through Thursday, 208-782-3173.


DATED: April 22, 2025




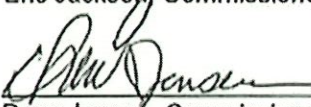
ATTEST:

  
Pamela W. Eckhardt  
Bingham County Clerk

BINGHAM COUNTY COMMISSION

  
Whitney Manwaring, Chairman

  
Eric Jackson, Commissioner

  
Drew Jensen, Commissioner



#### PRIOR APPROVAL FOR MAJOR PURCHASE- BUILDING MAINTENANCE

Present: Jason Marlow- Building Maintenance  
Troy Lenhart- Road & Bridge Supervisor  
Dusty Whited- Public Works Director

The Board met to hold discussion regarding the submitted Prior Approval for Major Purchase of fence line to be replaced with the old fencing from the jail addition. Mr. Marlow explained that the fence is currently lining the fairgrounds and the county impound lot area. This fence is run down and has no slats. Replacing it with old fence from the jail addition will add privacy from the food trailers and fairgrounds area. It will also add security during the fair and lastly this will improve the aesthetics of the area greatly.

Said purchase is in the approximate amount of \$4,810.50 and is proposed to be paid from Fund: 01-10-494-00 (Building and Grounds).

**Decision: Commissioner Jackson moved to approve and sign the Prior Approval for Major Purchase to place old fence from jail addition but place new posts, have gravel brought in to level out the parking area in the old compound area. Said purchase is in the amount of \$4,810.50 and is to be paid from Fund: 01-10-494-00 (Building and Grounds). Commissioner Jensen seconded. All voted in favor. The motion carried.**

#### REQUEST TO UTILIZE THE COUNTY OWNED VACANT HOME LOCATED AT 48 AIRPORT ROAD FOR SCENARIO BASED HOME TRAINING FOR THE PROBATION DEPARTMENT- REQUESTED BY SHAWN HILL

Present: Shawn Hill- Probation Department

The Board met to discuss the request submitted to utilize the county owned vacant home located at 48 Airport Road for scenario-based home training for the Probation Department.

Mr. Hill stated that he would like to request to use the vacant county rental home located at 48 Airport Road for scenario-based home training for the Probation Department. Said training is proposed to be held. The Board was in favor of allowing use of the rental property until it is demolished.

**Decision: Commissioner Jensen moved to approve and allow probation to use the vacant county owned home located at 48 Airport, for training until the home is demolished. Commissioner Jackson seconded. All voted in favor. The motion carried.**

#### PRIOR APPROVAL FOR MAJOR PURCHASE- IT DEPARTMENT

Present: Matt Galloway- IT Department

The Board met to discuss the submitted prior approval for major purchase of a file audit software.

Mr. Galloway explained that the proposed software is used to track all access and changes made on file servers and is essential in tracking documents.

Said purchase is in the amount of \$2,700.00 and is proposed to be paid from Fund: 01-14-524-01 (IT Department- Software Renewals).

**Decision: Commissioner Jensen moved to approve the prior approval for major purchase of a file audit software. Said purchase is in the amount of 2,700.00 and is to be paid from Fund: 01-14-524-01 (IT Department-Software Renewals). Commissioner Jackson seconded. All voted in favor. The motion carried.**

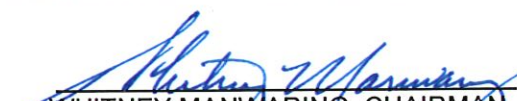
Discussion was held in regards to the proposed Prior Approval for Major Purchase to change service from Lumen to First Digital Service. Said purchase is in the amount of \$39,911.40 and is to be paid from Fund: 01-14-680-0002.

**Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase to change service from Lumen to First Digital Service. Said purchase is in the amount of \$39,911.40 and is to be paid from Fund: 01-14-680-0002. Commissioner Jensen seconded. All voted in favor. The motion carried.**

THE MOTION PASSED TO DISMISS UNTIL FRIDAY APRIL 25, 2025



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO            )  
                                      : ss.               Friday, April 25, 2025  
County of Bingham        )

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

PRESENT:               Chairman Manwaring  
                             Commissioner Jackson  
                             Commissioner Jensen  
                             Lindsey Dalley- Commission Clerk

#### CLAIMS

Claims were approved in the amount of \$137,795.27.

#### PERSONNEL ACTION FORMS

The Board met to approve Personnel Action Forms, which were as follows:

New Employee Status Sheet:	Park Manager
Salary Increase Form:	Building Maintenance Specialist
	Patrol Deputy

**Decision: Commissioner Jensen moved to approve Cash Warrants, Claims, Administrative Documents and Personnel Action Forms. Commissioner Jackson 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 Jensen seconded. Both in favor. The Board moved into Executive Session at 8:23 a.m. Commissioner Jackson moved to go out of Executive Session. Commissioner Jensen seconded. The Board moved out of Executive Session at 8:51 a.m.

**Decision: Commissioner Jensen moved to allow the individual discussed within Executive Session to move from Grader Operator at N16, Step 9 to Truck Driver at N15, Step 8, which will be in effect next week. Commissioner Jackson seconded. All voted in favor. The motion carried.**



MEETING IN REGARDS TO THE MOTION FOR RECONSIDERATION FILED BY THE NED & BARBARA GNEITING LIVING TRUST IN REGARDS TO APPROVAL OF BISHOP ESTATES SUBDIVISION, WITH CONDITIONS

Present: Tiffany Olsen- Planning & Development Director  
Paul Rogers- County Legal Counsel  
Addie Jo Jackman- Planning & Development Assistant Director  
Tanner Stenquist- Applicant's Representative  
Kris Callister- Citizen  
Pam Watson- Citizen  
Randy Gneiting- Applicant

The Board met to hold a meeting in regards to the Motion for Reconsideration filed by the Ned & Barbara Gneiting Living Trust in regards to approval of Bishop Estates Subdivision, with conditions.

At onset of the meeting, Commissioner Jensen stated in conjunction with the Public Hearing held on February 12, 2025, wherein Commissioner Manwaring recused himself pursuant to Idaho Code 74-403 and 74-404 due to a conflict. Therefore, Commissioner Manwaring would again be recused from the reconsideration of the subject Application and Commissioner Jensen would continue as acting Chairman.

With Commissioner Jensen, as Acting Chairman, and Commissioner Jackson present, the Board held the hearing for the reconsideration request on the record in an open meeting, and determined if The Ned & Barbara Gneiting Living Trust identified errors or specific deficiencies in the Decision for which the reconsideration was sought.

Legal Counsel stated that today's meeting is listed as a reconsideration, which is set out in Bingham County Code 10-10-3, which was reviewed for the record as follows:

10-10-3 (B): The Reconsideration hearing shall not be a public hearing but shall be a meeting open to the public. The hearing shall be an "on the record review." The Board shall only consider the underlying record, the written request for reconsideration, and the written specific deficiencies in the decision submitted by affected persons if any. The hearing shall be limited to consideration of the issue(s) included in the request for reconsideration. No oral testimony will be allowed from the audience or by the appellant. The Board may request legal advice from county legal counsel.

10-10-3(C): The Board may affirm, reverse, or modify the underlying decision. The Board may reverse or modify the underlying decision only if: (1) the Board finds that the substantial rights of the appellant or affected party has/have been prejudiced; and (2) the underlying decision is in violation or excess of constitutional or statutory authority; made upon unlawful procedure; not supported by substantial evidence; or arbitrary, capricious, or an abuse of discretion. The Board shall not have the authority to waive any requirements of this title or to take any action that is contrary to the specific provisions of this title.

