

STATE OF IDAHO)
 : ss. Wednesday, July 1, 2026
County of Bingham)

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

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

APPROVAL OF COMMISSION NOTICE & AGENDA

The Board met to approve the Commission Notice and Agenda.

Decision: Commissioner Jackson moved to approve the Commission Notice and Agenda for July 1, 2026, as posted. Commissioner Jensen seconded. All voted in favor. The motion carried.

APPROVAL OF REASON & DECISION FOR CEDAR ARCH DAIRIES REMAND MEETING HELD ON JUNE 11, 2026

The Board met to approve and sign the Reason & Decision for Cedar Arch Dairies Remand Meeting held on June 11, 2026. Chairman Manwaring confirmed that Commissioner Jackson and Commissioner Jensen had reviewed the proposed document and that there were no changes to be made.

Decision: Commissioner Jackson moved to approve and sign the Reason & Decision for Cedar Arch Dairies Remand Meeting held on June 11, 2026. Commissioner Jensen seconded. All voted in favor. The motion carried.

SHERIFFS OFFICE

Present: Sheriff Jeff Gardner
 Chief Deputy Sheriff Jordyn Nebeker

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

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
 Troy Lenhart- Road & Bridge Supervisor
 Paul Rogers- County Legal Counsel
 Pamela Eckhardt- County Clerk
 Laura Lora- Chief Deputy Clerk

The Board met with Dusty Whited to receive updates from within the Public Works Department, review the proposed fiscal year 2027 budget and several other items.

Discussion was held in regard to the Agreement for Professional Services, specifically for the Ferry Butte Bridge project. Mr. Whited explained that bid has been awarded for the project and the proposed agreement is for construction inspection and engineering. The Board had no concerns.

Decision: Commissioner Jensen moved to approve and sign the Agreement for Professional Services, specifically for the Ferry Butte Bridge project. Commissioner Jackson seconded. All voted in favor. The motion carried.

Discussion was held in regard to the traffic impact study for the Burns Quarry Mine project and the option of hiring an outside consultant to review the study. Mr. Whited stated that he would propose hiring an outside consultant, the document is 746 pages and if there is anything missing, it could affect Bingham County for the next 100 years. Mr. Whited stated that he has talked to Keller Associates, who stated that they would estimate the review to cost \$3,000.00, for consulting.

Mr. Whited and Mr. Whited both stated in brief review of the document, there are a few items that need to be addressed.

Commissioner Jackson stated that he would be in favor of hiring a consultant to be certain there are no major issues.

Chairman Manwaring asked Mr. Whited why the concerns that they have could not be sent back right now without hiring a consultant. Mr. Whited stated that standard practice is to review the entire traffic impact study and document concerns that need to be addressed. Mr. Whited stated that the consultant may find concerns that he and his staff would not have, which is the point in having an outside consultant review the document.

Decision: Commissioner Jackson moved to approve that Road & Bridge hire an outside consultant to review the traffic impact study for the Burns Quarry Mine Project. Commissioner Jensen seconded. All voted in favor. The motion carried.

The Board reviewed the Fiscal Year 2027 proposed budget for the Road and Bridge Department.

REVIEW OF THE MAGISTRATE/DISTRICT COURT BUDGET FOR FY 2027

Present: Sheri Landon- Court Supervisor
Brandee Cammack- District Court Clerk
Laura Lora- Chief Deputy Clerk
Paul Rogers- County Legal Counsel

The Board met to review the Magistrate/District Court budget for fiscal year 2027.

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Jensen moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Jackson seconded. Both voted in favor. The Board moved into Executive Session at 11:07 a.m. Commissioner Jensen moved to go out of Executive Session. Commissioner Jackson seconded. The Board moved out of Executive Session at 11:17 a.m.

Decision: No decision was made at this time.

REVIEW OF SOLID WASTE DEPARTMENT BUDGET FOR FY 2027

Present: Derrick Going- Solid Waste Director
Laura Lora- Chief Deputy Clerk

The Board met to review the Solid Waste Department budget for fiscal year 2027.

REVIEW OF EXTENSION OFFICE BUDGET FOR FY 2027

Present: Carmen Willmore- Extension Office
Laura Lora- Chief Deputy Clerk

The Board met to review the Extension Office budget for fiscal year 2027.

REVIEW OF PLANNING & DEVELOPMENT BUDGET FOR FY 2027

Present: Tiffany Olsen- Planning & Development Director
Laura Lora- Chief Deputy Clerk
Pamela Eckhardt- County Clerk

The Board met to review the Planning & Development budget for fiscal year 2027.

MEETING PERTAINING TO THE SUBMITTED REQUEST FOR RECONSIDERATION OF THE BOARD'S MAY 20, 2026, REASON & DECISION MODIFYING CONDITIONS APPLICABLE TO THE CONDITIONAL USE PERMIT FOR A PRIVATE FIREARMS TRAINING RANGE FOR JEFF & JULIE KRUEGER

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

The Board held a meeting pertaining to the submitted Request for Reconsideration of the Board's May 20, 2026, Reason & Decision modifying conditions applicable to the Conditional Use Permit for a private firearms training range for Jeff & Julie Krueger. Chairman Manwaring welcomed all to the meeting and introductions were held for county staff.

Prior to the meeting, the Board of County Commissioners reviewed the Motion for Reconsideration and materials submitted by Matthew C. Parks, Legal Counsel for Jeff & Julie Krueger.

Paul Rogers, County Legal Counsel, explained the procedural history, which was as follows:

1. On November 13, 2025, the Board heard an appeal filed by Jeff & Julie Krueger in regard to the Planning & Zoning Commission's denial of a Conditional Use Permit for a private firearm training range, wherein they approved the Conditional Use Permit with eight (8) conditions. Mr. Rogers confirmed that those eight (8) conditions are still in effect.
2. Affected parties or Applicant, were granted the time to file for Judicial Review.
3. Before the time expired, Jeff & Julie Krueger, by and through counsel, requested mediation under applicable code. The County agreed and paused the Judicial Review timeline. Therefore, the Judicial Review time has not expired.
4. Mediation was held and resulted in twelve (12) proposed conditions.
5. Under Idaho Code, a public hearing was held on May 6, 2026, wherein the Board did not adopt the mediated terms but modified and issued a decision with fourteen (14) conditions.
6. Jeff & Julie Krueger, through Legal Counsel, filed a Motion for Reconsideration alleging that:
 - a. Certain conditions, specifically Condition 13, effectively restricted previously approved use of the property.
 - b. Some testimony presented during the May 6, 2026, hearing addressed issues outside the mediation.
 - c. The Applicants' substantial rights have been directly and materially prejudiced within the meaning of Bingham County Code Section 10-10-3(c).

The Motion for Reconsideration focuses on Conditions 5, 10, and 13 from decision made on May 6, 2026. Mr. Rogers stated that the proposed conditions provided by Applicants Legal Counsel are not very different but more so provide clarification. Mr. Rogers explained if an agreement can be made, it would be beneficial for the parties not to go through the litigation process. Mr. Rogers stated the other option is that if the Applicants decide to not proceed to Judicial Review, they currently have granted use already under the

eight (8) original conditions. Mr. Rogers stated the last option is to deny the Motion for Reconsideration and uphold the previous decision made on May 6, 2026, but there is a potential for litigation if that occurs.

Commissioner Jensen asked Mr. Rogers for clarification and that the Applicants do not necessarily have an issue with Conditions 5, 10 and 13 but reworded for further clarification. Mr. Rogers confirmed that to be correct.

Discussion was held in regard to the proposed conditions submitted by Legal Counsel for the Applicant's, wherein Mr. Rogers reviewed the following:

- 1) **May 6, 2026 Condition 5:** The furthest berm from the shooting area shall be 20-feet high, 80 feet wide and 12 feet deep and clear of rock, shall be compacted and the rock in front of the targets should be removed to prevent ricocheting.

Proposed Condition 5- Berm Requirements: The furthest berm from the shooting area shall be 15 feet high, 80 feet wide, and 12 feet deep. The projectile impact surfaces of the berms shall be constructed and maintained as earthen backstops designated to absorb and contain projectiles consistent with generally accepted NRA range safety practices. The exposed impact surfaces shall be periodically inspected and maintained free of visible large rocks, concrete, metal, or other hard surface materials that could increase ricochet potential. Berms shall be maintained to approved dimensions and stabilized as reasonably necessary for erosion control and structural integrity, but nothing herein shall require compaction or stabilization measures inconsistent with the intended projectile-absorption and projectile-capture function of the berm impact surfaces.

Mr. Rogers stated that the Applicants are asking to add more restriction to the condition but are proposing that the berm be 5-foot shorter. Commissioner Jackson asked how the Board should know if these items are standard or the best procedure, as this is new information and asked what studies have been done to confirm these proposals? Mr. Rogers stated within the Motion for Reconsideration the Applicants reviewed how they determined the proposed changes. Commissioner Jackson stated there was no testimony verifying the standards as official. Ms. Olsen stated the subject information was contained within the record and that during the Planning & Zoning Commission public hearing, Stan Pate, who is a designer of these types of ranges and a safety expert. Mr. Olsen stated that Mr. Pate also wrote a letter which is attached to the Motion for Reconsideration reiterating that he has the qualifications for these specific designs and that 15 foot high is acceptable in his expert opinion. Commissioner Jackson stated that testimony was also provided that the individuals in opposition went off of standard ranges as well, which was 20-foot high and compacted. Ms. Olsen stated the point within the Motion for Reconsideration, to address that, is that the material, although it was part of the public's testimony, was not provided to you to be verified or documented that those were state standards.

Ms. Olsen referred to page four (4) of the Motion for Reconsideration, is the specific section in regard to Condition 5 for berm requirements, which will provide the justification of the reconsideration.

Commissioner Jensen referred to the portion in regard to compaction and stated that he had not thought about this issue until this spring when he and his grandsons went to the mountains and were shooting ground squirrels. While doing so, it was on hard compacted ground, and the ricochet could be heard. Therefore, he understands that a softer backdrop would be safer than a compacted backdrop.

Chairman Manwaring stated some of the conversation that led to this issue with compaction was the deterioration with mother nature and the shooting, but it makes sense and he would agree that a softer surface will absorb but that softer surface should be maintained and remain that that particular height.

- 2) **May 6, 2026 Condition 10:** The Applicant shall install a 20-foot wide gravel road from the entrance to the subject property to the shooting stations and extension 50 feet back toward the targets.

Proposed Condition 10-Roadway and Turnaround Requirements: The Applicant shall install and maintain a minimum of twenty (20) foot wide all weather gravel access road extending from the property entrance to the shooting stations, together with a turnaround approved by the Bingham County Fire Marshall for emergency vehicle access and maneuverability.

The Board was in favor of the proposed condition as long as approval was given by the Fire Marshall.

- 3) **May 6, 2026 Condition 13:** The neighboring property owners will be in contact with the Krueger's, in the event of calves being born surrounding the property and there will not be any shooting allowed from March through June or until the cattle go to the summer pasture. The dates may change year to year, depending on mother nature.

Proposed Condition 13- Livestock Restrictions: The Applicants shall reasonably coordinate organized long-range rifle training activities with affected agricultural operators during periods of active calving operations occurring on affected agricultural property. Because calving activities are seasonal and may vary year to year based on weather, herd management practices, and agricultural conditions, this condition shall apply during periods when active calving operations are actually occurring and shall not operate as a fixed annual prohibition of range activities.

For purpose of this condition:

"affected agricultural property" means agricultural property located within 300 feet of the boundary of the range property on which active livestock calving operations are occurring.

"active calving operations" means periods of time during which cattle are actively engaged in birthing and immediate post-birth care activities and does not include the mere seasonal presence of cattle, calves, breeding stock, or livestock grazing following completion of active calving activities.

Reasonable coordination shall be required only after the affected agricultural operator has provided notice to the Applicants that active calving operations are occurring on the affected agricultural property.

Chairman Manwaring stated originally there were specific months listed but the timing would be dependent on the neighbors and being a good neighbor in checking when calving will occur. Chairman Manwaring stated every situation could be different from year to year, due to weather. Mr. Rogers referred to the proposed condition and stated that the definitions included are important in understanding the intention.

Mr. Rogers stated within the May 6, 2026, condition it stated there was to be no shooting allowed from March through June or until the cattle go to the summer pasture but within the proposed condition, the Applicants are to coordinate organized long-range rifle training activities with the affected agricultural operators during periods of active calving operations occurring on affected agricultural property. Mr. Rogers stated this is not in reference to all shooting but to long range rifle shooting specifically, wherein the definition of long range rifle shooting was not provided. Therefore, it is not known what would be considered as long range rifle training activities, but the Board could add the definition if they choose.

Chairman Manwaring reiterated that the Applicants could currently function on the original eight (8) conditions from the November 13, 2025, decision but have made proposed conditions in order to add further clarification.

Chairman Manwaring asked Commissioner Jackson and Commissioner Jensen if they were in favor of Conditions 1-4, as there were no proposed changes provided. Both confirmed.

Chairman Manwaring referred to Condition 5 and reiterated that the only difference within the newly proposed condition is that the furthest berm is to be 15 feet high instead of the previously approved 20 feet high. The Board was in favor of the proposed condition.

Chairman Manwaring further reviewed Conditions 6-9, wherein there were no proposed changes provided by the Applicant.

Chairman Manwaring referred to the proposed Condition 10, wherein verbiage was added that the Applicant shall install and maintain a minimum of twenty (20) foot wide all weather gravel access road extending from the property entrance to the shooting stations, together with a turnaround, which is to be approved by the Bingham County Fire Marshall. The Board was in favor of the proposed condition.

Chairman Manwaring reviewed Conditions 11 and 12, wherein there were no proposed changes provided by the Applicant.

Chairman Manwaring referred to the proposed Condition 13 and stated within the original condition the months of March through June were added but those dates are depending on calving, but the most important part is communication between all parties. Chairman Manwaring referred to the restriction of long range rifle training activities during calving, but he is not sure that he would be in favor of any shooting occurring during calving. Commissioner Jensen stated there has been an application to build a \$14 million dollar feedlot next to the gun range by Cedar Hill Gun Club and being close to a gun range must not have been a concern to them. Chairman Manwaring stated when a cow is calving, they are sensitive to any movement or noise.

Ms. Olsen stated that she does not believe there is information contained within the record or testimony provided by the adjacent parties, how close their calving sheds or areas for calving, are to the subject property but she believes that it is some distance. Commissioner Jackson asked Ms. Olsen how she would know that if the information was not provided, to which Ms. Olsen stated the photographs that have been taken on site do not show calving sheds. Chairman Manwaring stated that he understands but the issue is depending on mother nature and where calving or feeding is occurring, the locations could change.

Commissioner Jensen stated the application was approved with eight (8) conditions allowed operation without a seasonal shutdown. Therefore, he feels that if the Board states the gun activities cannot operate for several months, that will change the original condition and would open the county up to potential litigation. Commissioner Jensen stated that he feels that the Applicants have tried reasonably to be good neighbors and meet expectations put in place and if they wanted to, they could revert back to the original eight (8) conditions and operate accordingly.

Mr. Rogers referred to Bingham County Code 10-10-3(c) and stated if the Board is wanting to modify or reverse decision from May 6, 2026, there are elements to be met in order to do so, which are as follows:

- 1) The Board finds that the substantial rights of the Appellant or affected party have been prejudiced;
- 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 found that those elements had been met and would be in favor of proceeding with modification of the fourteen conditions approved on May 6, 2026.

DECISION

Commissioner Jensen moved to approve that the Motion for Reconsideration in regard to the Boards May 6, 2026, decision, be granted and that all fourteen (14) conditions remain except the following modifications:

- 1) Condition 5 be modified to the following: The furthest berm from the shooting area shall be 15 feet high, 80 feet wide, and 12 feet deep. The projectile impact surfaces of the berms shall be constructed and maintained as earthen backstops designated to absorb and contain projectiles consistent with generally accepted NRA range safety practices. The exposed impact surfaces shall be periodically inspected and maintained free of visible large rocks, concrete, metal, or other hard surface materials that could increase ricochet potential. Berms shall be maintained to approved dimensions and stabilized as reasonably necessary for erosion control and structural integrity, but nothing herein shall require compaction, or stabilization measures inconsistent with the intended projectile-absorption and projectile-capture function of the berm impact surfaces;
- 2) Condition 10 be modified to the following: The Applicant shall install and maintain a minimum of twenty (20) foot wide all weather gravel access road extending from the property entrance to the shooting stations, together with a turnaround approved by the Bingham County Fire Marshall for emergency vehicle access and maneuverability;
- 3) Condition 13 be modified to the following: The Applicants shall reasonably coordinate organized long-range rifle training activities with affected agricultural operators during periods of active calving operations occurring on affected agricultural property. Because calving activities are seasonal and may vary year to year based on weather, herd management practices, and agricultural conditions, this condition shall apply during periods when active calving operations are actually occurring and shall not operate as a fixed annual prohibition of range activities.

For purpose of this condition:

“affected agricultural property” means agricultural property located within 300 feet of the boundary of the range property on which active livestock calving operations are occurring.

“active calving operations” means periods of time during which cattle are actively engaged in birthing and immediate post-birth care activities and does not include the mere seasonal presence of cattle, calves, breeding stock, or livestock grazing following completion of active calving activities.

Reasonable coordination shall be required only after the affected agricultural operator has provided notice to the Applicants that active calving operations are occurring on the affected agricultural property.

Commissioner Jackson seconded. All voted in favor. The motion carried.