### REASON

Per Bingham County Code 10-10-3(C)(1), Commissioner Jensen asked Commissioner Jackson if he felt that the substantial rights of the appellant or affected party have been prejudiced in anyway. Commissioner Jackson stated that he does not feel as though the rights of the appellant or affected party have been prejudiced. Commissioner Jensen concurred and stated that he also does not feel that the rights of the appellant or affected party have been prejudiced.

Per Bingham County Code 10-10-3(C)(2), Commissioner Jensen stated within the Request for Reconsideration, it stated in Idaho Code Section 637-6535(2)(b), this request for reconsideration is based upon the limited fact that, according to the Board's written decision, it appears to have misunderstood the scope of the question it was asked to consider an appeal from the Commission as well as the facts before it regarding the comparative cost to connect to Groveland Water Sewer District versus drilling a well and requiring that each owner have an individual septic.



Paul Rogers stated that Tiffany Olsen, Planning & Development Director, would like to clarify one item as there were details misrepresented by county staff in regards to the cost to connect to Groveland Water Sewer District and it is important to bring to the Boards attention that there was good justification in clarifying connection fees.

Ms. Olsen stated when she presented the Application to the Board, Commissioner Jensen asked Ms. Olsen how much it was to connect to the water system versus how much it was to install a well. Ms. Olsen stated at that time she represented to the Board that it was just over \$14,000 for the connection and \$15,000 for installation of a well and that they were similar in cost. Ms. Olsen stated she was inaccurate in that statement and within the reconsideration filed by the Applicant and the Developer, they brought to the Boards attention that the table provided may have been confusing to interpret but there is a sentence prior to the table that states that the table is a comparison of the cost to the end user to have a functioning water system and utilizes the models created and shown in the exhibits but the water connection to Groveland Water Sewer District will cost the end user \$14,657.11 more when installing wells. Ms. Olsen stated that she apologizes for the misrepresentation and clarified that amount is above and beyond that cost. Mr. Rogers stated that this was clarified within the Request for Reconsideration.

Commissioner Jackson stated within the reconsideration it states that collectively these additional costs increase the cost per lot by \$48,000, wherein Mr. Rogers clarified that is combined with the water and sewer.

Commissioner Jackson stated the Board should also consider the feasibility and how close it is to connect to Groveland Water Sewer District. Paul Rogers confirmed that during the previous hearing, it was stated that water connection was approximately 2,900 feet away.

Commissioner Jensen asked Commissioner Jackson if the Board violated any constitutional rights or statutory authority by placing the condition to connect to Groveland Water Sewer District and if he feels that there has been any information that would change his mind in regards to the previous decision made. Commissioner Jackson stated that he does not believe that the Board prejudiced the applicant or violated their statutory authority. Commissioner Jensen concurred and stated that he also does not believe that the Board prejudiced the Applicant or violated statutory authority.

#### DECISION


**Commissioner Jackson moved that the Board does not find that the substantial rights of the appellant or affected party have been prejudiced. Commissioner Jensen seconded. Both voted in favor. The motion carried.**

**Commissioner Jensen moved to affirm the decision made by the Planning and Zoning Commission on February 12, 2025, with the conditions placed previously. Commissioner Jensen seconded. Both voted in favor. The motion carried.**

A written decision shall be provided to the Applicant and/or affected person within sixty (60) days of receipt of the Request for Reconsideration or the Request is deemed denied. A decision shall not be deemed final for purposes of Judicial Review unless the process required Idaho Code Section 67-6535(2)(b) has been followed. The twenty-eight (28) day time-frame for seeking Judicial Review is tolled until the date of the written decision regarding reconsideration, or the expiration of the sixty (60) day reconsideration period, whichever occurs first.

Nothing Further.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY APRIL 30, 2025

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

  
WHITNEY MANWARING, CHAIRMAN



STATE OF IDAHO       )  
                              : ss.       Wednesday, April 30, 2025  
County of Bingham    )

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

PRESENT:               Chairman Manwaring  
                              Commissioner Jackson  
                              Commissioner Jensen  
                              Lindsey Dalley- Commission Clerk

#### CASH WARRANTS

Cash Warrants were approve in the amount of \$200.00.