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 THURSDAY, JULY 2, 2026


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Thursday, July 2, 2026
County of Bingham)

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

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

APPROVAL OF COMMISSION NOTICE & AGENDA

The Board met to approve the Commission Notice & Agenda for July 2, 2026, as posted.

Decision: Commissioner Jackson moved to approve the Commission Notice & Agenda for July 2, 2026, as posted. Commissioner Jensen seconded. All voted in favor. The motion carried.

CLAIMS

Claims were approved in the amount of \$114,390.49.

Decision: Commissioner Jensen moved to approve Claims in the amount of \$114,390.49. Commissioner Jackson seconded. All voted in favor. The motion carried.

APPROVAL OF BINGHAM COUNTY ORDINANCE 2026-10, ZONING AMENDMENT FROM "A" TO "R/A" FOR SELIA & GILBERT BAUTISTA JR

The Board met to approve Bingham County Ordinance 2026-10, an ordinance amending the General Bingham County Zoning Ordinance 2012-08 and accompanying zoning map by amending the zoning designation of the below-described real property from "A" Agriculture to "R/A" Residential/Agriculture, submitted by Selia & Gilbert Bautista Jr.

Decision: Commissioner Jackson moved to approve Bingham County Ordinance 2026-10, an ordinance amending the General Bingham County Zoning Ordinance 2012-08 and accompanying zoning map by amending the zoning designation of the below-described real property from "A" Agriculture to "R/A" Residential/Agriculture, submitted by Selia & Gilbert Bautista Jr. Commissioner Jensen seconded. All voted in favor. The motion carried and said ordinance was approved and recorded as follows:

Instrument # 781640

BINGHAM COUNTY

7-2-2026 01:12:38 PM No. of Pages: 1

Recorded for: BINGHAM COUNTY COMMISSIONERS

PAMELA W. ECKHARDT

Fee: 0.00

Ex-Officio Recorder Deputy

**BINGHAM COUNTY
ORDINANCE 2026-10**

AN ORDINANCE AMENDING THE GENERAL BINGHAM COUNTY ZONING ORDINANCE 2012-08 AND ACCOMPANYING ZONING MAP BY AMENDING THE ZONING DESIGNATION OF THE BELOW-DESCRIBED REAL PROPERTY FROM "A" AGRICULTURE TO "R/A" RESIDENTIAL/AGRICULTURE, SUBMITTED BY SELIA & GILBERT BAUTISTA JR.

BE IT ORDAINED by the Board of County Commissioners of Bingham County, Idaho, as follows:

Part of the NW 1/4 of the SE 1/4 of Section 17, Township 2 South, Range 36 East, Boise Meridian, Bingham County, Idaho. Described as:

Commencing at the C 1/4 of said Section which bears N 89°49'53" W 2649.23 feet from E 1/4 Corner of said Section; Thence along the Latitudinal Centerline, S 89°49'53" E 466.21 feet to the Northwest Corner of Property described in Deed Inst. No. 303901 and the Point of Beginning; Thence continuing along said Section line, S 89° 49' 53" E 503.81 feet to the Northeast Corner of Deed Inst. No. 303901; Thence along the East line of said Deed, S 00° 06' 54" W 222.00 feet to the Southeast Corner of said Deed; Thence along the South line of said Deed, S 50° 39' 17" W 677.61 feet to the SW Corner of said Deed; Thence along the West line of said Deed, N 01° 48' 42" E 653.41 feet to the Point of Beginning.

Parcel contains 5.11 acres, more or less.

Section 2: This Ordinance shall become effective upon its publication in the manner required by law.

Passed and Approved by the Board of County Commissioners, County of Bingham, State of Idaho, at a Public Hearing held on the 25th day of March, 2026.

Signed this 2nd day of July 2026.

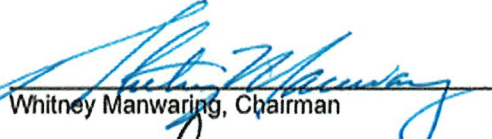
**BOARD OF COUNTY COMMISSIONERS
BINGHAM COUNTY, IDAHO**

ATTEST:



Pamela Eckhardt
Bingham County Clerk




Whitney Manwaring, Chairman


Eric Jackson, Commissioner


Drew Jensen, Commissioner

APPROVAL OF ALASKA ACRES AMENDED DEVELOPMENT AGREEMENT

Present: Tiffany Olsen- Planning & Development Director

The Board met to approve and sign the Amended Development Agreement for Alaska Acres.

Decision: Commissioner Jensen moved to approve and sign the Alaska Acres Amended Development Agreement. Commissioner Jackson seconded. All voted in favor. The motion carried.

MEETING TO APPROVE & SIGN THE FINAL PLAT FOR THE WHISPERING GROVE SUBDIVISION

Present: Tiffany Olsen- Planning & Development Director

The Board met to approve and sign the Final Plat for the Whispering Grove Subdivision.

Decision: Commissioner Jackson moved to approve and sign the Final Plat for the Whispering Grove Subdivision. Commissioner Jensen seconded. All voted in favor. The motion carried.

The Board moved out of its regular Commission meetings and into the Board of Equalization at this time.

BOARD OF EQUALIZATION APPEAL HEARING FOR JONAS MARCINKO

Present: Michelle Conn- Certified Appraiser
Jonas Marcinko- Appellant
Debbie Cunningham- Chief Deputy Assessor

The Board of Equalization met to hold an Appeal Hearing for Jonas Marcinko (RP408302). Chairman Manwaring welcomed all to the meeting and reviewed the rules and procedures in which the hearing would be held.

Commission Clerk, Lindsey Gluch, administered the oath for those that would be testifying.

Mr. Marcinko, who purchased the property for \$260,000 in 2014, argued that the current assessed value of \$516,306 is excessive given the home's deterioration and construction issues, including failing shingles, widespread window problems with mold, cracking walls and faux-rock exterior, structural concern with a front pillar, and indications the home was not professionally built. He maintained that the property should be depreciated and that COVID-era market inflation and in-migration have unfairly increased values and tax burdens for long-time local residents.

The assessor's office presented the assessment breakdown—approximately \$400,100 for the house, \$78,142 for the land (with agricultural valuation on remaining acres), and \$38,014 for a shop and supported the value with three adjusted comparable sales, all indicating the subject is assessed below comparable market levels.

The assessor explained that Idaho law requires properties to be assessed near current market value as measured by comparable sales and noted that a \$50,000 condition adjustment had been granted about four years earlier after exterior review, but no additional adjustment was made this year because an updated inspection was declined.

Commissioners and the Assessor further discussed state oversight, the requirement to remain within about 10% of market value, the relationship between rising values and levy rates, and ongoing legislative conversations about property tax reform. After questioning both parties and clarifying the record, the Board took the appeal under advisement, stating that they would review the submitted photographs and application and then issue a written decision by mail, with notice that Mr. Marcinko may appeal further to the State Board of Tax Appeals or District Court within 30 days of the mailing of decision.

BOARD OF EQUALIZATION APPEAL HEARING FOR GORDON & MARGO CROFT

Present: Becca Goodwin- Certified Appraiser
Debbie Cunningham- Chief Deputy Assessor
Via Phone: Gordon Croft- Appellant
Margo Croft- Appellant

The Board of Equalization met to hold an Appeal Hearing for Gordon & Margo Croft (RP0444331). Chairman Manwaring welcomed all to the meeting and reviewed the rules and procedures in which the hearing would be held.

Commission Clerk, Lindsey Gluch, administered the oath for those that would be testifying.

Gordon Croft stated that he filed an Appeal in regard to his five-acre rural residential parcel with a home and shop at 93 North 208 285 East, Blackfoot, to review a significant increase in assessed value, particularly on the shop structure. Gordon and Margo Croft both testified that the shop was built first with an upper-level living area used only temporarily while the home was built and has since served primarily as storage, with no substantial improvements since 2010. They objected to the shop's value rising from about \$60,000 to \$183,200 and noted that total increases over two years exceed their original investment in the property. Gordon further asserted that the upper-level living area is 900 sq ft, not the 1,200 sq ft shown on the assessment, and that the total building area is overstated by about 400 sq ft.

The Assessor's Office explained that a prior oversight had failed to fully account for the finished living space documented on the 2007 building permit and that the recent reappraisal reclassified the structure to include this living area, consistent with market evidence from comparable "shop-house" or barn-dominium-type properties. They stated that value is based on the existence of finished, habitable space, regardless of current use, and acknowledged that if square footage is indeed overstated, a correction would reduce the value. Due to property owners limited availability, the Assessor's Office proposed verifying the measurements through a site visit and/or building plans.

The Board took the matter under advisement, will consider any measurement corrections, and will issue a written decision, which may then be appealed to the Idaho State Board of Tax Appeals or District Court within 30 days.

BOARD OF EQUALIZATION APPEAL HEARING FOR STEVEN SAXTON

Present: Steve Saxton- Appellant
Gary Shewey- Commercial Appraisal
Becca Goodwin- Certified Appraiser

The Board of Equalization met to hold an Appeal Hearing for Steven Saxton (RP7041301). Chairman Manwaring welcomed all to the meeting and reviewed the rules and procedures in which the hearing would be held.

Commission Clerk, Lindsey Gluch, administered the oath for those that would be testifying.

Steven Saxton challenged the approximately \$347,000 assessment, asserting that his documented construction cost was about \$211,028 and, even after accounting for roughly a 20% increase in material costs since construction, he believed the property's value should be closer to \$250,000. He noted his own cost calculations showed roughly \$11.72 per square foot versus the County's use of about \$27.00 per square foot and confirmed that only the storage units remained at issue, as he accepted prior adjustments to his other appeals.

Independent Appraiser, Gary Shewey, under contract with the County, testified that the applicant's reported construction costs and cost per square foot were significantly below typical market levels and did not include normal contract labor that would be reflected in market value. Mr. Shewey explained that the current

improvement in value is based on a five-year-old cost model and referenced a similar 100+ unit facility in Shelley offered at about \$500,000 as a market indication. Using income figures provided by Mr. Saxton at the hearing—three unit sizes, 116 rentable doors, potential gross income of about \$83,280 annually at full occupancy, current occupancy near 60%, and annual insurance of roughly \$1,800. Mr. Shewey performed an income-capitalization analysis and derived an indicated value of approximately \$602,100, which he stated supports the view that the current \$347,000 assessment is conservative.

Mr. Saxton declined rebuttal, the Board had no further questions, and the Chairman closed by stating the Board would take the matter under advisement and issue a written decision, with either party retaining the right to appeal within 30 days of the mailed notice to the State Board of Tax Appeals or District Court under Idaho Code 63-511.

BOARD OF EQUALIZATION APPEAL HEARING FOR CLAY OCKERMAN

Present: Clay Ockerman- Appellant
Pam Ockerman- Appellant
Robin Lora- Certified Appraiser
Debbie Cunningham- Chief Deputy Assessor

The Board of Equalization met to hold an Appeal Hearing for Clay Ockerman (RP0530800). Chairman Manwaring welcomed all to the meeting and reviewed the rules and procedures in which the hearing would be held.

Commission Clerk, Lindsey Gluch, administered the oath for those that would be testifying.

Clay Ockerman argued that his assessment had increased approximately 92.1% overall and 156.9% on the house alone over two years, leading to an implied land value of about \$175,000 per acre, which he believes is unrealistic for the county. He emphasized difficulty finding comparable 41-year-old, manufactured homes in-county and presented lower-valued sales, some outside Bingham County, and expressed concern that such an increase is excessive and directly impacts his taxes.

The Assessor's Office described the subject as a 2,688 sq ft permanent residence (manufactured home plus additions) on 0.4 acres, legally declared real property through a Statement of Intent, with older outbuildings given no value. They rejected the appellant's out-of-county comparables as being in different market regions and instead presented three Bingham County sales—two manufactured homes on permanent foundations and one stick-built home—adjusted to isolate home values, all smaller than the subject but supporting higher values for permanent, real-property structures.

In rebuttal, Mr. Ockerman argued that while the home is effectively permanent due to the addition and roof, the manufactured portion sits on cement pilings with cinder block skirting rather than a traditional continuous foundation and noted inconsistent treatment by different county departments (treated as "manufactured" for furnace upgrade limitations yet compared to stick-built homes for assessment).

The Board closed by taking the matter under advisement, stating a written decision on the assessed value will be mailed to the appellant, and advising both parties of their right to appeal to the State Board of Tax Appeals or District Court within 30 days under Idaho Code 63-511(1).

BOARD OF EQUALIZATION APPEAL HEARING FOR DAVID & ANGELA ESPLIN

Present: David Esplin- Appellant
Angela Esplin- Appellant
Britney Pereira- Certified Appraiser
Debbie Cunningham- Chief Deputy Assessor

The Board of Equalization met to hold an Appeal Hearing for David & Angela Esplin (RP0538102). Chairman Manwaring welcomed all to the meeting and reviewed the rules and procedures in which the hearing would be held.

Commission Clerk, Lindsey Gluch, administered the oath for those that would be testifying.

The Appellants, long-time owners of a 1972 manufactured home on a foundation with additions, testified under oath that their assessed value had roughly doubled since the last valuation, far exceeding increases seen in their neighborhood, and expressed concern that continued escalation would threaten their ability—and that of similar local residents—to afford their homes, even though they did not dispute the property's physical data.

The Assessor's Office presented the property record showing 3,479 square feet of living area on 3.012 acres with a current assessed value of \$456,640, supported by three adjusted comparable sales (two manufactured homes on foundations and one stick-built home) indicating higher market levels for such properties.

The Assessor's Office and Board explained that manufactured homes declared real property have risen significantly in value due to market conditions, including high demand for affordable housing, in-migration from higher-priced states, and COVID-era purchasing patterns, and that the large increase reflects a multi-year revaluation cycle rather than just two years. The Board noted that while assessed values have risen countywide, levy rates can adjust to help stabilize tax bills and that the county must remain in compliance with state valuation standards.

The Appellants reiterated that they primarily wished to voice concern about the long-term trend and its community impact.

The Board took the matter under advisement, stated that no decision would be made at the hearing, and advised the parties of their right to appeal the forthcoming written decision to the Idaho State Board of Tax Appeals or District Court within 30 days of the mailing date.

THE MOTION PASSED TO DISMISS UNTIL MONDAY JULY 6, 2026



PAMELA W. ECKHARDT, CLERK

Lindsey Gluch- Commission Clerk-----



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Monday, July 6, 2026
County of Bingham)

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

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

APPROVAL OF COMMISSION NOTICE & AGENDA

The Board met to approve the Commission Notice and Agenda for July 6, 2026, as posted.

Decision: Commissioner Jensen moved to approve the Commission Notice and Agenda for July 6, 2026, as posted. Chairman Manwaring seconded. Both voted in favor. The motion carried.

STAFF MEETING

Present: Pamela Eckhardt- County Clerk
 Donavan Harrington- County Assessor
 Debbie Cunningham- Chief Deputy Assessor
 Jimmy Roberts- County Coroner
 Scott Reese- Emergency Services/Parks & Recreation
 Laraine Pope- Human Resources Director
 Tiffany Olsen- Planning & Development Director
 Amanda Williard- Planning & Development
 Shawn Hill- Probation Department Director
 Derrick Going- Solid Waste Director
 Ryan Jolley- Prosecutor
 Jeff Gardner- Sheriff
 Jordyn Nebeker- Chief Deputy Sheriff
 Barbara Marlatt- Treasurers Office
 Derrick Going- Solid Waste Director
 Megan Kearsley- Elections Director
 Wes Wheatley- Blackfoot Chief of Police

Excused: Dusty Whited- Public Works Director
 Jason Marlow- Facilities Manager
 Carmen Willmore- Extension Office
 Matt Galloway- IT Director
 Sheri Landon- Magistrate/District Court Supervisor
 Laura Lora- Chief Deputy Clerk/Payroll

The Commissioners met with department heads and Elected Officials for the July 2026 Staff Meeting. Chairman Manwaring conducted the Staff Meeting.

Pledge of Allegiance: Chairman Manwaring conducted.

Approval of Minutes for Staff Meeting held in June 2026: There were no changes to be made and the minutes for Staff Meeting held in June 2026 were approved as written.

Special Presentation: None at this time.

Safety Concerns: No safety concerns at this time.

Employee Years of Service Recognition: Shawn Hill recognized Troy Randall for twenty (20) years of service to Bingham County. A statement from Mark Gough, Supervisor, was read into the record, which was as follows:

"Troy Randall has been employed with Juvenile Probation since June of 2006. Troy is an asset to Bingham County, is a good Probation Officer and has the ability to work well with the clients that are assigned to him. Troy has a specialized caseload and works with juvenile sex offenders and that is not an easy caseload. Troy is often the individual that other employees go to for help with anything technology. Troy is also a Major in the National Guard and we appreciate his service".

Tiffany Olsen recognized Amanda Willard for five (5) years of service to Bingham County and stated that Amanda is one of the more exemplary employees. Amanda started in Planning & Development as a Permit Technician and advanced to an Assistant Planner/Permit Technician and now manages commercial permits, staff training and completes meeting minutes for the Planning & Zoning Commission. Amanda also conducts division right research and spends a lot of time working with the Assessors Office and public. Ms. Olsen stated that Amanda is a pillar in the office and they could not work without her.

Amanda Willard stated that she appreciates working for Tiffany, she is a great boss, and Bingham County is a great place to work.

Chief Deputy Jordyn Nebeker recognized Zach Dalley for ten (10) years of service to Bingham County. Zach works within the Detective Division and if there is a major crime in Bingham County, Zach has an integral role in the investigation. Chief Deputy Nebeker stated that Zach has strong interview skills and has a lot of credibility up and down the valley. Zach has been a part of a lot of tri-county investigations, to remove conflict of interest where the county will investigate possible misconduct from other law enforcement agencies, and that is not a fun task, but Zach is always thorough in order to preserve the integrity of the badge. Over the years, Zach has crafted a great reputation for himself of credibility and the ability to do the job well and is a pillar in detectives. Chief Deputy Nebeker stated that Zach's true passion is minimizing the overdoses within the community and fights the battle on the front line every day. Zach is a strong mentor to new staff, and he is a huge asset to Bingham County.

Chairman Manwaring: Stated if there are any issues with the air conditioning, please let Jason Marlow or his staff know.

Pamela Eckhardt: Stated that there was a 4th of July event held at Patriot Field, wherein there were approximately 300-400 people in attendance. Breakfast was provided and there was a program held with Judge Hansen as a guest speaker.

Clerk Eckhardt stated that budgets are going well and she would like to thank everyone for their input and hard work.

Donavan Harrington: Stated that the Board of Equalization Appeal Hearings are currently being held and it is a busy time of year.

Jimmy Roberts: Had no updates at this time.

Scott Reese: Had no updates at this time.

Laraine Pope: Had no updates at this time.

Tiffany Olsen: Stated that Planning & Development currently has a vacant Planner position and to please share

Derrick Going: Had no updates at this time.

Ryan Jolley: Had no updates at this time.

Jeff Gardner: Had no updates at this time.

Barbara Marlatt: Stated that the Treasurers Office has received a counterfeit \$20 bill and she would like to remind everyone to remain vigilant and check bills closely.

Megan Kearsley: Had no updates at this time.

Chief Wes Wheatley: Had no updates at this time.

Clerk Eckhardt stated that there have been major updates made to the dashboard for the website in preparation for other upgrades to occur. Please let her know if there are any issues but it will be a good upgrade.

Commissioner Jensen stated next Staff Meeting is scheduled for Monday, August 3, 2026, at 8:30 a.m.

Nothing further.

REVIEW OF PROPOSED CORONERS BUDGET

Present: Jimmy Roberts- County Coroner
Pamela Eckhardt- County Clerk
Laura Lora- Chief Deputy Clerk

The Board met to review the Coroners Budget for FY 2027 budget.

PRIOR APPROVAL FOR PURCHASE- CORONERS OFFICE

Present: Jimmy Roberts- County Coroner

The Board met to discuss the submitted prior approval for purchase of a Stryker autoloader stretcher system. Said purchase is in the amount of \$29,392.82, which is to be paid for as follows:

Fund:	01-06-0802-0000	Capital	(\$20,000)
	01-06-0470-0004	Vehicle Maintenance	(\$5,500)
	01-06-0439-0000	Travel	(\$3,892.82)

Decision: Commissioner Jensen moved to approve the prior approval for purchase of a Stryker autoloader stretcher system in the amount of \$29,392.82, to be paid from funds as mentioned above. Chairman Manwaring seconded. Both voted in favor. The motion carried.

The Board moved out of its regular Commission Agenda and into the Board of Equalization at this time.

BOARD OF EQUALIZATION APPEAL HEARING FOR TROY BOLINDER

Present: Debbie Cunningham- Chief Deputy Assessor
Robin Lora- Certified Appraiser
Via Phone: Troy Bolinder- Appellant

The Board met to hold an Appeal Hearing for Troy Bolinder (RP0531403). Chairman Manwaring welcomed all to the meeting and reviewed the rules and procedures in which the hearing would be held.

Commission Clerk, Lindsey Gluch, administered the oath to those that would be testifying.

Troy Bolinder testified that while he understands the concept of market value, he believes the new value is excessive given the property's significant limitations: minimal and substandard access with less than 15 feet of frontage on a county-maintained road and reliance on a driveway easement along a canal; the home's well, power line, and some trees located on a neighbor's property; historic permitting and inspection issues resulting in no final sign-off on the septic system, plumbing, or a Certificate of Occupancy; and external nuisances, including an adjacent large dairy causing strong odors, fly problems, and fly residue on the home, as well as poor curb appeal due to the canal/ditch at the front and lack of landscaping. He also noted prior difficulties obtaining conventional financing and expressed concern that the property's marketability is substantially impaired.

The Assessor's Office responded that Idaho law requires assessment at current market value as of January 1 and does not permit tying values to original construction cost or general cost-of-living indices. They confirmed that a recorded easement provides legal access, that the property is not landlocked, and that additional depreciation has already been applied for the access challenges, the nearby dairy, and other limitations.

The Assessor's Office presented detailed property characteristics, three local comparable sales, and a trend analysis showing that county assessed values have historically trailed actual market appreciation and that the recent increase reflects a catch-up after several years of relative flat assessments in that area. The Board discussed the unusual circumstances of the property, including the dairy and easement, and suggested a possible on-site visit by the Assessor's Office, which Mr. Bolander agreed to allow.

At the close of the hearing, the Board took the appeal under advisement, stated that a written decision would be mailed to the appellant, and informed him of his right to further appeal to the State Board of Tax Appeals or district court within 30 days of the mailing of the decision.

The Board moved out of the Board of Equalization and into its regular Commission agenda.

REVIEW OF PROPOSED BUDGET FOR THE PROSECUTORS OFFICE

Present: Ryan Jolley- Prosecuting Attorney
Pamela Eckhardt- County Clerk
Laura Lora- Chief Deputy Clerk
Jordyn Nebeker- Chief Deputy Sheriff
Jeff Gardner- Sheriff

The Board met to review the proposed FY 2027 budget for the Prosecutors Office.

The Board moved out of its regular Commission Agenda and into the Board of Equalization at this time.

BOARD OF EQUALIZATION APPEAL HEARING FOR JAMES THOMAS

Present: James Thomas- Applicant
Donavan Harrington- County Assessor
Debbie Cunningham- Chief Deputy Assessor

The Board met to hold an Appeal Hearing for James Thomas (RP1113000 & RP1114800) and James Thomas on behalf of Karen Thomas (RP1112100). Chairman Manwaring welcomed all to the meeting and reviewed the rules of procedures in which the hearing would be held.

Commission Clerk, Lindsey Gluch, administered the oath to those that would be testifying.

James Thomas presented three assessment appeals concerning properties at 252 Monroe (his daughter Karen's residence), 229 Monroe (his primary residence), and 224 Jefferson (a rental). Mr. Thomas argued that all three properties were overvalued, emphasizing the difference between licensed fee appraisals and

mass market valuations. He also contended that some neighboring properties with greater square footage and additions were assessed for less, that county photos and inspections were outdated, and that current market conditions had softened relative to the older sales used as comparables.

The Assessor's Office explained that state law requires mass appraisal at market value as of January 1 using prior-year sales, supported by MLS data and ratio studies overseen by the Idaho State Tax Commission, with a target range of 90–110% of market; they presented detailed property characteristics and multiple comparable sales for each subject, showing the appealed assessments to be at or below indicated market values and consistent with county-wide ratios (about 93% of market).

The Board asked clarifying questions about depreciation, market trends, and took all evidence under advisement, advising Mr. Thomas that written decisions would be mailed and that he could appeal any Board decision to the Idaho State Board of Tax Appeals or District Court within 30 days pursuant to Idaho Code 63-511(1).

BOARD OF EQUALIZATION APPEAL HEARING FOR CHRISTOPHER BROWN

Present: Debbie Cunningham- Chief Deputy Assessor
Via Phone: Christopher Brown- Appellant

The Board met to hold an Appeal Hearing for Christopher Brown (RP0342300). Chairman Manwaring welcomed all to the meeting and reviewed the rules and procedures in which the hearing would be held.

Commission Clerk, Lindsey Gluch, administered the oath to those that would be testifying.

Mr. Brown purchased the property in February 2024 for \$350,000 and stated that the property was acquired as a fixer-upper, that only central heating and air had been added, and that local market conditions have since softened.

The Assessor's Office explained that the property lies in an area reappraised for the 2025 roll following a five-year gap, during which countywide values increased to meet state ratio requirements. In reviewing the parcel, the Assessor identified an error in the general purpose building value and recommended reducing the assessed value from \$396,884 to \$391,360.

The Assessor's Office presented three adjusted comparable sales on larger acreages to support a value above Mr. Brown's purchase price and emphasized that his cited comparables were based on assessed values, not market sales.

Mr. Brown maintained that the 13.4% increase over less than two years from his purchase date is not supported by specific quantified adjustments or by current market trends. The Chief Appraiser responded that a fixer-upper purchase generally would not be treated as a valid market sale for modeling purposes and cited recent annual appreciation rates of roughly 6%, tapering to 3–4%.

After hearing rebuttals from both sides, the Board took the matter under advisement and advised Mr. Brown that a written decision will be mailed to him along with information on his right to further appeal to the Idaho State Board of Tax Appeals or District Court within 30 days of the mailing date.

BOARD OF EQUALIZATION APPEAL HEARING FOR MARY & ROBERT HEGE

Present: Mary Hege- Appellant
Becca Goodwin- Certified Appraiser
Debbie Cunningham- Chief Deputy Assessor

The Board met to hold an Appeal Hearing for Mary & Robert Hege (RP8195000). Chairman Manwaring welcomed all to the meeting and reviewed the rules and procedures in which the hearing would be held.

Commission Clerk, Lindsey Gluch, administered the oath to those that would be testifying.

Mary Hege argued that the County's assessed value of \$634,340 represents an approximately 133% increase over the 2012 purchase price and exceeds analysis and a nearby comparable. Relying on neighborhood data and an estimated \$266 per square foot, Ms. Hege requested a value of \$546,590 for the home and land, emphasizing the home's age, basic ranch style, and lack of modern, high-end finishes. Ms. Hege also raised concerns about large year-over-year percentage increases and questioned why only higher-value comparables and limited sales data were used.

The Assessor's Office described the subject property as one of the larger homes in the subdivision with over 4,100 square feet, a large, attached garage, a detached shop, and more than two acres, and presented three comparable sales between \$638,500 and \$648,120 involving smaller homes and/or smaller lots. The current assessment was supported by sales and a recent Zillow estimate of around \$674,900 and explained that mass appraisal must rely on valid arms-length sales rather than other assessed values. Some transactions such as estate or distressed sales are excluded from ratio studies, and that state law and COVID-era market conditions have driven countywide trending and significant increases in both land and improvement values.

The Board questioned both parties about methodology, comparables, and market conditions, acknowledged that recent increases have been substantial, and discussed the challenges of staying at market value while addressing taxpayer concerns.

The Board then took the matter under advisement, informing the appellant that a written decision would be mailed and advising of their right to appeal to the Idaho State Board of Tax Appeals or District Court within 30 days of the decision.

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 voted in favor. The Board moved into Executive Session at 10:39 p.m. Commissioner Jensen moved to go out of Executive Session. Commissioner Jackson seconded. The Board moved out of Executive Session at 11:17 p.m.

Decision: Commissioner Jensen moved to approve hiring for the Truck Driver position and offer the individual discussed within Executive Session PW4, Step 2. Chairman Manwaring seconded. Both voted in favor. The motion carried.

REVIEW OF PROPOSED CLERKS & COMMISSIONERS BUDGET

Present: Pamela Eckhardt- County Clerk
Laura Lora- Chief Deputy Clerk

The Board met to review the proposed FY 2027 budget for the Clerks & Commissioners.

REVIEW OF PROPOSED ASSESSORS OFFICE BUDGET

Present: Donavan Harrington- County Assessor
Debbie Cunningham- Chief Deputy Assessor
Pamela Eckhardt- County Clerk
Laura Lora- Chief Deputy Clerk

The Board held a meeting to review the proposed FY 2027 budget for the Assessors Office.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY JULY 8, 2026



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Wednesday, July 8, 2026
County of Bingham)

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

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

APPROVAL OF COMMISSION NOTICE & AGENDA

The Board met to approve the Commission Notice & Agenda for July 8, 2026, as posted.

Decision: Commissioner Jackson moved to approve the Commission Notice & Agenda for July 8, 2026, as posted. Chairman Manwaring seconded. Both voted in favor. The motion carried.

CASH WARRANTS

Cash Warrants were approved in the amount of \$31,896.12, \$2,500.00, \$1,960.00, for a total of \$36,356.12.

COLLEGE OF EASTERN IDAHO

The Board met to approve one (1) Certificate of Residency, which was sent to the College of Eastern Idaho for the following Bingham County student: Tori Lambert-Bench.

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

APPROVAL OF REASON & DECISION FOR BEEHIVE SUBDIVISION MEETING HELD ON JUNE 17, 2026

The Board met to approve and sign the Reason & Decision for the Beehive Subdivision meeting held on June 17, 2026.

Decision: Commissioner Jackson moved to approve and sign the Reason & Decision for Beehive Subdivision meeting held on June 17, 2026. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF REASON & DECISION FOR RR JOHNSON REAL ESTATE LLC'S ZONING AMENDMENT PUBLIC HEARING HELD ON JUNE 10, 2026

The Board met to approve and sign the Reason & Decision for RR Johnson Real Estate LLC's Zoning Amendment Public Hearing held on June 10, 2026.

Decision: Commissioner Jackson moved to approve and sign the Reason & Decision for RR Johnson LLC's Zoning Amendment Public Hearing held on June 10, 2026. Chairman Manwaring seconded. Both voted in favor. The motion carried.

SHERIFFS OFFICE

Present: Jeff Gardner- Sheriff
Jordyn Nebeker- Chief Deputy Sheriff
Kris Talbot- Sheriffs Office Lieutenant

The Board met with Sheriff Gardner to receive updates from within the Sheriffs Office, along with other agenda items.

Discussion was held in regard to the prior approval for purchase of construction supplies and contractor services to install a new door on existing jail sally port. Said purchase is to give an outside entrance to the sally port once the pat down room is expanded for necessary room to perform daily functions of the jail. Said purchase is in the amount of \$approximately \$6,500.00, which is to be paid from Fund: 05-03-500-0000.

Decision: Commissioner Jackson moved to approve prior approval for purchase of construction supplies and contractor services to install a new door on the existing jail sally port. Said purchase is in the amount of approximately \$6,500.00, which is to be paid from Fund: 05-03-500-0000. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Sheriff Gardner provided miscellaneous updates from within the Sheriffs Office.

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
Troy Lenhart- Road & Bridge Supervisor
Terry Reid- Concerned citizen
Brad Hall- Concerned citizen
Tiffany Olsen- Planning & Development Director

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

Discussion was held in regard to the approval and signing of a Gravel Source Agreement between Bingham County and Phil Christensen, for gravel source known as the Christensen Pit. Mr. Whited stated that there have been no changes made to the agreement and Legal Counsel has reviewed the same with no concerns.

Decision: Commissioner Jackson moved to approve and sign the Gravel Source Agreement between Bingham County and Phil Christensen, as presented. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Mr. Whited provided an update in regard to the proposed backpack program for the Weed Department.

Discussion was held in regard to 200 South (Liberty Road) and the safety issues from concerned citizens in attendance, wherein farmers and residents described repeated accidents at the Liberty Road and 1400 W intersection due to trees on private property obstructing visibility, high speeds, limited sight distance over hill crests, and steep drop-offs from the pavement edge.

Primary Concerns:

1. Trees at the NE corner (Liberty & 1400 W) creating visibility obstruction.
2. High speeds on Liberty Road (posted 50 mph, measured 85th percentile at 63 mph).
3. Frequent accidents at the intersection (an accident occurred there earlier in the same week; recurrent incidents approximately "every six months").
4. Limited sight distance due to hill crests on Liberty Road.
5. Steep borrow pits and drop-off at pavement edge creating a hazard where tires may drop off the asphalt.
6. Very high harvest traffic volumes (hundreds to thousands of trucks per day) during beet and potato harvest, with many trucks using Liberty and Willow (1400) to reach the beet dump rather than the highway.

Discussion was held in regard to the primary concerns and with the landowner, Casey Hawker, who was willing to remove trees, the Commissioners and staff discussed legal authority and liability under Idaho law, and agreed to seek legal counsel on how the county can assist with tree removal.

They also considered a possible four-way stop with flashing lights and "Stop Ahead" signs, reviewed traffic counts and speed data, and discussed the implications of changing speed limits under MUTCD guidance. Road & Bridge confirmed that re-shouldering Liberty Road to address edge drop-offs is routine maintenance that can be done again.

The Chairman directed that specific Liberty Road items be placed on the agenda for next Wednesday's Public Works meeting for formal decision:

- Tree removal in coordination with landowner Hawker.
- Four-way stop and related signage ("Stop Ahead," flashing lights).
- Road reshouldering along Liberty Road.
- Consideration of additional speed limit signs and possible speed study.

HUMAN RESOURCES/BUDGET REVIEW

Present: Laraine Pope- Human Resource Director
Pamela Eckhardt- County Clerk
Laura Lora- Chief Deputy Clerk

The Board met with Laraine Pope to review the proposed FY 2027 budget and receive updates from within the Human Resource Department.

REVIEW OF PROPOSED BUDGET FOR THE ELECTIONS DEPARTMENT

Present: Megan Kearsley- Elections Director
Pamela Eckhardt- County Clerk
Laura Lora- Chief Deputy Clerk

The Board met to review the proposed FY 2027 budget for the Elections Department.