#### PAYROLL

Payroll Claims were approved in the amount of \$812,904.02.

#### 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: Ethan M. Clegg.

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

#### RESOLUTION 2025-17

The Board met to approve and sign Bingham County Resolution 2025-17, a formal resolution declaring certain Bingham County property not necessary for use in Bingham County, specifically for the IT Department.

**Decision: Commissioner Jackson moved to approve Bingham County Resolution 2025- 17, a formal resolution declaring certain Bingham County property not necessary for use in Bingham County, specifically for the IT Department. Commissioner Jensen seconded. All voted in favor. The motion carried and said resolution was approved as follows:**

**BINGHAM COUNTY  
RESOLUTION NO. 2025-17**

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:

**IT Department**

Quantity	Type	Description	Asset ID#
28 Desktop	Dell Optiplex	Maintenance Replacment	
3 Monitors	Dell	Varlous non-functional	
6 Laptops	Dell Latitude	Varous models - maintenance replacement	
3 Desktop	Dell Precision	Maintenance Replacment	
1 Scanners	Canon Scanner	Damaged and/or Non-Repairable	
1 Printers	HP 4200	Damaged and/or Non-Repairable	
1 Printers	Canon MF6160DW	Damaged and/or Non-Repairable	

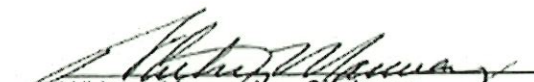
DATED this 30<sup>th</sup> day of April, 2025.

BINGHAM COUNTY COMMISSION

ATTEST:



  
Pamela W. Eckhardt  
Bingham County Clerk

  
Whitney Manwaring, Chairman

  
Eric Jackson, Commissioner

  
Drew Jensen, Commissioner



#### RESOLUTION 2025-18

The Board met to approve and sign Bingham County Resolution 2025-18, a resolution regarding the destruction of records, specifically for the Election Office.

**Decision:** Commissioner Jensen moved to approve Bingham County Resolution 2025-18, a resolution regarding the destruction of records, specifically for the Election Office. Commissioner Jackson seconded. All voted in favor. The motion carried and said resolution was approved as follows:

BINGHAM COUNTY RESOLUTION 2025-18

RESOLUTION REGARDING THE DESTRUCTION OF PETITIONS

WHEREAS the Bingham County Clerk has requested permission to destroy certain election records; and,

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

WHEREAS Idaho Code §34-217 specifically addresses election records; and

WHEREAS the Bingham County Clerk has represented that the records for which destruction is sought pertain to matters which have been concluded for the designated period of time allowed in the above-referenced sections of the Idaho Code; and

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

THEREFORE, it is hereby resolved:

That the following records may be disposed of pursuant to Idaho Code §34-217(1) (a-g) as being at least five years, from the date the records were created:

**Declaration of Candidacy and Petition of Candidacy forms filed with the County Clerk:**

2019 – Todd Lowder – Aberdeen School District Zone 2  
2019 – Elaine Blik – Aberdeen School District Zone 3  
2019 – Carlos Mercado – Blackfoot School District Zone 2  
2019 – Karen Driscoll – Blackfoot School District Zone 2  
2019 – Bonnie Hepworth – Blackfoot School District Zone 3  
2019 – Gregory C. Calder – Bonneville Jt. School District 93 Zone 1  
2019 – Brian Esplin – Firth School District Zone 2  
2019 – Robyn Mitchell – Firth School District Zone 2  
2019 – Karisa Hillman – Firth School District Zone 3  
2019 – Kara Higham – Shelley School District Zone 1  
2019 – Scott Fredrickson – Shelley School District Zone 2  
2019 – Cole Clinger – Shelley School District Zone 3  
2019 – Carol Hepworth – Snake River School District Zone 2  
2018 – Scott Hansen – Magistrate Judge