The Board moved out of its regular commission meetings and into the Board of Equalization.

BOARD OF EQUALIZATION APPEAL HEARING FOR NICKELL DEVELOPMENT

Present: Donavan Harrington- County Assessor
 Debbie Cunningham- Chief Deputy Assessor
 Greg Nickell- Appellant

The Board met to hold an Appeal Hearing for Nickell Development (RP8262700, RP8262800, RP8262900, RP8263000, RP8263100, RP8263200, RP8263300, RP8263400, RP8263500, RP8263600, RP8263700, RP8263800, RP8263900, RP8264000, RP8264100, RP8264200 & RP8264300). Chairman Manwaring welcomed all to the meeting and reviewed the rules and procedures in which the hearing would be held.

Commission Clerk, Lindsey Gluch, administered the oath to those that would be testifying.

Mr. Nickell testified that the nearly 25-acre property, subdivided by a prior owner, is used exclusively as a hay field and has not been developed. He acknowledged missing the April 15 deadline to file the annual agricultural exemption form and requested leniency so the property could continue to receive agricultural valuation.

The Assessor's Office explained that, following a policy correction, all similarly situated owners were notified in January 2025 that they must file an annual agricultural eligibility form or lose the exemption. Because no form was received, Nickell's property was reassessed at subdivision lot market value, with approximately 19 acres being assessed and 4.5 acres of roadway excluded.

The Assessor described a valuation approach that treated one lot at full market value and substantially discounted the remaining largely landlocked lots, noting the resulting increase from roughly \$83,000 under agricultural valuation to about \$250,000 at lot market value.

The Board posed clarifying questions on acreage, valuation methodology, and the implications for future development. The Board took the matter under advisement and advised the parties of their right to appeal its forthcoming decision to the State Board of Tax Appeals or District Court within 30 days of the mailed notice.

The Board moved out of the Board of Equalization and into regular commission meetings.

MEETING WITH JASON NICODEMUS, UNITED STEEL COMPANY LLC, WITH A POTENTIAL DECISION

Present: Jason Nicodemus- United Steel Company LLC
 Debbie Cunningham- Chief Deputy Assessor
 Donavan Harrington- County Assessor
 Pamela Eckhardt- County Clerk

The Board met with Jason Nicodemus with United Steel Company. Chairman Manwaring welcomed all to the meeting.

United Steel described its business model of supporting smaller contractors through rapid delivery and acting as an inventory buffer, noted the facility is operating at under 30% utilization as it ramps up, and emphasized its strong safety culture and comprehensive employee benefits.

The Assessor's Office reported a total property value of approximately \$11.84 million, with about \$10.99 million in building and improvements potentially eligible for an exemption under Idaho Code 63-602NN and provided example tax-reduction scenarios based on estimated taxes of about \$56,500, clarifying that inventory is not taxed but personal property is, subject to the \$250,000 exemption.

While the statute contemplates application before construction, staff and commissioners indicated there may be some discretion to consider this after-the-fact request, pending further legal review by counsel. Economic development staff strongly supported United Steel's request, highlighting the project's recruitment history, capital investment, and job creation.

No decision was made at this meeting; instead, United Steel was directed to submit a written proposal specifying requested exemption percentages and years to Commission Clerk, Lindsey Gluch, by the end of the week so the matter can be considered at the Monday meeting, subject to legal counsel's opinion on eligibility.

The Board moved out of regular commission meetings and into the Board of Equalization.

BOARD OF EQUALIZATION APPEAL HEARING FOR GRAIN CRAFT LLC

Present: Donavan Harrington- County Assessor
Debbie Cunningham- Chief Deputy Assessor

The Board met to hold an Appeal Hearing for Grain Craft LLC. Chairman Manwaring welcomed all to the meeting and reviewed the rules and procedures in which the hearing would be held.

Commission Clerk, Lindsey Gluch, administered the oath to those that would be testifying.

The appellant and their tax representative did not appear for the hearing.

The Commission Clerk reported receiving an email from the appellant's representative stating they would not be present and that they wished to proceed directly to the state level.

The Chairman noted that, notwithstanding this intent, the Board is still required to issue its own decision and mail notice, after which the appellant has 30 days to appeal to the Idaho State Board of Tax Appeals or District Court.

The Assessor's Office reported that Mr. Rogers has appealed the assessed values for the past three years without attending scheduled hearings, and—until this year—without even notifying the Board of his absence. Each year he has alleged misclassification of the property and mis categorization of assets but has provided no supporting documentation.

Ms. Cunningham stated that the county's assessments are presumed correct under Idaho Code §63-502 unless the taxpayer rebuts them by a preponderance of evidence and therefore requested that the Board uphold the current assessed values for all three parcels.

It was confirmed that the subject property totals approximately 12.4 acres across two primary parcels, with building values of about \$1.83 million on one parcel and \$11.11 million on the other, both reduced slightly from the prior year due to depreciation based on state tables.

It was also noted that while Grain Craft once appealed to the state, they canceled before the hearing and have never completed a state-level appeal. With no appellant present and no evidence offered, the Board closed the hearing, took the matter under advisement, and will issue a written decision by mail.

BOARD OF EQUALIZATION APPEAL HEARING FOR KAREN MCKENNA

Present: Karen McKenna- Appellant
Debbie Cunningham- Chief Deputy Assessor
Britney Pereira- Certified Appraiser

The Board met to hold an Appeal Hearing for Karen McKenna. Chairman Manwaring welcomed all to the meeting and reviewed the rules and procedures in which the hearing would be held.

Commission Clerk, Lindsey Gluch, administered the oath to those that would be testifying.

Ms. McKenna testified that her more-than-30-year-old, manufactured home old, leaking roof with water damage, foundation cracks, mold, significant plumbing and electrical problems, sinking porch and kitchen floor, extensive flooring damage, and multiple broken and rotted windows. She further described severe external and nuisance factors, including a high flood zone, adjacency to a sewage treatment plant, high school football and baseball fields, a public walkway with motorized traffic issues, a large public burn pit directly behind her property with smoke and ash impacts, repeated thefts, and limitations from being within city limits rather than unincorporated county. She argued these combined issues substantially reduce the property's marketability and value.

The Assessor's Office testified that, under Idaho Code 63-304, the home is treated as real property like a stick-built home and that manufactured homes on permanent foundations have appreciated significantly since 2021. The original 2026 assessed total value was \$380,839 and that, after Ms. McKenna's in-office visit and an exterior/drive-by review, they reduced the home's value to \$259,950 and overall, by about \$68,650, with a further recommended \$3,000 reduction for an old storage manufactured unit, totaling approximately \$71,650 in downward adjustments. They supported the remaining value with three comparable sales in Shelley, Firth, and Springfield, adjusted for differences, and noted that using Ms. McKenna's own mid-range repair estimates (roof, flooring, subfloor, windows) yields roughly \$77,600 in needed work, leaving the assessment within about \$5,000–\$6,000 of her claimed condition-related impacts.

Ms. McKenna challenged the comparables as newer, superior, often frame-built homes with significant garages in different market areas, reiterated practical difficulties in insuring and selling older manufactured homes, and emphasized that health, financial limits, and Social Security income prevent her from making needed repairs or presenting the interior.

The Board did not rule on the record, stated it would take the matter under advisement, and informed Ms. McKenna that a written decision would be mailed, with appeal rights within 30 days to the Idaho State Board of Tax Appeals or District Court through the Clerk's Office.

PLANNING & DEVELOPMENT

Present: Tiffany Olsen- Planning & Development Director

The Board met with Tiffany Olsen to receive updates from within the Planning & Development Department.

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 Jackson moved to go into Executive Session pursuant to Idaho Code §74-206(1)(d), to consider records that are exempt from public disclosure. Chairman Manwaring seconded. Both voted in favor. The Board moved into Executive Session at 3:39 p.m. Commissioner Jackson moved to go out of Executive Session. Chairman Manwaring seconded. The Board moved out of Executive Session at 3:44 p.m.

Decision: Commissioner Jackson moved to approve Indigent Cremation Application for Case Number 2026-5. Chairman Manwaring seconded. Both voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY JULY 10, 2026



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Friday, July 10, 2026
County of Bingham)

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

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

APPROVAL OF COMMISSION NOTICE & AGENDA

The Board met to approve the Commission Notice & Agenda for July 10, 2026, as posted.

Decision: Commissioner Jackson moved to approve the Commission Notice & Agenda for July 10, 2026, as posted. Chairman Manwaring seconded. Both voted in favor. The motion carried.

CLAIMS

Claims were approved in the amount of \$421,511.48.

PERSONNEL ACTION FORMS

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

New Employee Status Sheet Detention Deputy

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

APPROVAL OF FINAL PLAT FOR BAUTISTA ESTATES

Present: Chris Street- HLE

The Board met to approve and sign the Final Plat for Bautista Estates.

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

REQUEST TO OPERATE A FOOD TRUCK ON COUNTY PROPERTY FOR THE OPENING DAY OF THE EASTERN IDAHO STATE FAIR, WITH PROCEEDS TO BENEFIT STOP THE SILENCE FOUNDATION- SUBMITTED BY SYDNEY FLORES

Present: Sydney Flores- Stop the Silence Foundation
Jeff Gardner- Sheriff
Kris Talbot- Detention Lieutenant

The Board met to request to operate a food truck on county property for the opening day of the Eastern Idaho State Fair, with proceeds to benefit Stop the Silence Foundation, submitted by Sydney Flores.

Ms. Flores explained that this would only be for the opening day of the Eastern Idaho State Fair and that she has coordinated with the Sheriffs Office in regard to positioning of the food truck where the command rig is placed.

Sheriff Gardner stated that he has no concerns in regard to this request.

Decision: Commissioner Jackson approved to allow Sydney Flores to operate a food truck on county property for the opening day of the Eastern Idaho State Fair, with proceeds to benefit the Stop the Silence Foundation. Chairman Manwaring seconded. Both voted in favor. The motion carried.

The Board moved out of regular commission meetings and into the Board of Equalization.

DECISION IN REGARD TO BOARD OF EQUALIZATION APPEALS

Present: Debbie Cunningham- Chief Deputy Assessor

The Board met to make a final decision on the Appeals filed to the Board of Equalization, which were as follows:

Jonas Marcinko- RP0408302

At the Appeal Hearing, Mr. Marcinko presented photos and testimony of significant disrepair and self-performed repairs. There was a prior visit by Assessor's Office approximately 4-5 years ago resulted in a lower starting value but a more recent site visit was declined.

The Assessor's Office applied an additional 5% depreciation to the house to recognize physical issues raised. The house values reduced from \$401,500 to \$376,550 and total appraised market value (land + improvements) reduced from \$516,000 to \$492,686.

Commissioners noted photos showed disrepair, but that Mr. Marcinko also acknowledged some repairs had been made. Therefore, a 5% depreciation considered sufficient, given taxpayer's statements that some items had been replaced.

Decision: Commissioner Jackson moved to approve to reduce the appraised value by 5% for depreciation on parcel RP 408302, for a new total value of \$492,686. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Gordon Croft- RP0444331

At the Appeal Hearing, Mr. Croft presented that there is a discrepancy in recorded square footage of a shop building.

The Assessor's Office presented category 32 value reduced from \$183,200 to \$167,490, a decrease of \$15,710. The new total property value was set at \$786,890, down from \$802,600.

Decision: Commissioner Jackson moved to approve parcel RP 0444331 with a reduction of \$15,710 in value (square footage discrepancy on the shop). Chiarmen Manwaring seconded. Both voted in favor. The motion carried.

Steven Saxton RP7041301 & RP0226712

At the Appeal Hearing, Mr. Saxton stated that one property contains storage units and the other has a house not lived in for 2 years, located on agricultural piece of ground.

The Assessor's Office presented with regard to the house, it was previously reduced to storage value (\$25,000) due to non-livable conditions; taxpayer agreed. With regard to the ag parcel, Mr. Saxton was advised to apply for agricultural exemption, to which he agreed. In regard to the storage units, the taxpayer asserted he built them for less than current assessed value. The Assessor's cost analysis indicated that current cost to build would be higher than assessed value; taxpayer effectively benefitted from current valuation.

The Board noted there are many comparable storage units in the county. A comparable sale of a similar storage facility at about \$500,000 was referenced as support for current valuation. The Board recognized that the house/ag issues had been resolved before the hearing; only storage units were being actively appealed.

Decision: Commissioner Jackson moved to uphold the original appraised value on both parcels. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Clay Ockerman RP0530800

At the Appeal Hearing, Mr. Ockerman presented by stating that his home is a manufactured home with an addition and roof built over it; question whether it should be treated as real property. The home is located on a foundation/footing with skirting, effectively functioning as real property.

The Board noted surprisingly high sales prices for manufactured homes recently. The Board confirmed that the structure is on a foundation, with addition and roof, consistent with real property (Category 48). There was no specific additional depreciation recommended by Assessor; property viewed as well-aligned with current market.

Decision: Commissioner Jackson moved to uphold the Assessor's original appraised value for parcel RP 0530800. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Dave & Angela Esplin- RP 0538102

At the Appeal Hearing, Mr. Esplin stated his home is an older (1984) manufactured home with addition and asserted assessments are too high overall and not equitable. Mr. Esplin expressed his concern in terms of taxes rather than value evidence.

The Assessor's Office presented that the subject home is classified as real property (Category 48) due to foundation and improvements. Market shows manufactured homes have appreciated significantly; many have doubled due to current sales levels. The subject home appears well-kept and in good condition, likely to command a higher sale price.

The Board acknowledged taxpayer's concern about tax burden but noted BOE's role is value, not tax policy. There was no new value evidence sufficient to overturn assessor's appraisal.

Decision: Commissioner Jackson moved to uphold the Assessor's appraised value for parcel RP 0538102. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Troy K. Bolinder- RP0531403

At the Appeal Hearing, Mr. Bolinder stated that the subject property is a residential property on approximately 1.220 acres. Water and power for the home run across neighbor's property via easement; both utilities physically located on neighboring parcel. Mr. Bolinder also owns adjoining farm ground that receives agricultural assessments, but that ag valuation was not part of this appeal. Mr. Bolinder expressed concern that the off-site utilities/easements could impede financing or resale and impose additional costs to correct.

The Board held discussion in regard to the potential cost of drilling a new well (approx. \$10–13,000 mentioned) and moving power infrastructure (several thousand dollars additional). The concern that a typical buyer or lender could object to utilities on neighboring land unless the buyer purchases that portion or relocates the utilities. The Board concluded the situation is "unique" and merits some value reduction.

Adjustment:

- Original total value: \$492,805.
- Board agreed to a \$20,000 reduction, primarily to the home value, to reflect the cost/risk of remedying the easement/utility situation.
- New total value: \$472,805.

Decision: Commissioner Jackson moved to deduct \$20,000 from the Assessor's appraised value on parcel RP0531403. Chairman Manwaring seconded. Both voted in favor. The motion carried.

James Thomas/Karen Thomas RP1114800, RP1113000, RP1112100

At the Appeal Hearing, Mr. Thomas asserts that the assessments on all three (3) parcels are too high, but no supported alternative value was provided.

The Assessor's Office provided comparables in the same neighborhood, many of which sold for more than the subject properties.

The Board received no additional evidence presented by appellant beyond general dissatisfaction and the Assessor's comparables support existing values.

Decision: Commissioner Jackson moved to uphold the Assessor's appraisal values on all three parcels. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Christopher Charles Brown- RP0342300

At the Appeal Hearing, Mr. Brown presented that there was error discovered on an outbuilding/detached garage and that structure had been effectively included twice (once as part of the home and once as a separate outbuilding).

The Assessor's Office stated that the original value was \$396,884 and proposed a corrected total, after removing the double-counted outbuilding, of \$391,360, which was a reduction of \$5,524.

Decision: Commissioner Jackson to uphold the Assessor's corrected value for parcel RP 0342300, including the reduction of \$5,524 to remove the detached garage/outbuilding double count. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Mary & Robert Hege- RP8195000

At the Appeal Hearing, Ms. Hege testified that the assessed value has increased over time with multiple years of double-digit increases. Ms. Hege provided comparable listing/sale data including a property listed at \$624,900.

The Assessor's Office stated the current total value is \$634,340 (same as prior year) and the subject property has high-quality finishes; comparables are at or above the subject's assessment (several in the \$640,000+ range). Market evidence supports value over \$600,000.

The Board acknowledged that assessment history showed substantial percentage increases in some years, but current value must reflect market value. Commissioner Jackson initially proposed a larger reduction (e.g., \$50,000) to offset cumulative increases but recognized that might drop value far below comparables. A compromised amount of \$30,000 reduction to recognize taxpayer's evidence on square-foot replacement cost while remaining within market range.

- Original value: approx. \$634,340.
- Reduction: \$30,000.
- New total value: \$604,340.

Decision: Commissioner Jackson moved to reduce the appraised value of RP8195000 by \$30,000, using taxpayer's square-foot replacement cost analysis as the basis. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Nickell Development – 16 Platted Lots (Ag Exemption Issue)

At the Appeal hearing, Mr. Nickell stated that the land is currently being actively farmed, but parcels are platted as lots and blocks. The property had received agricultural exemption last year and Mr. Nickell failed to timely file the annual agricultural exemption application this year.

The Assessor's Office presented that by statute and policy, failure to file the exemption application by the deadline means no ag exemption for that year and without the ag exemption, parcels would be valued at residential lot values. With ag exemption (last year): total value approx. \$83,246 for all 16 parcels and without ag exemption (residential lot values): approx. \$250,540 total.

The Board recognized that the land is in fact being farmed and acknowledged the deadline but chose, on this occasion, to allow a one-time cure through the BOE appeal, with the understanding that this does not set aside future filing obligations.

Decision: Commissioner Jackson moved to approve and grant agricultural exemption values for the 16 parcels, notwithstanding the missed application deadline, effectively upholding prior ag value rather than moving to residential lot value. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Graincraft LLC –RP0337301, RP0337305 and PP9035605

Commission Clerk, Lindsey Gluch, reiterated that Graincraft did not appear at the BOE hearing and that she had received email correspondence stating that their intent is to proceed to the State Board of Tax Appeals despite non-appearance locally.

The Assessor's Office recommended no modification to the assessor's values in absence of additional evidence.

Decision: Commissioner Jackson moved to uphold the Assessor's appraised values for Graincraft LLC parcels RP 0337301, RP 0337305, and AP 9035605. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Karen McKenna - RP4017100

At the Appeal Hearing, Ms. McKenna presented that her property is surrounded by changing development, the external condition of the residence is poor, and she is struggling to keep up the home.

The Assessor's Office stated that a \$68,650 reduction for exterior condition issues, reducing total value from \$449,489 to \$380,839.

Additional Board Adjustment:

- Agreement to remove \$3,000 from value for the separate non-residential building.
- New total: \$377,839.

Decision: Commissioner Jackson moved to approve an additional \$3,000 reduction on parcel RP4017100 (non-residential building), resulting in a total value of \$377,839, which includes both:

- Prior \$68,650 condition reduction by the Assessor's Office; and
- Additional \$3,000 reduction by BOE.
-

Chairman Manwaring seconded. Both voted in favor. The motion carried.

The Board moved out of the Board of Equalization and into regular commission meetings.

APPROVAL OF REASON & DECISION FOR LONG LANE SUBDIVISION FOR THE MEETING HELD ON JUNE 24, 2026

The Board met to approve the Reason & Decision for Long Lane Subdivision for the meeting held on June 24, 2026.

Decision: Commissioner Jackson moved to approve and sign the Reason & Decision for Long Lane Subdivision for the meeting held on June 24, 2026. Chairman Manwaring seconded. Both voted in favor. The motion carried.

DISCUSSION & DECISION REGARDING CORRECTION TO THE PROSECUTORS BUDGET

Present: Ryan Jolley- Prosecuting Attorney
Jeff Gardner- Sheriff
Laraine Pope- Human Resource Director
Pamela Eckhardt- County Clerk

The Board met to hold discussion and make a decision in regard to corrections to the Prosecutors Budget.

Mr. Jolley explained that during the previous meeting held there was incorrect step/grade presented. Therefore, Mr. Jolley would propose that the previous decision be amended as follows:

Camie Wood: From N32, Step 2 to N32, Step 3
Fred Wheeler: From N32, Step 3 to N32, Step 5

Decision: Commissioner Manwaring moved to correct the record and approve the Prosecutor's Office employee wage changes as follows:

Camie Wood: From N32, Step 2 to N32, Step 3
Fred Wheeler: From N32, Step 3 to N32, Step 5

Commissioner Jackson seconded. Both voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL MONDAY JULY 13, 2026



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)

County of Bingham : ss. Monday, July 13, 2026
)

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

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

APPROVAL OF COMMISSION NOTICE & AGENDA

The Board met to approve the Commission Notice & Agenda for July 13, 2026, as posted.

Decision: Commissioner Jackson moved to approve the Notice & Agenda for July 13, 2026, as posted. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF BINGHAM COUNTY ORDINANCE 2026-11, AN ORDINANCE AND ORDER PROVIDING FOR THE VACATION OF 33 FEET OF ROAD RIGHT-OF-WAY ALONG THE EAST SIDE OF 500 WEST (BOND ROAD), FOR THE LENGTH OF THE SUBDIVISION AND ADJACENT TO LOTS 1,3,4,5,6,7 AND 8 OF THE ALVINO ALBA SUBDIVISION TO ADJOINING LANDOWNERS

The Board met to approve Bingham County Ordinance 2026-11, an ordinance and order providing for the vacation of 33 feet of road right-of-way along the east side of 500 West (Bond Road), for the length of the subdivision and adjacent to lots 1,3,4,5,6,7 and 8 of the Alvino Alba Subdivision and adjacent to lots 1,3,4,5,6,7 and 8 of the Alvino Alba Subdivision to adjoining landowners.

Decision: Commissioner Jackson moved to approve Bingham County Ordinance 2026-11, an ordinance and order providing for the vacation of 33 feet of road right-of-way along the east side of 500 West (Bond Road), for the length of the subdivision and adjacent to lots 1,3,4,5,6,7 and 8 of the Alvino Alba Subdivision and adjacent to lots 1,3,4,5,6,7 and 8 of the Alvino Alba Subdivision to adjoining landowners. Chairman Manwaring seconded. Both voted in favor. The motion carried and said Ordinance was adopted and recorded as follows:

Instrument # 781931
BINGHAM COUNTY
7-13-2026 02:23:14 PM No. of Pages: 4
Recorded for : BINGHAM COUNTY COMMISSIONERS
PAMELA W. ECKHARDT Fee: 0.00
Ex-Officio Recorder Deputy *Pd4vq7*

BINGHAM COUNTY
ORDINANCE 2026-11

AN ORDINANCE AND ORDER PROVIDING FOR THE VACATION OF 33 FEET ROAD
RIGHT-OF-WAY ALONG THE EAST SIDE OF 500 WEST (BOND ROAD), FOR THE LENGTH
OF THE SUBDIVISION AND ADJACENT TO LOTS 1,3,4,5,6,7 AND 8, OF THE ALVINO
ALBA SUBDIVISION TO ADJOINING PROPERTY OWNERS

BE IT ORDAINED by the Board of County Commissioners of Bingham County, Idaho, as
follows:

Section 1: Vacation of Public Right-of-Way. Pursuant to Idaho Code § 40-203, the Bingham
County Commissioners hereby vacate the Public Right-of-Way specifically described below:

Legal Description:

Lot 1

Part of Northwest 1/4, Northwest 1/4, Section 20, Township 2 South, Range 35 East Boise
Meridian, Bingham County, Idaho, more particularly described as;

Commencing at the Northwest corner of Section 20, Township 2 South, Range 35 East, also
being the northwest corner of Alvino Alba Subdivison Instr. #624277 and running thence S
00°06'52" W 355.57 feet along the west line of said section, thence N 89°17'03" E 25.00 feet
along the extended south line of Lot 1 of said subdivision to the **True Point of Beginning**;

Thence N 00°06'52" E 325.56 feet parallel to said section line to the South Right-of-Way line of
300 N;

Thence N 89°17'03" E 29.18 feet along said South Right-of-Way line to the northwest corner of
said lot;

Thence S 00°03'25" E 325.55 feet along the west line of said lot to the southwest corner of said
lot;

Thence S 89°17'03" W 30.16 feet along the extended south line of said lot to the **Point of
Beginning**.

Parcel contains ± 0.22 acres

Lot 3

Part of Northwest 1/4, Northwest 1/4, Section 20, Township 2 South, Range 35 East Boise
Meridian, Bingham County, Idaho, more particularly described as;

Commencing at the Northwest corner of Section 20, Township 2 South, Range 35 East, said
corner also being the northwest corner of Alvino Alba Subdivison Instr. #624277 and running
thence S 00°06'52" W 518.30 feet along the west line of said section, thence N 89°17'03" E
25.00 feet along the south line of Lot 3 of said subdivision to the **True Point of Beginning**;

Thence N 00°06'52" E 162.74 feet parallel to said section line;

Thence N 89°17'03" E 30.16 feet along the extended north line of said lot to the northwest corner of said lot;

Thence S 00°03'25" E 162.73 feet along west line of said lot to the southwest corner of said lot;

Thence S 89°17'03" W 30.65 feet along the extended south line of said lot to the **Point of Beginning**.

Parcel contains ± 0.11 acres

Lot 4

Part of Northwest 1/4, Northwest 1/4, Section 20, Township 2 South, Range 35 East Boise Meridian, Bingham County, Idaho, more particularly described as;

Commencing at the Northwest corner of Section 20, Township 2 South, Range 35 East, said corner also being the northwest corner of Alvino Alba Subdivision Instr. #624277 and running thence S 00°06'52" W 680.31 feet along the west line of said section, thence N 89°17'03" E 25.00 feet along the extended south line of Lot 4 of said subdivision to the **True Point of Beginning**;

Thence N 00°06'52" E 162.01 feet parallel to said section line;

Thence N 89°17'03" E 30.65 feet along the extended north line of said lot to the northwest corner of said lot;

Thence S 00°03'25" E 162.00 feet along the west line of said lot to the southwest corner of said lot;

Thence S 89°17'03" W 31.13 feet along the extended south line of said lot to the **Point of Beginning**.

Parcel contains ± 0.11 acres

Lot 5

Part of Northwest 1/4, Northwest 1/4, Section 20, Township 2 South, Range 35 East Boise Meridian, Bingham County, Idaho, more particularly described as;

Commencing at the Northwest corner of Section 20, Township 2 South, Range 35 East, said corner also being the northwest corner of Alvino Alba Subdivision Instr. #624277 and running thence S 00°06'52" W 843.28 feet along the west line of said section, thence N 89°17'03" E 25.00 feet along extended south line of Lot 5 of said subdivision to the **True Point of Beginning**;

Thence N 00°06'52" E 162.98 feet parallel to said section line;

Thence N 89°17'03" E 31.13 feet along the extended north line of lot;

Thence S 00°03'25" E 162.97 feet along the west line of said lot to the southwest corner of said lot;

Thence S 89°17'03" W 31.62 feet along the extended south line of said lot to the **Point of Beginning**.

Parcel contains ± 0.12 acres

Lot 6

Part of Northwest 1/4, Northwest 1/4, Section 20, Township 2 South, Range 35 East Boise Meridian, Bingham County, Idaho, more particularly described as;

Commencing at the Northwest corner of Section 20, Township 2 South, Range 35 East, said corner also being the northwest corner of Alvino Alba Subdivision Instr. #624277 and running thence S 00°06'52" W 1005.94 feet along the west line of said section, thence N 89°17'03" E 25.00 feet along extended south line of said Lot 6 of said subdivision to the **True Point of Beginning**;

Thence N 00°06'52" E 162.66 feet parallel to said section line;

Thence N 89°17'03" E 31.62 feet along the extended north line of said lot to the northwest corner of said lot;

Thence S 00°03'25" E 162.65 feet along the west line of said lot to the southwest corner of said lot;

Thence S 89°17'03" W 32.10 feet along the extended south line of said lot to the **Point of Beginning**.

Parcel contains ± 0.12 acres

Lot 7

Part of Northwest 1/4, Northwest 1/4, Section 20, Township 2 South, Range 35 East Boise Meridian, Bingham County, Idaho, more particularly described as;

Commencing at the Northwest corner of Section 20, Township 2 South, Range 35 East, said corner also being the northwest corner of Alvino Alba Subdivision Instr. #624277 and running thence S 00°06'52" W 1168.05 feet along the west line of said section, thence N 89°17'03" E 25.00 feet along extended south line of Lot 7 of said subdivision to the **True Point of Beginning**;

Thence N 00°06'52" E 162.11 feet parallel to said section line;

Thence N 89°17'03" E 32.10 feet along the extended north line of said lot;

Thence S 00°03'25" E 162.10 feet along the west line of said lot to the southwest corner of said lot;

Thence S 89°17'03" W 32.59 feet along the extended south line of said lot to the **Point of Beginning**.

Parcel contains ± 0.12 acres

Lot 8

Part of Northwest 1/4, Northwest 1/4, Section 20, Township 2 South, Range 35 East Boise Meridian, Bingham County, Idaho, more particularly described as;

Commencing at the Northwest corner of Section 20, Township 2 South, Range 35 East, said corner also being the northwest corner of Alvino Alba Subdivision Instr. #624277 and running thence S 00°06'52" W 1328.86 feet along the west line of said section, thence N 89°34'35" E 25.00 feet along the south line of said subdivision to the **True Point of Beginning**;

Thence N 00°06'52" E 160.94 feet parallel to said section line;

Thence N 89°17'03" E 32.59 feet along the extended north line of Lot 8 to the northwest corner of said lot;

Thence S 00°03'25" E 161.10 feet along the west line of said lot to the southwest corner of said lot also being the south line of said subdivision;

Thence S 89°34'35" W 33.07 feet along the south line of said subdivision to the **Point of Beginning**.

Parcel contains ± 0.12 acres

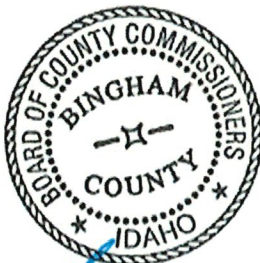
Section 2: **Easements Reserved**. All public utility easements and appurtenances for existing sewer, gas, water and similar pipelines, ditches and canals, and for existing electrical, telephone and similar utility lines are reserved.

Section 3: **Recording**. This Ordinance and Order shall be recorded in the records of the County Recorder, Bingham County, Idaho.

Section 4: **Effective Date**. This Ordinance and Order shall be in full force and effect upon its passage and approval by the Board of County Commissioners and its publication as required by law.

Passed and approved by the Board of County Commissioners, County of Bingham, State of Idaho, on the 10th day of June 2026.

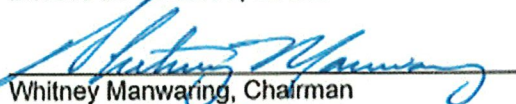
Signed and Approved this 13th day of July, 2026.



ATTEST:


Pamela W. Eckhardt
Bingham County Clerk

BOARD OF COUNTY COMMISSIONERS
BINGHAM COUNTY, IDAHO


Whitney Manwaring, Chairman


Eric Jackson, Commissioner

Drew Jensen, Commissioner

PUBLIC MEETING IN REGARD TO THE SUBMITTED TAX EXEMPTION APPLICATION FOR UNITED STEEL SUPPLY LLC, PURSUANT TO IDAHO CODE SECTION 63-602NN

Present: Tiffany Olsen- Planning & Development Director
Gary Larsen- Bingham County Mosquito Abatement Board
Debbie Cunningham- Chief Deputy Assessor
Pamela Eckhardt- County Clerk
Zoom: Jason Nicodemus- United Steel
Phone: Paul Rogers- County Legal Counsel

The Board held a public meeting with regard to the submitted Tax Exemption Application for United Steel Supply, LLC, pursuant to Idaho Code Section 63-602NN. Chairman Manwaring welcomed all to the meeting

The Board and those in attendance reviewed a scoring sheet covering job quality, job quantity, benefits, capital investment, and location, on which United Steel scored 53, supporting a 51–75% exemption for 3–5 years. United Steel has invested roughly \$10.9 million, employs 12 people with a target of 18–20, and began operating in late 2025.

The Assessor's Office estimated that, without exemption, taxes on the building would be about \$56,488 per year; at a 75% exemption the company would pay about \$14,122 annually on the building, with land and personal property remaining fully taxable, leaving the county with more than \$20,000 in annual tax revenue during the exemption period and over \$60,000 thereafter.

After deliberation, the Board unanimously approved a 75% exemption on the building for four tax years (2026–2029) as an incentive for job creation and investment.

The Board also directed legal counsel to draft a more detailed ordinance to clarify timing and eligibility requirements for future § 63-602NN applications and to ensure consistent application of the program.

Decision: Commissioner Jackson moved to approve a tax incentive for United Steel Supply LLC, consisting of a 75% reduction of taxes on the value of the new building for four years as an incentive under Idaho Code § 63-602NN. Chairman Manwaring clarified on the record that:

- This is an incentive, not a reward, for the investment and job creation.
- The exemption applies only to the building's value, not:
 - The land, or
 - The personal property, which will remain fully taxable (subject to existing personal property exemptions).
- The effect is to reduce the building taxes from approximately \$56,488 to about \$14,122 per year (a 75% reduction) for four years.
- United Steel currently has 12 employees and expects to add 6–8 more in the next two years, benefiting the local economy.
- The project is valued at over \$10 million, significantly enhancing the county's tax base.

Chairman Manwaring seconded the motion. Both voted in favor. The motion carried.

Following the approval of the exemption in concept, the Board considered Bingham County Resolution No. 2026-44, which formally implements the exemption under Idaho Code § 63-602NN.

Decision: Commissioner Jackson moved to approve Bingham County Resolution No. 2026-44, titled, a Resolution of the Bingham County Board of Commissioners Authorizing the Business Property Tax Exemption Pursuant to Idaho Code § 63-602NN, implementing a 75% business property tax exemption on the new facility of United Steel Supply LLC for tax years 2026–2029, consistent with the Board's prior action. Chairman Manwaring seconded. Both voted in favor. The motion carried and said resolution was approved as follows:

BINGHAM COUNTY
RESOLUTION 2026-44

A RESOLUTION OF THE BINGHAM COUNTY BOARD OF COMMISSIONERS
AUTHORIZING THE BUSINESS PROPERTY TAX EXEMPTION PURSUANT TO
§63-602NN, IDAHO CODE FOR BINGHAM COUNTY

WHEREAS, §31-801, Idaho Code, grants general powers and duties, subject to the restrictions of law, to the boards of county commissioners in their respective counties; and

WHEREAS, §31-828, Idaho Code, grants the Board authority "to do and perform all other acts ... which may be necessary to the full discharge of the duties of the chief executive authority of the county government"; and

WHEREAS, §63-602NN(2)(a) and (b), Idaho Code, specifies what a "defined project" means and what "investment in new plant" means; and

WHEREAS, §63-602NN, Idaho Code, defines "tax incentive criteria" as a taxpayer at a project site that (1) makes capital investments in a new plant of not less than five hundred thousand dollars (\$500,000) at the project site and (2) demonstrate that significant economic benefits will accrue to the county based on Bingham County Ordinance 1-7-2; and

WHEREAS, §63-602NN(3), Idaho Code, allows the Board of County Commissioners to negotiate the terms and grant such exemption for all or a portion of the market value of the defined project for a period of up to five (5) years.