That the following records may be disposed of pursuant to direction of the Secretary of State's office as being at least four years, from the date the records were created:

**Campaign Finance Reports:**

Assessor – Ron Simmons 2010-2018  
Clerk – Pamela Eckhardt 2014-2018  
County Commissioner District 1 – Mark Bair 2012-2018  
County Commissioner District 1 – Jeff Kelley 2018  
County Commissioner District 2 – Whitney Manwaring 2013-2018



County Commissioner District 3 – Jessica Lewis 2018  
 County Commissioner District 3 – A. Ladd Carter 2010-2018  
 County Commissioner District 3 – Richard Stokes 2017-2018  
 County Commissioner District 3 – Glenn Andersen 2018  
 Coroner – Mike Gardner 2010-2018  
 Bingham County Republican Central Committee 2017  
 Save the Blackfoot Pool Committee PAC 2019  
 Treasurer – Tanna Beall 2015-2018  
 Aberdeen School District Zone 1 – David Wahlen 2018-2019  
 Aberdeen School District Zone 2 – Todd Lowder 2017-2019  
 Aberdeen School District Zone 3 – Elaine Blik 2017-2019  
 Aberdeen School District Zone 4 – Mike Shackleford 2017-2019  
 Aberdeen School District Zone 5 – Sherrie Mauroner 2017-2019  
 Blackfoot School District Zone 1 – Dewane Wren 2017-2019  
 Blackfoot School District Zone 2 – Karen Driscoll 2019  
 Blackfoot School District Zone 2 – Carlos Mercado 2017-2019  
 Blackfoot School District Zone 3 – Bonnie Hepworth 2017-2019  
 Blackfoot School District Zone 4 – Sonya Harris 2017-2019  
 Blackfoot School District Zone 5 – Mary Jo Marlow 2017-2019  
 Bonneville Jt. School District #93 Zone 1 – Gregory C. Calder 2017-2019  
 Firth School District Zone 1 – Casey Park 2017-2019  
 Firth School District Zone 2 – Brian Esplin 2017-2019  
 Firth School District Zone 2 – Robyn Mitchell 2019  
 Firth School District Zone 3 – Karisa Hillman 2019  
 Firth School District Zone 3 – Wade Christensen 2017-2019  
 Firth School District Zone 4 – Katie Jo Taylor 2017-2019  
 Firth School District Zone 5 – Emily Freeman 2017-2019  
 Shelley School District Zone 1 – Kara Higham 2019  
 Shelley School District Zone 1 – Richard Brown 2017-2019  
 Shelley School District Zone 2 – Scott Fredrickson 2017-2019  
 Shelley School District Zone 3 – Cole Clinger 2017-2019  
 Shelley School District Zone 4 – Brian Osterman 2017-2019  
 Shelley School District Zone 5 – Lisa Marlow 2017-2019  
 Snake River School District Zone 1 – Lon Harrington 2017-2019  
 Snake River School District Zone 2 – Carol Hepworth 2017-2019  
 Snake River School District Zone 3 – William Lane Martin 2017-2019  
 Snake River School District Zone 4 – Kent Miller 2017-2019  
 Snake River School District Zone 5 – Marci VanOrden 2017-2019  
 Magistrate Judge – Scott Hansen 2014-2018

Furthermore, such records may be destroyed after April 30, 2025.

Signed and dated this 30 day of April, 2025.

BINGHAM COUNTY COMMISSIONERS

ATTEST:



Pamela W. Eckhardt  
Pamela W. Eckhardt, Clerk

Whitney Manwaring  
WHITNEY MANWARING, Chairman

Eric Jackson  
ERIC JACKSON, Commissioner

Drew Jensen  
DREW JENSEN, Commissioner

RESOLUTION 2025-15

The Board met to approve and sign Bingham County Resolution 2025-15, a resolution repealing a portion of the Bingham County Road Standards and Amending the Bingham County Road Standards Manual for use by the Bingham County Public Works Department.

**Decision:** Commissioner Jackson moved to approve Bingham County Resolution 2025-15, a resolution repealing a portion of the Bingham County Road Standards and Amending the Bingham County Road Standards Manual for use by the Bingham County Public Works Department. Commissioner Jensen seconded. All voted in favor. The motion carried and said resolution was approved as follows:



**BINGHAM COUNTY  
RESOLUTION 2025-15**

**A RESOLUTION AMENDING THE BINGHAM COUNTY ROAD STANDARDS  
MANUAL FOR USE BY THE BINGHAM COUNTY PUBLIC WORKS DEPARTMENT**

Be it ordained by the Board of County Commissioners of Bingham County, Idaho:

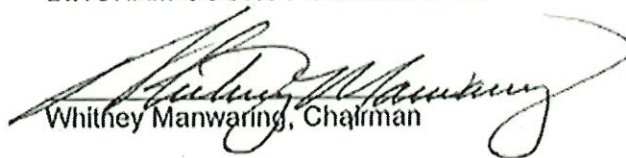
1. The current Road Standards Manual being used by the Bingham County Public Works Department provided by Bingham County, will have amendments to the following Figures;
  - a. Section III Design Criteria, H- Approaches and Intersections, subsection 1- to remove reference to the Bingham County Approach Spacing Standards.
  - b. Section III Design Criteria, O- Right of Ways, all Subdivisions, design and maintenance- to remove reference to the Bingham County Approach Spacing Standards.
2. Said Amendments can be viewed at the Bingham County Public Works Department or on the Bingham County Website.

Pursuant to discussions held on December 4, 2024 and per Bingham County Ordinance 2025-02, adopted on February 12, 2025, the above changes will be in effect as of February 12, 2025.

Dated this 7<sup>th</sup> day of April, 2025

BINGHAM COUNTY COMMISSION



  
Whitney Manwaring, Chairman

\_\_\_\_\_  
Eric Jackson, Commissioner

  
Pamela W. Eckhardt,  
Bingham County Clerk

  
Drew Jensen, Commissioner

## EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(d), to consider records that are exempt from public disclosure. Commissioner Jensen moved to go into Executive Session pursuant to Idaho Code §74-206(1)(d), to consider records that are exempt from public disclosure. Commissioner Jackson seconded. Both in favor. The Board moved into Executive Session at 8:36 a.m. Commissioner Jackson moved to go out of Executive Session. Commissioner Jensen seconded. The Board moved out of Executive Session at 8:43 a.m.

**Decision: Commissioner Jensen moved to approve Indigent Cremation Case Number 2025-5, per the recommendation of Susan Denney, Indigent Services. Commissioner Jackson seconded. All voted in favor. The motion carried.**

## SHERIFFS OFFICE

Present: Jeff Gardner- Sheriff  
Jordyn Nebeker- Chief Deputy Sheriff  
Scott Reese- Parks & Recreation

The Board met with Sheriff Gardner to discuss updates within the Sheriffs Office.

## RECOGNITION OF BILL SAILER FOR YEARS OF SERVICE AND ROADSIDE CLEANUP OF THE WOLVERINE AREA

The Board met to recognize Bill Sailer for years of service and roadside cleanup of the Wolverine Area.

The county had two signs made that will be placed in the Wolverine area for his recognition.

## PUBLIC WORKS

Present: Dusty Whited- Public Works Director  
Jeff Gardner- Sheriff  
Jordyn Nebeker- Chief Deputy Sheriff

The Board met with Dusty Whited to discuss updates within Public Works.

Discussion was held in regards to proposed verbiage for an ordinance pertaining to camping at McTucker Ponds and other county recreational areas.