NOW, THEREFORE, BE IT RESOLVED that the Bingham County Board of Commissioners determine that:

1. It is in the public interest to exempt 75% of United Steel Supply, LLC's investment value of \$10,986,900 in a new facility and excludes new machinery and equipment associated with the project for a total exemption of an estimated \$42,366.31.
2. 63-602NN, Idaho Code, enables a county to grant an exemption for up to five (5) years and the Bingham County Board of Commissioners has agreed to grant an exemption for the 4 years of 2026, 2027, 2028 and 2029.
3. United Steel Supply, LLC shall file an annual application (update) with Bingham County showing the viability and progress of the project. The property eligible for this exemption shall not be placed on the new construction roll, pursuant to law, until the expiration of the exemption.
4. If at any time during the project period United Steel Supply, LLC fails to meet the criteria of the exemption or ceases to do business in Bingham County, then Bingham County may seek recapture of property taxes that would have been paid but for the exemption.

5. The exemption for personal property included in the project will expire if the Idaho Legislature passes legislation which exempts personal property tax, in whole or part, during the term authorized by this exemption.

BE IT FURTHER RESOLVED that this resolution shall be effective this 13th day of July, 2026.

X Motion Carried Unanimously
_____ Motion Carried/Split Vote below
_____ Motion Defeated/Split Vote below

	Yes	No	Did Not Vote
<u>Whitney Manwaring, Chairman</u>	<u>X</u>	_____	_____
<u>Eric Jackson</u>	<u>X</u>	_____	_____
<u>Drew Jensen</u>	_____	_____	<u>X</u>

ATTEST:

Pamela Eckhardt
Pamela W. Eckhardt
Bingham County Clerk



MONTHLY UPDATE MEETING WITH TREASURERS OFFICE

Present: Tanna Beal- County Treasurer
Pamela Eckhardt- County Clerk

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

REQUEST SUBMITTED BY TIM WETHERBEE, PRESIDENT OF NORTH WAPELLO LATERAL DITCH, FOR A LETTER OF SUPPORT TO APPLY FOR GRANT FUNDING TO REPLACE HEADGATE AND CHECK IN THE BLACKFOOT IRRIGATION CANAL

Present: Tim Wetherbee- President of North Wapello Lateral Ditch

The Board met to discuss the request submitted by Tim Wetherbee, President of North Wapello Lateral Ditch, for a letter of support to apply for grant funding to replace a headgate and check in the Blackfoot Irrigation Canal.

Decision: Commissioner Jackson moved to approve and sign the letter of support to apply for grant funding to replace a headgate and check in the Blackfoot Irrigation Canal. Chairman Manwaring seconded. Both voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY JULY 15, 2026


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Wednesday, July 15, 2026
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 Gluch- Commission Clerk

APPROVAL OF COMMISSION NOTICE & AGENDA

The Board met to approve the Commission Notice & Agenda for July 15, 2026, as posted.

Decision: Commissioner Jensen moved to approve the Commission Notice & Agenda for July 15, 2026, as posted. Commissioner Jackson seconded. All voted in favor. The motion carried.

COLLEGE OF EASTERN IDAHO

The Board met to approve three (3) Certificate of Residency documents which were sent to the College of Eastern Idaho for the following Bingham County students: Cindy V. Pelayo, Taylor J. Cox and Hunter G. Davison.

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

APPROVAL & SIGNING OF LETTER OF SUPPORT FOR FEDERAL FUNDING THROUGH COMPETITIVE HIGHWAY BRIDGE PROGRAM FOR RECONSTRUCTION OF I-15 OVERPASS BETWEEN FORT HALL AND BLACKFOOT, IDAHO

The Board met to approve and sign a letter of support for federal funding through the Competitive Highway Bridge Program for reconstruction of I-15 overpass between Fort Hall and Blackfoot, Idaho.

Decision: Commissioner Jensen moved to approve and sign a letter of support for federal funding through the Competitive Highway Bridge Program for reconstruction of I-15 overpass between Fort Hall and Blackfoot, Idaho. Commissioner Jackson seconded. All voted in favor. The motion carried.

APPROVAL OF ALCOHOL CATERING PERMIT FOR AMERICAN LEGION STEWART HOOVER FOR AN EVENT TO BE HELD ON JULY 18, 2026

The Board met to approve an Alcohol Catering Permit for the American Legion Stewart Hoover for an event to be held on July 18, 2026.

Decision: Commissioner Jackson moved to approve the Alcohol Catering Permit for the American Legion Stewart Hoover for an event to be held on July 18, 2026. Commissioner Jensen seconded. All voted in favor. The motion carried.

APPOINTMENT OF BRIAN HARRINGTON TO THE MOSQUITO ABATEMENT BOARD

Present: Gary Larsen- Chairman, Mosquito Abatement Board

The Board met with Gary Larsen, Chairman of the Mosquito Abatement Board, to appoint Brian Harrington to the board.

Decision: Commissioner Jensen moved to appoint Brian Harrington to the Mosquito Abatement Board, according to the proposal of Gary Larsen. Commissioner Jackson seconded. All voted in favor. The motion carried.

SHERIFFS OFFICE

Present: Jeff Gardner- Sheriff
Jordyn Nebeker- Chief Deputy Sheriff
James "Jimmy" Roberts- County Coroner

The Board met with Sheriff Gardner to receive updates from within the Sheriffs Office and to hold discussion in regard to proceeding with public hearing for ordinance amendment to add the ban of sale and delivery of Kratom.

Sheriff Gardner and Chief Deputy Sheriff Nebeker discussed the growing availability and risks of kratom, noting its sale in local convenience stores, its increasingly potent forms, and its opioid-like effects in high doses that are difficult to detect on standard hospital drug screens and not reliably reversed by Narcan.

Jimmy Roberts, County Coroner, reported three kratom-related deaths in Bingham County and about a dozen in Eastern Idaho, along with frequent cases of suspected drug-induced psychosis.

The Board did not adopt the kratom ordinance at this meeting but unanimously approved moving it forward by authorizing publication and scheduling a public hearing, intended as a step toward potential state-level action.

Decision: Commissioner Jackson moved to approve proceeding with public hearing in regard to the proposed ordinance amendment to add the ban of sale and delivery of Kratom in Bingham County. Commissioner Jensen seconded. All voted in favor. The motion carried.

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
Paul Rogers- County Legal Counsel
Kraig Edwards- Weed Department Supervisor
Doyle Hawker- Citizen

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

Discussion was held in regard to Liberty Road and working with the landowners for tree removal, placement of a 4-way stop and stop ahead signs, reshouldering of the road and lowering speed limit to 45 mph. The Board held follow-up discussion on a rural intersection on Liberty Road near the residence of Casey Hawker, where:

- There have been multiple accidents, including a recent collision involving a spray rig that had pulled more than halfway into the intersection before being struck.
- Nearby residents and road users (including farmers, grain/potato/ beet haulers) raised concerns regarding:
 - Limited visibility at the intersection due to trees along the Hawker property (functioning as a windbreak).
 - High vehicle speeds on Liberty Road.
- At a prior meeting, stakeholders including Brad Hall and Terry Reid suggested installing a four-way stop at the intersection.
- The road has recently undergone rehabilitation, which has improved the surface and may have contributed to higher travel speeds, including for empty trucks.

Public Works reported that the 85th percentile speed on Liberty Road at that location is approximately 63 mph. Under the MUTCD, the posted speed is typically set around the 85th percentile speed. Currently the existing control consists of stop signs on the north-south approaches and the east-west movement on Liberty Road currently operates as a through movement without stopping. Mr. Whited stated that the intersection, even with the current trees in place, meets state sight-distance requirements per ITD standards.

Discussion was held with regard to Casey Hawker owning the trees along the corner which act as a windbreak but also partially obstruct sight distance, especially for large trucks. Doyle Hawker spoke on behalf of Casey Hawker and stated that he is willing to improve safety but preferred not to remove the entire windbreak. Mr. Hawker proposed removal of the first two trees closest to the intersection/stop sign, clean up branches, new sprouts, and trimming debris from prior cuts and to retain some of the remaining tree line if possible.

The Road & Bridge Department will proceed with reshouldering and rebuilding the shoulders on Liberty Road in the identified problem areas where shoulders have degraded due to traffic and agricultural pivot impacts. With regard to speed limit change or installation of a four-way stop, no action will be taken at this time, while monitoring conditions and reserving the option to revisit additional controls if the problems persist.

Commissioner Jensen moved to approve the approach as discussed today, specifically to:

- 1. Allow and encourage Casey Hawker to remove the first two trees (up to two or three if needed) nearest the intersection and to clean up branches, new growth, and debris from prior trimming, in order to improve visibility at the Liberty Road intersection; and**
- 2. Proceed with reshouldering and rebuilding the shoulders on Liberty Road in the identified problem areas where shoulders have degraded due to traffic and agricultural pivot impacts; and**
- 3. At this time, take no action to change the posted speed limit or to install a four-way stop at the intersection, and instead monitor conditions following the visibility and shoulder improvements.**

Commissioner Jackson seconded. All voted in favor. The motion carried.

Discussion was held in regard to the submitted prior approval for purchase of 12 dump truck tires. Said purchase is in the amount of \$4,786.80, which is to be paid from Fund: 02-47-473-01.

Decision: Commissioner Jackson moved to approve the submitted prior approval for purchase of 12 dump truck tires. Said purchase is in the amount of \$4,786.80, which is to be paid from Fund: 02-47-473-01. Commissioner Jensen seconded. All voted in favor. The motion carried.

Review of the proposed budget for the Weed Department.

MEETING WITH SURROUNDING COUNTIES IN REGARD TO THE IMPACT OF THE EASTERN IDAHO STATE FAIR

Present: Wes Wheatley- Police Chief
Blake Davis- Police Captain
Ryan Jolley- Prosecuting Attorney
Jordyn Nebeker- Chief Deputy Sheriff
Bryon Howell- Blackfoot Fire Chief
Brandon Wall- Blackfoot Fire Captain
Brandon Bird- Eastern Idaho State Fair

The Board held a meeting with officials from surrounding counties to hold discussion in regard to the impact of the Eastern Idaho State Fair, specifically to impact on emergency services, the Prosecutors Office and court system.

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 Jackson moved to go into Executive Session pursuant to Idaho Code §74-206(1)(d), to consider records that are exempt from public disclosure. Commissioner Jensen seconded. Both voted in favor. The Board moved into Executive Session at 11:28 a.m. Commissioner Jackson moved to go out of Executive Session. Commissioner Jensen seconded. The Board moved out of Executive Session at 11:47 a.m.

Decision: Commissioner Jensen moved to approve the prior approval for purchase of web & M365 Security to help secure web traffic. Said purchase is in the amount of \$14,649.20, which is to be paid from Fund: 01-14-524-0000. Commissioner Jackson seconded. All voted in favor. The motion carried.

Commissioner Jackson moved to approve the prior approval for purchase of 2 switches to use as hardware refresh. Said purchase is in the amount of \$6,023.60, which is to be paid from Fund: 01-14-810-0001. Commissioner Jensen seconded. All voted in favor. The motion carried.

DECISION REGARDING SOLID WASTE CREDIT APPLICATIONS FOR RIDGELINE RECYCLING AND MOUNTAIN WEST RENTALS AND SALES

Present: Derrick Going- Solid Waste Director

The Board met to hold discussion and make a decision regarding Solid Waste Credit Applications for Ridgeline Recycling and Mountain West Rentals and Sales.

Ridgeline Recycling requested solid waste credit in the amount of \$1,000.00 per month. Mr. Going stated that he has reviewed the application references and has no concerns.

Decision: Commissioner Jackson moved to approve the Solid Waste Credit Application in the amount of \$1,000.00 per month. Commissioner Jensen seconded. All voted in favor. The motion carried.

Mountain West Rental Services requested solid waste credit in the amount of \$1,000.00 per month. Mr. Going stated that he has reviewed the application references and has no concerns.

Decision: Commissioner Jensen moved to approve the Solid Waste Credit Application in the amount of \$1,000.00 per month. Commissioner Jackson seconded. All voted in favor. The motion carried.

REVIEW OF PROPOSED FY 2027 PARKS & RECREATION AND EMERGENCY MANAGEMENT BUDGET

Present: Scott Reese- Parks & Recreation/Emergency Management Director
Pamela Eckhardt- County Clerk

The Board met to review the proposed FY 2027 budget for Parks & Recreation and Emergency Management.

REVIEW OF PROPOSED FY 2027 BUILDING MAINTENANCE BUDGET

Present: Jason Marlow- Facilities Manager
Pamela Eckhardt- County Clerk

The Board met to review the proposed FY 2027 budget for Building Maintenance.

MEETING WITH CONCERNED CITIZENS IN REGARD TO THE CONSTRUCTION OF TILDEN BRIDGE- REQUESTED BY COMMISSIONER DREW JENSEN

The Board held a meeting with concerned citizens in regard to the construction of Tilden Bridge. The Chairman explained that the purpose of the meeting was to review the Twin Bridges / Ferry Butte Bridge rehabilitation project, the federal funding and project timeline, and to hear concerns from farmers, tribal representatives, and other stakeholders regarding impacts during harvest.

Dusty Whited, Public Works Director, explained that the State (ITD) inspects major county bridges and identified rehabilitation needs at the Twin Bridges / Ferry Butte Bridge. The county applied for Federal Aid Bridge Funding in March 2023 and FHWA obligated design funds in September 2023. A formal consultant selection process was followed (review of 15-page packets, scored by a panel including Dusty Whited, Troy Lenhart, and Chairman Manwaring), which took approx. 6–8 weeks, the design phase commenced which took approx. one year and the environmental review was completed through ITD and FSWA. After design, the project moved into construction phase with a separate consultant selection for construction oversight.

Funding Overview and project scope were provided, which includes bridge deck repairs, substructure repairs, guardrail replacement and approach paving.

Options to proceed forward with the bridge repair were presented as follows:

Option 1 – Proceed Now with Modified Phasing to Protect Harvest

- Phase 1 – Nighttime Deck Repairs (July 20 – August 31)
 - Work hours: 8:00 p.m. – 6:00 a.m.
 - Daytime (6:00 a.m. – 8:00 p.m.):
 - Bridge fully open, two lanes, no traffic control.
 - Tubular markers moved to curb line each morning to open full width.

- Nighttime:
 - One-lane operation with actuated traffic signals (not fixed-time).
 - Tubular markers (“candlesticks”) placed along centerline to delineate work zone.
 - Only as much deck is chipped as can be patched and reopened by morning using fast-cure mortar.
- During deck epoxy overlay:
 - Approximately 13-ft-wide work zone at a time; 26-ft deck total.
 - Affects nighttime operations; daytime remains open.
 - Epoxy requires temperature window; cannot delay into mid-October without warranty/quality risk.
- Phase 2 – Substructure Repairs (September 1 – September 30)
 - All work done from barges in the river.
 - Bridge remains fully open, day and night, with no lane restrictions.
 - Additional barges and skiffs will be used to avoid occupying the deck with equipment.
- Phase 3 – Guardrail Replacement (Beginning ~October 1 or Later)
 - Removal of existing rail with lead-based coating; installation of new rail.
 - Temporary concrete barrier installed to protect traffic due to lack of permanent rail.
 - Bridge reduced to one lane, 24 hours/day during this phase.
 - Duration: approximately one month once started (cannot be “partially un-done” once begun).
 - Timing may be coordinated with beet harvest (potential to delay start toward November 1, weather permitting; epoxy does *not* constrain this phase the same way).

Cost & Funding (Option 1):

- Estimated additional cost for modified work plan (night work, inefficiencies, barge staging): up to \$50,000.
- This amount is federally eligible under the contract.
- Estimated additional county share at 7.34%: approximately \$3,600–\$3,700.
- Final cost subject to actual documented contractor costs.

Farmer Impacts (Option 1):

- July 20 – August 31:
 - Night: one-lane bridge with signals (8 p.m.–6 a.m.).
 - Day: full two-lane operation.
- September 1 – September 30:
 - Bridge fully open, no restrictions – aligns with peak potato harvest concern.
- After ~October 1 (flexible):
 - One-lane bridge day and night during guardrail work.
 - Concern primarily for wide farm equipment and sugar beet haul, but timing may be adjusted in consultation with farmers (possibly pushing to November).

Contractor Commitments (Cannon Builders):

- Tubular markers will be moved to the curb line each morning to maximize deck width.
- Larger equipment may be accommodated by temporarily shifting cones where safe, in coordination with farmers.
- Substructure work will be scheduled for daytime with crews on barges; motorists “should not notice” except for some noise.
- Contractor acknowledges safety risks of night work but has previous experience and will manage accordingly.
- Communication protocol to be established (likely weekly partnering meetings with county, engineer, contractor, and farmer representatives; use of email/phone for advance notice when very wide equipment must cross).

Option 2 – Delay Entire Project to 2027

- Reschedule construction to 2027, with:
 - Start no earlier than June (temperature dependent).
 - Target completion by August 15.
 - Estimated working time: ~59 working days (3 months).

Risks/Constraints:

- Temperature/Moisture:
 - June temperatures and moisture may not meet epoxy / deck work requirements (55°F and rising, dry substrate).
- High River Flows:
 - Spring/early summer runoff could make barge operations unsafe/unstable, delaying substructure work.
- Environmental Restrictions (Birds/Bats):
 - Swallows (migratory birds) and bats nesting periods:
 - Protective buffers required if nests contain eggs/chicks (cannot work within 25–50 feet of such nests).
 - Nesting season can extend from spring through August.
 - Recent high water and nest visibility challenges already complicated nest clearing this year.

Traffic Impacts (Option 2, as originally designed):

- One-lane bridge with concrete barrier continuously from June to August 15 (and possibly beyond, due to ecology/flow/temperature delays).
- Could be modified to a scheme similar to Option 1, but this would extend project duration and create similar harvest-season conflicts in future years.

Cost Impacts (Option 2):

- Contractor's preliminary estimate of delay costs: approx. \$175,000.
- These delay costs are not federally participating and would fall directly on the county.
- Bridge construction itself would remain federally funded, but delay damages would be local responsibility.

Option 3 – Cancel the Project

1. Financial Repayment

- County must repay all federal funds expended on the project to date, including:
 - Approximately \$200,000 in design costs.
 - Approx. \$50,000 in early construction-related/consultant/LTAC costs.
 - Contractor termination/settlement costs with Cannon Builders, estimated around \$175,000 (subject to negotiation).
- Total gross exposure estimated at \$400,000–\$425,000.
- County's previously paid local construction match (~\$100,000+) would be a credit, bringing net expected county repayment to around \$300,000–\$325,000.
- LRIP grant implications are unclear but likely that the grant would not be retained if the project is canceled.

2. Future Federal Eligibility

- Earlier concern that canceling would disqualify the county from future federal-aid projects for several years appears unfounded based on LHTAC's discussions with FHWA; however, future projects would have to restart the full 3–5 year federal project development cycle.

3. Bridge Condition / Load Restrictions

- Without rehabilitation, further deterioration of the substructure could lead to ITD imposing load restrictions.

- Load limits would be determined by ITD bridge engineers, not the county or consultant, and could restrict truck and equipment traffic similar to or more restrictive than spring load limits.
- Multiple other county bridges are currently load-restricted; this bridge could become one of them.
- If deterioration advances, eventual full bridge replacement could be required at significantly higher cost:
 - Example: similar bridges are estimated in the \$20–\$30 million range and may exceed LTAC's normal bridge program capacity, requiring special/competitive federal funding.

The meeting was opened up for public comment and deliberation.

After extensive discussion, including comparison of cost, traffic, agricultural and long-term structural impacts of all three options, all favored proceeding with: Option 1 – Proceed now with modified phasing, emphasizing night work and full daytime access during harvest, with flexibility on the guardrail phase start date.

- Specific reasons cited:
 - Protects 2024 potato harvest by keeping the bridge fully open during daytime and fully open all of September.
 - Maintains eligibility for and use of federal funding, preserves the bridge, and avoids future load restrictions and significantly higher replacement costs.
 - Avoids large unfunded delay damages (~\$175,000) or repayment obligations (\$300k+ net) that would accompany Options 2 or 3.
 - Maintains positive tribe–county cooperation and forward momentum on needed infrastructure.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY JULY 17, 2026



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Friday, July 17, 2026
County of Bingham)

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

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

APPROVAL OF COMMISSION NOTICE & AGENDA

The Board met to approve the Commission Notice & Agenda for July 17, 2026, as posted.

Decision: Commissioner Jensen moved to approve the Commission Notice & Agenda for July 7, 2026, as posted. Chairman Manwaring seconded. Both voted in favor. The motion carried.

CLAIMS

The Board met to approve Claims in the amount of \$1,803,654.95.

PERSONNEL ACTION FORMS

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

Employee Status Sheet:	Criminal Deputy Prosecutor
	Criminal Deputy Prosecutor
Salary Increase Form:	Dep. Clerk/ Elections Assistant
	Elections Director
	Emergency Communications Officer
	Patrol Sergeant
	Patrol Deputy
	Truck Driver- Solid Waste
	Sergeant
	Patrol Deputy

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.

RESOLUTION 2026-41

The Board met to approve Bingham County Resolution 2026-41, a resolution for the destruction of records for the Assessors Office/DMV.

Decision: Commissioner Jensen moved to approve Bingham County Resolution 2026-41, a resolution for the destruction of records for the Assessors Office/DMV. Chairman Manwaring seconded. Both voted in favor. The motion carried and said resolution was approved as follows:

**BINGHAM COUNTY
RESOLUTION 2026-41**

**RESOLUTION REGARDING THE DESTRUCTION OF RECORDS
FOR THE ASSESSORS OFFICE/DEPARTMENT OF MOTOR VEHICLES**

WHEREAS the Bingham County Assessors Office/Department of Motor Vehicles has requested permission to destroy certain records; and

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

WHEREAS the Assessors Office has represented that all records for which destruction is sought pertain to matters which have been concluded for the designated period of time allowed in sections of Idaho Code; and

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

Assessors Office

June 2025

Title and Title Applications

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

Dated this 17th day of July 2026.

ATTEST:


Pamela W. Eckhardt
Bingham County Clerk



BINGHAM COUNTY COMMISSION


Whitney Manwaring, Chairman

Eric Jackson, Commissioner


Drew Jensen, Commissioner

RESOLUTION 2026-42

The Board met to approve Bingham County Resolution 2026-42, a resolution for the destruction of records for the Sheriffs Office.

Decision: Commissioner Jensen moved to approve Bingham County Resolution 2026-42, a resolution for the destruction of records for the Sheriffs office. Chairman Manwaring seconded. Both voted in favor. The motion carried and said resolution was approved as follows:

**BINGHAM COUNTY
RESOLUTION 2026-42**

**RESOLUTION REGARDING THE DESTRUCTION OF RECORDS
FOR THE SHERIFFS OFFICE**

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

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

WHEREAS the Sheriffs Office has represented that all records for which destruction is sought pertain to matters which have been concluded for the designated period of time allowed in sections of Idaho Code; and

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

See Attached "Exhibit A"

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

Dated this 17th day of July 2026.

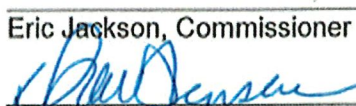
BINGHAM COUNTY COMMISSION

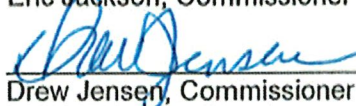
ATTEST:


Pamela W. Eckhardt
Bingham County Clerk




Whitney Manwaring, Chairman


Eric Jackson, Commissioner


Drew Jensen, Commissioner



BINGHAM COUNTY

SHERIFF JEFF GARDNER

(208) 785-4440
501 N. MAPLE ST. #405
BLACKFOOT, ID 83221

County Records Destruction list

June 01, 2026

Bingham County Sheriff's Office Records is requesting approval for destruction of the following items:

Box 1: Jail Jackets #1501 - 1540
Box 2: Jail Jackets #1500 - 1695
Box 3: Jail Jackets #1698 - 1812
Box 4: Jail Jackets #1812 - 1907
Box 5: Jail Jackets #1989 - 2065
Box 6: Jail Jackets #2066 - 2150
Box 7: Jail Jackets #19 - 160
Box 8: Jail Jackets #20 - 343
Box 9: Jail Jackets #367 - 406
Box 10: Jail Jackets #405 - 516

Kaitlin Smith
Records Clerk

KimberLee Arms
Office Manager

RESOLUTION 2026-43

The Board met to approve Bingham County Resolution 2026-43, a formal resolution declaring certain Bingham County property not necessary for use in Bingham County, Idaho, specifically for one (1) property that was taken on tax deed.

Decision: Commissioner Jensen moved to approve Bingham County Resolution 2026-43, a formal resolution declaring certain Bingham County property not necessary for use in Bingham County, Idaho, specifically for one (1) property that was taken on tax deed. Chairman Manwaring seconded. Both voted in favor. The motion carried and said resolution was approved as follows:

**BINGHAM COUNTY
RESOLUTION NO. 2026-43**

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

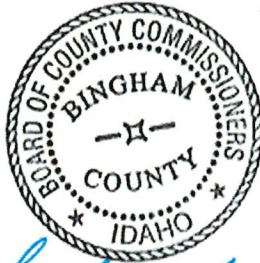
WHEREAS, The Bingham County Commissioners have the authority to manage county property, (Idaho Code §31-807);

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

<u>SALE LOT</u>	<u>PARCEL #</u>	<u>FORMER OWNER</u>	<u>LEGAL DESCRIPTION</u>	<u>PROPERTY ADDRESS</u>
1	RP3002400	Kunz Investments LLC	T5S R31E SEC 33 Aberdeen BLK 8 Lot 4	Aberdeen ID 83210

Date this 17th day of July 2026

ATTEST:




Pamela W. Eckhardt
Bingham County Clerk

BINGHAM COUNTY COMMISSION


Whitney Manwaring, Chairman

Eric Jackson, Commissioner

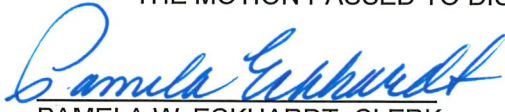

Drew Jensen, Commissioner

REVIEW OF PROPOSED FY 2027 BUDGET

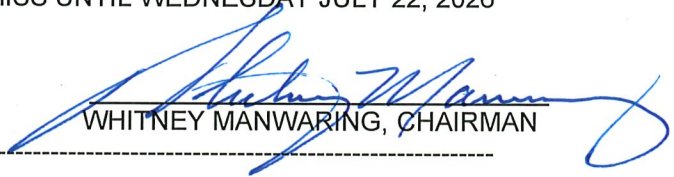
Present: Pamela Eckhardt- County Clerk
Laura Lora- Chief Deputy Clerk
Kris Talbot- Detention Lieutenant

The Board met to review the proposed FY 2027 budget.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY JULY 22, 2026



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Wednesday, July 22, 2026
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 Gluch- Commission Clerk

APPROVAL OF COMMISSION NOTICE & AGENDA

The Board met to approve the Commission Notice & Agenda for July 22, 2026, as posted.

Decision: Commissioner Jensen moved to approve the Commission Notice & Agenda for July 22, 2026, as posted. Commissioner Jackson seconded. All voted in favor. The motion carried.

DECISION REGARDING ANNUAL CONTRIBUTION TO CITIES FOR RECREATION

Present: Leigh Ann Davis- Parks & Recreation
 Scott Reese- Parks & Recreation/Emergency Services Director
 Paul Rogers- County Legal Counsel

The Board met to make a decision in regard to the annual contribution to cities for recreation.

Discussion was held with regard to the proposal of Mr. Reese to change how the county funds city recreation. Mr. Reese proposed that each city would submit a specific park improvement project to the County Parks & Recreation Department, with money release only after review and approval. This will hold each city accountable for funds spent and to which project the funds are allocated.

The Board agreed that the county is able to attach conditions to the funding and was in favor of sending the proposed letter.

Decision: Commissioner Jensen moved to approve the letter proposed by Parks & Recreation, to be sent to each city pertaining to changes of contributions. 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 voted in favor. The Board moved into Executive Session at 8:35 a.m. Commissioner Jensen moved to go out of Executive Session. Commissioner Jackson seconded. The Board moved out of Executive Session at 9:36 a.m.

Decision: Commissioner Jensen moved to approve posting the 911 Technical Specialist position and offer E29 step and the Emergency Communication Officer positions presented in the FY 2027 proposed budget. 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 regard to the prior approval for purchase of 31 Smith and Wesson Firearms, optics, lights, and holsters. Said purchase is in the amount of \$29,520.90, which is to be paid from Fund: 05-02-556-00.

Decision: Commissioner Jackson moved to approve the prior approval for purchase of 31 Smith and Wesson Firearms, optics, lights, and holsters. Said purchase is in the amount of \$29,520.90, which is to be paid from Fund: 05-02-556-00. Commissioner Jensen seconded. All voted in favor. The motion carried.

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
Kraig Edwards- Weed Department Supervisor
Laura Lora- Chief Deputy Clerk
Pamela Eckhardt- County Clerk

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

Mr. Whited provided an update on bridge repairs occurring within the county and road maintenance.

Discussion was held in regard to the prior approval for purchase of weed spraying chemicals. Said purchase is in the amount of \$35,047.10, which is to be paid from Fund: 27-60-630-00.

Decision: Commissioner Jensen moved to approve the prior approval for purchase of weed spraying chemicals. Said purchase is in the amount of \$65,047.10, which is to be paid from Fund: 27-60-630-00. Commissioner Jackson seconded. All voted in favor. The motion carried

Discussion was held in regard to the proposed FY 2027 budget for the Weed Department.

AMENDMENT TO AGENDA

Decision: Commissioner Jackson moved to adjust the Commission Agenda to move the 10:00 a.m. Executive Session to 2:45 p.m. Commissioner Jensen seconded. All voted in favor. The motion carried.

HUMAN RESOURCES

Present: Laraine Pope- Human Resources Director

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

MEETING TO RECEIVE THE PLANNING & ZONING COMMISSION'S RECOMMENDATION TO APPROVE THE RIVER ISLAND SUBDIVISION LOCATED AT 132 W 390 N AND 134 W 210 N, BLACKFOOT, IDAHO, WITH DECISION

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

The Board met to receive the Planning & Zoning Commission's recommendation to approve the River Island Subdivision located at 132 W 390 N and 134 W 210 N, Blackfoot, Idaho, with decision.

Chairman Manwaring welcomed all to the meeting and introductions were held for county staff and the time was turned over to Tiffany Olsen, Planning & Development Director, for presentation of staff report.

After presentation of the Staff Report by Tiffany Olsen, Planning & Development Director, the Board of County Commissioners held discussion and deliberation, wherein they found the following:

1. The Application met the requirements of Bingham County Code Title 10, Chapter 14, *Subdivision Regulations*; and
2. The subject parcel is zoned "R/A" Residential/Agricultural and meets the requirements of Bingham County Code Section 10-4-2(C), which states the purpose of this zone; and
3. The lands surrounding the proposed subdivision replat are also zoned R/A and consist of residential homes, which is consistent with the proposed features of the Application; and
4. The Application met the requirements of Bingham County Code Section 10-6-6(B)(1), as the proposed lots exceed the 1-acre minimum allowed for in a "R/A" zone with individual culinary wells, septic systems and drainfields on each lot; and
5. Both lots have existing access from 210 N Shoemaker Road; and
6. Both lots will continue to be irrigated through the Corbett Slough Irrigation Ditch Company;
7. The proposed subdivision is consistent with the Bingham County Comprehensive Plan, as the area is designated as Residential/Agricultural, which supports the Residential/Agricultural Zoning District.

Chairman Manwaring had no concerns.

Commissioner Jackson had no concerns.

Commissioner Jensen had no concerns.

DECISION

Commissioner Jensen, based on the record, moved to uphold the Planning & Zoning Commission's recommendation to approve the proposed 2-lot residential subdivision to be known as the River Island Estates Subdivision, as proposed by property owners, Blake & Betty Michelle Johnson and Delon & Rebecca Haggard, located at 132 W 210 N and 134 W 210 N, Blackfoot, Idaho 83221. 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.

MEETING TO RECEIVE THE PLANNING & ZONING COMMISSION'S RECOMMENDATION TO APPROVE THE 1ST AMENDED DRAKOS SUBDIVISION LOCATED AT 842 W 390 N AND 395 N 850 W, BLACKFOOT, IDAHO

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

The Board held a meeting to receive the Planning & Zoning Commission's recommendation to approve the 1st Amended Drakos Subdivision located at 842 W 390 N and 395 N 850 W, Blackfoot, Idaho 83221. Chairman Manwaring welcomed all to the meeting, introductions were held for county staff, and the time was turned over to Tiffany Olsen, Planning & Development Director, for presentation of staff report.

After presentation of the Staff Report by Tiffany Olsen, Planning & Development Director, the Board of County Commissioners held discussion and deliberation, wherein they found the following:

1. The Application met the requirements of Bingham County Code Title 10, Chapter 14, *Subdivision Regulations*; and
2. The subject parcel is zoned "R/A" Residential/Agricultural and meets the requirements of Bingham County Code Section 10-4-2(C), which states the purpose of this zone; and
3. The lands to the south and east of the proposed subdivision replat are also zoned "R/A" and consist of residential homes, which is consistent with the proposed features of the Application; and
4. The Application met the requirements of Bingham County Code Section 10-6-6(B)(1), as the proposed lots exceed the 1-acre minimum allowed for in a "R/A" zone with individual culinary wells, septic systems and drainfields on each lot; and
5. Lot 1 has an existing access from 850 W Larsen Road, and lot 3 has an existing access from 390 N Lavaridge Dr.; and

Chairman Manwaring had no concerns.

Commissioner Jackson had no concerns.

Commissioner Jensen had no concerns.

DECISION

Commissioner Jackson, based on the record, moved to uphold the Planning & Zoning Commission's recommendation to approve the proposed 2-lot residential subdivision to be known as 1st Amended Drakos Subdivision, as proposed by property owners, Chris Drakos Enterprises, Inc., and Cody and Christina Darrah, located at 395 N 850 W and 842 W 390 N, Blackfoot, Idaho. Commissioner Jensen 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.