## MEETING WITH PRO REGIONAL ADMINISTRATOR AND AIR QUALITY MANAGER FOR ANNUAL UPDATE FROM IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY

Present: Tiffany Olsen- Planning & Development Director  
Paul Rogers- County Legal Counsel

The Board held a meeting to receive an annual update from the Idaho Department of Environmental Quality.

## HUMAN RESOURCES

Present: Laraine Pope- Human Resources

The Board met with Laraine Pope to discuss updates within the Human Resources Department.



#### APPROVAL OF REASON & DECISION FOR SLT PROPERTIES LLC- DENIAL OF ZONING AMENDMENT APPLICATION

The Board met to approve and sign the Reason & Decision for SLT Properties LLC- denial of Zoning Amendment Application.

**Decision: Commissioner Jensen moved to approve and sign the Reason & Decision for SLT Properties LLC- denial of Zoning Amendment Application. Commissioner Jackson seconded. All Voted in favor. The motion carried.**

#### APPROVAL TO CONTINUE CONTRACT WITH RAPID LAWN CARE

Present: Jason Marlow- Building Maintenance

The Board met to approve continuing the contract with Rapid Lawn Care for landscaping. Said contract is for \$250, for 6 lawns.

The Board was in favor of renewing said contract with Rapid Lawn Care. Mr. Marlow stated that Rapid Lawn Care does a great job and there have been no issues.

**Decision: Commissioner Jackson moved to approve renewal of contract with Rapid Lawn Care, at \$250, for 6 lawns. Commissioner Jensen seconded. All voted in favor. The motion carried.**

#### PRIOR APPROVAL FOR MAJOR PURCHASE- BUILDING MAINTENANCE

Present: Jason Marlow- Building Maintenance

The Board met to discuss the submitted Prior Approval for Major Purchase for a recirculation pump for one of the large boilers. Mr. Marlow explained that on one of the circulation pumps started leaking badly and needs to be rebuilt or replaced. Rebuild price is \$5,042.00 or a new one is \$5,550.00 total with installation.

Said purchase is in the amount of \$5,550.00 and is proposed to be paid from Fund: 01-10-494-00 (Building Grounds).

**Decision: Commissioner Jensen moved to approve the Prior Approval for Major Purchase of for a recirculation pump for one of the large boilers. Said purchase is in the amount of \$5,550.00 and is proposed to be paid from Fund: 01-10-494-00 (Building Grounds). Commissioner Jackson seconded. All voted in favor. The motion carried.**

#### UPDATE MEETING WITH PAUL ROGERS- COUNTY LEGAL COUNSEL

Present: Paul Rogers- County Legal Counsel

The Board met with Paul Rogers to discuss updates on any pending county civil matters.

#### PLANNING & DEVELOPMENT

Present: Tiffany Olsen- Planning & Development Director

The Board met with Tiffany Olsen to discuss updates within the Planning & Development division.

CLAIMS FOR THE PREVIOUS MONTH WERE APPROVED AS FOLLOWS:

Current Expenses .....	\$390,159.96	Veterans Memorial.....	\$421.35
Road & Bridge .....	\$227,471.37	Weeds .....	\$6,123.35
Airport.....	\$55.80	Emergency Communication.....	\$9,245.33
Justice Fund .....	\$531,125.59	Road & Bridge Special Proj.....	\$8,577.22
District Court.....	\$79,786.93	Opioid Abatement.....	\$6,468.63
Preventative Health.....	\$30,000.00	PILT.....	\$179,805.64
Parks & Recreation .....	\$30,315.45	Treatment Court Fund.....	\$4,074.64
Revaluation.....	\$27,871.80	Consolidated Elections.....	\$3,865.90
Solid Waste .....	\$248,628.29		
Tort.....	\$256,479.50		

THE MOTION PASSED TO DISMISS UNTIL FRIDAY, MAY 2, 2025



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



WHITNEY MANWARING, CHAIRMAN