APPROVAL & SIGNING OF IDAHO DEPARTMENT OF JUVENILE CORRECTIONS PASSTHROUGH FUNDS RECIPIENT AGREEMENT

Present: Mark Gough- Juvenile Probation Services
Shawn Hill- Probation Services

The Board met to approve and sign the Idaho Department of Juvenile Corrections Passthrough Funds Recipient Agreement.

Mr. Gough stated that there have been no changes made to the agreement and that Legal Counsel had reviewed the proposed agreement with no concerns.

Decision: Commissioner Jensen moved to approve and sign the Idaho Department of Juvenile Corrections Passthrough Funds Recipient Agreement. Commissioner Jackson seconded. All voted in favor. The motion carried.

PLANNING & DEVELOPMENT UPDATE

Present: Tiffany Olsen- Planning & Development Director

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

UPDATE WITH PAUL ROGERS, COUNTY LEGAL COUNSEL

Present: Paul Rogers- County Legal Counsel

The Board met with Paul Rogers, County Legal Counsel, to receive updates.

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Jensen moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Jackson seconded. Both voted in favor. The Board moved into Executive Session at 2:53 p.m. Commissioner Jensen moved to go out of Executive Session. Commissioner Jackson seconded. The Board moved out of Executive Session at 4:26 p.m.

Decision: No decision was made at this time.

APPROVAL OF REASON & DECISION FOR THE MOTION FOR RECONSIDERATION OF MODIFIED CONDITIONS APPLICABLE TO THE CUP FOR A PRIVATE FIREARMS TRAINING RANGE SUBMITTED BY JEFF & JULIE KRUEGER

The Board met to approve and sign the Reason & Decision for the Motion for Reconsideration of Modified Conditions applicable to the CUP for a private firearms training range submitted by Jeff & Julie Krueger.

Chairman Manwaring confirmed with Commissioner Jensen and Commissioner Jackson that both had reviewed the proposed documents and had no changes to be made.

Decision: Commissioner Jackson moved to approve and sign the Reason & Decision for the Motion for Reconsideration of Modified Conditions applicable to the CUP for a private firearms training range submitted by Jeff & Julie Krueger. Commissioner Jensen seconded. All voted in favor. The motion carried.

APPROVAL OF MAY 2026 COMMISSION MINUTES

The Board met to approve and sign the May 2026 Commission Minutes.

Chairman Manwaring confirmed with Commissioner Jensen and Commissioner Jackson that both had reviewed the proposed documents and had no changes to be made.

Decision: Commissioner Jensen moved to approve and sign the May 2026 Commission Minutes. Commissioner Jackson seconded. All voted in favor. The motion carried.

APPROVAL OF SLOW SENSOR SWITCH FOR THE AIR CONDITIONING WITHIN THE COURTHOUSE

Present: Jason Marlow- Facilities Manager

The Board met to approve the purchase of a slow sensor switch for the air conditioning within the courthouse.

Jason Marlow stated that he had not received a final quote as to the price but would request that the Board allow up to purchase of \$5,000 in order to get the part on the way. Mr. Marlow will provide a prior approval sheet once he receives the final cost.

Decision: Commissioner Jackson moved to approve purchase of up to \$5,000 for a slow sensor switch for the air conditioning within the courthouse. Mr. Marlow will provide prior approval documentation once received, which will include travel, labor, and emergency call-in costs. Commissioner Jensen seconded. All voted in favor. The motion carried.

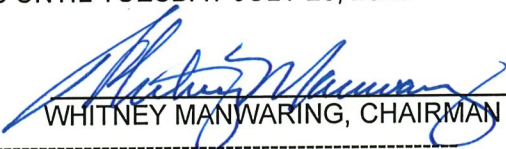
EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(d), to consider records that are exempt from public disclosure. Commissioner Jackson moved to go into Executive Session pursuant to Idaho Code §74-206(1)(d), to consider records that are exempt from public disclosure. Commissioner Jensen seconded. Both voted in favor. The Board moved into Executive Session at 8:31 a.m. Commissioner Jackson moved to go out of Executive Session. Commissioner Jensen seconded. The Board moved out of Executive Session at 8:46 a.m.

Decision: Commissioner Jensen moved to approve Indigent Cremation Application for Case Number 2026-6, as proposed. Commissioner Jackson seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL TUESDAY JULY 28, 2026


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Tuesday, July 28, 2026
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 Gluch- Commission Clerk

APPROVAL OF COMMISSION NOTICE & AGENDA

The Board met to approve the Commission Notice & Agenda, as posted for July 28, 2026.

Decision: Commissioner Jensen moved to approve the Commission Notice & Agenda, as posted for July 28, 2026. Commissioner Jackson seconded. All voted in favor. The motion carried.

MOTION FOR RECONSIDERATION OF REMAND REASON & DECISION IN REGARD TO CEDAR ARCH DAIRIES, LLC, CUP, FILED BY LEGAL COUNSEL FOR THE FIRTH/BASALT CONCERNED CITIZENS, WITH DECISION

Present: Tiffany Olsen- Planning & Development Director
 Paul Rogers- County Legal Counsel
Zoom: Paul Hendrickson- Attorney for Cedar Arch Dairies LLC
 Barry Crosby-
 Peter Wells- Attorney for Firth/Basalt Concerned Citizens.
 J Clay- Cedar Arch Dairies LLC
 Jeremy Clayson- Cedar Arch Dairies LLC

The Board met to hold a meeting in regard to the filed Motion for Reconsideration of Remand Reason & Decision in regard to Cedar Arch Dairies, LLC, CUP, filed by Legal Counsel for the Firth/Basalt Concerned Citizens, with decision.

At the onset of the meeting, Commissioner Jensen declared conflict as he is a neighbor to the affected parties and therefore unable to act as an impartial decision-maker. Chairman Manwaring and Commissioner Jackson were in favor and Commissioner Jensen was recused from decision making on this matter.

Paul Rogers, County Legal Counsel, stated under Bingham County Code 10-10-3(c), the Firth/Basalt Concerned Citizens including Gordon Jay Madsen, Jesslyn Speakman, Anna Ruth Kohler, Nollene Jensen and Kylee Kohler, request that the Board amend its decision to add additional reasons into its previously made decision. Bingham County Code states that the Board may affirm, reverse or modify the underlying decision if the following requirements are met:

- 1) The Board finds that the substantial rights of the appellant or affected party has/have been prejudiced;

- 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.

Further, Mr. Rogers stated if those requirements have been met, the Board may modify its decision. If both requirements are not met, the Board lacks authority under Bingham County Code 10-10-3 (c) to modify its previous decision.

The Board reviewed the issues raised within the Motion for Reconsideration of Remand Reasons and Decision dated July 1, 2026, wherein discussion was held as follows:

Issue A: “The Bingham County Planning & Zoning Commission failed to verify the current animal units for the Confined Animal Feeding Operation”. Although this specific appeal concerns seemingly served as a foundation for the Board’s denial of the CUP, the final decision fails to clearly delineate this issue or specify the underlying rationale, thereby violating the procedural mandates of Idaho Code Section 67-6535.

Chairman Manwaring stated the original decision relied upon the application regarding the current animal units and found the numbers were inconsistent. Chairman Manwaring stated that Planning & Development is not going to verify numbers but there was conversation in regard to the number of cattle that came from different places. Commissioner Jackson agreed and stated there was not sufficient evidence to obtain the correct verified amount of animal units.

Issue B: “The Confined Animal Feeding Operation provided inflated and unverified numbers”, Although this specific appeal concerns seemingly served as a foundation for the Board’s denial of the CUP, the final decision fails to clearly delineate this issue specify the underlying rationale, thereby violating the procedural mandates of Idaho Code Section 67-6535.

Chairman Manwaring stated the Board remanded back to the Planning & Zoning Commission to have the numbers included from the Home Dairy and the North Dairy. The Board was not able to determine the accurate count on each dairy. Commissioner Jackson agreed and stated that the facts were inconclusive and not sufficient.

Issue C: “A Conditional Use Permit should have been required for the Confined Animal Feeding Operation to build the existing robotic barn as an expansion of the dairy operation”. Although this specific appeal concerns seemingly served as a foundation for the Board’s denial of the CUP, the final decision fails to clearly delineate this issue or specify the underlying rationale, thereby violating the procedural mandates of Idaho Code Section 67-6535.

Chairman Manwaring stated that an expansion of dairies does require a Conditional Use Permit as stated in Bingham County Code 10-7-10(c), however, in 2021 when the robotic barn was initiated the information provided to the County did not warrant a Conditional Use Permit, it was discovered years later that the robotic barn also added a lagoon and other items and therefore is being investigated as a separate issue and triggered a Conditional Use Permit. Chairman Manwaring stated when the first application was submitted to Planning & Development, it came in as an agriculture exempt, which is allowed but there are things that later on triggered a Conditional Use Permit. Chairman Manwaring asked Ms. Olsen to explain further.

Ms. Olsen stated based on the information provided by Applicant in 2021, the decision was made to allow the barn to be constructed with an Agriculture Exempt Permit. It wasn’t until a Nutrient Management Plan was provided in 2024 that the County was made aware that there had been modifications to the lagoon systems and an increase in animal units.

Commissioner Jackson stated that he recalls being told that an Appraiser hired by the County had attempted to go out and conduct an assessment but did not receive a response from the property owner and there were “no trespassing” signs placed.

Ms. Olsen explained that a Building Permit allows Planning & Development access to the property for an inspection. On an Agricultural Exempt Permit, Planning & Development conducts two inspections, one before the structure is placed to verify that it meets setback regulations and the second is once the structure is in place, is to verify the structure was placed where it was supposed to be placed. Ms. Olsen stated there are no construction inspections conducted on those structures pursuant to building code.

Commissioner Jackson stated that he is in agreeance with Chairman Manwaring and that an expansion of dairies does not require a Conditional Use Permit as stated in Bingham County Code 10-7-10 (C), however, in 2021 when the robotic barn was initiated the information provided to the county did not warrant a Conditional Use Permit, it was discovered years later that the robotic barn also added a lagoon and other items and therefore is being investigated as a separate issue.

Issue D: “ The current Nutrient Plan for the Confined Animal Feeding Operation clearly indicates an expansion and not an enhancement to the current operation of the Confined Animal Feeding Operation which should require further study”. No mention of this appeal issue was addressed by the BOCC in its previous decision, and Movants are entitled to a decision on this issue pursuant to 10-10-2-D through “findings and conclusions”.

Chairman Manwaring stated the Movants state they are entitled to a finding and conclusion based on 10-10-2-D about the Confined Animal Feeding Operation being an expansion and not an enhancement, at the time Planning & Development received the Nutrient Management Plan the Applicant was in the process of applying for a Conditional Use Permit, and from the review of that plan it appeared that there was an expansion which required a Conditional Use Permit, which was eventually denied. Commissioner Jackson stated that he is in agreeance.

Issue E: “The Applicants received permission to submit 29 written statements subsequent to the deadline for the written submissions and certain of the statements were submitted from individuals outside of the radius parameter.” Any written statements outside of one mile is a violation of Idaho Code Section 67-6529(2).

Chairman Manwaring stated the 29 letters attempted to be submitted by the Applicant as testimony were questioned at the Planning & Zoning Commission stage and it was determined that the letters were not accepted as testimony but rather an exhibit of the cleanliness of the facility during a scheduled tour. Commissioner Jackson stated he is in agreeance and that the letters were classified as exhibit only and not testimony provided.

Issue F: “The Applicants application contained information which was not considered or addressed by the Bingham County Planning & Zoning Commission. i.e. expansion in the form of two (2) robotic dairy barns.” Although the Board denied the Conditional Use Permit, the final decision fails to clearly delineate this issue or specify the underlying rational, thereby violating the procedural mandates of Idaho Code 67-6535.

Chairman Manwaring stated the reconsideration states that the Board never addressed whether approval of this Conditional Use Permit would effectively authorize future expansion or whether additional barns would require separate review. This point is moot as the Board did not approve the Conditional Use Permit and Chairman Manwaring stated that he does not recall a conversation in regard to two robotic barns. Commissioner Jackson stated that he is in agreeance and where the Board did not approve the Conditional Use Permit, it nullifies the statement. Chairman Manwaring stated in the future, if approved, they may want to place another robotic barn but that was not within the original application.

Issue G: “The undersigned was not allowed to reopen the hearing and address concerns that were raised by the Commissioners. The meeting should have been tabled for a later time when all parties

could have been present so that the additional questions could be answered and considered by the Commissioners.”

Chairman Manwaring stated that it is not clear which hearing is of concern or specific about which request was denied. Commissioner Jackson stated that he is in agreement.

Issue H: “ The Commissioners should have requested a CAFO site advisory team evaluation of the dairy site.” Idaho Code 67-6529E grants the ability of the County to seek the expertise of the CAFO site advisory team. This issue may be moot, considering the decision of the County to deny the CUP Application.

Chairman Manwaring stated this issue is moot based on the denial of the Application, and if the Application was approved, conditions could be placed to seek a site advisory team to conduct animal unit counts. Commissioner Jackson stated that he is in agreement.

Issue I: “The conditions imposed by the Reason & Decision do not contain definite time periods of compliance.” The written decision fails to establish specific, enforceable deadlines for mandated mitigation measures, including dust abatement and the control of flies and predators. Absent a clearly defined timeline for resolving these regulatory concerns, oversight and enforcement are rendered practically impossible. While this issue may be moot in light of the Board’s denial of the CUP, the lack of temporal parameters reflects a procedural deficiency that must be addressed to ensure compliance with County Standards.

Chairman Manwaring stated the Board agrees that there were definite time periods of compliance, which was the basis of the remand to gather more information and define those timelines, which the Applicant failed to provide, which in turn, led to the denial of the Application. Commissioner Jackson stated that he is in agreement.

After reviewing the filed Motion for Reconsideration and deliberation, the Board finds the following:

1. Substantial Rights of the Affected Party
 - a. Commissioner Jackson stated that both sides were heard, had time to submit their concerns and he believed there was no prejudice or bias in the Board’s process.
 - b. Chairman Manwaring stated that opinions could vary on this matter and some could agree or disagree that there was prejudice or bias in the Board’s process.
 - c. The Board finds that the filers and affected parties had ample opportunity to present testimony, evidence and written comments.
 - d. The Board concludes that the Substantial rights of the affected party have not been prejudiced within the meaning of Bingham County Code 10-10-3(c).
2. Support by Substantial Evidence
 - a. The Board’s prior decision to deny the Conditional Use Permit was based on:
 - i. Inconsistent and insufficient evidence on animal unit counts;
 - ii. Later-discovered lagoon modifications and nutrient management changes;
 - iii. The Applicant’s failure to supply the requested clarifying information upon remand, including enforceable timelines and mitigation details.
 - b. Commissioner Jackson affirmed that the Board had the evidence needed to make a supported decision and that the written denial has a sufficient foundation.

- c. Although Chairman Manwaring acknowledged that more evidence might have changed the outcome, the denial itself was based on the lack of adequate supporting evidence from the Applicant, which is a valid basis for denial.
- d. The Board concludes that its underlying decision is supported by substantial evidence in the record and is not arbitrary, capricious, or an abuse of discretion.

Legal Counsel confirmed that the Board finds the substantial rights of the affected party were not prejudiced and the underlying decision is supported by substantial evidence. The Board cannot check either of the required boxes in favor of the moving party under Bingham County Code 10-10-3(c). Therefore, the Board lacks authority under the code to amend, reverse, or otherwise modify its prior decision.

DECISION

Commissioner Jackson moved that according to Bingham County Code 10-10-3(c) the substantial rights of the affected party were not prejudiced and therefore, the Board will not modify its decision. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Commissioner Jackson moved to deny the Motion for Reconsideration and uphold the previous decision to deny the Conditional Use Permit for Cedar Arch Dairies, LLC. Chairman Manwaring seconded. Both voted in favor. The motion carried.

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.

MEETING IN REGARD TO REQUEST FOR RECONSIDERATION AND SUPPLEMENTAL FINDINGS REGARDING THE CEDAR ARCH DAIRIES LLC CUP, FILED BY CHRIS JENSEN, WITH DECISION

Present: Chris Jensen- filed Request for Reconsideration
 Tiffany Olsen- Planning & Development Director
 Paul Rogers- County Legal Counsel

Zoom: Paul Hendrickson- Attorney for Cedar Arch Dairies LLC
 Barry Crosby- Cedar Arch Dairies, LLC
 Peter Wells- Attorney for Firth/Basalt Concerned Citizens

The Board met to hold a meeting in regard to the filed Request for Reconsideration and Supplemental Findings regarding the Cedar Arch Dairies LLC CUP, filed by Chris Jensen.

At the onset of the meeting, Commissioner Jensen declared conflict as he is the father of the affected party, Chris Jensen, and therefore unable to act as an impartial decision-maker. Chairman Manwaring and Commissioner Jackson were in favor and Commissioner Jensen was recused from decision making on this matter.

Paul Rogers, County Legal Counsel, stated under Bingham County Code 10-10-3(c), Chris Jensen, requests that the Board amend its decision to add additional reasons into its previously made decision. Bingham County Code states that the Board may affirm, reverse or modify the underlying decision if the following requirements are met:

- 1) The Board finds that the substantial rights of the appellant or affected party has/have been prejudiced;
- 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.

Further, Mr. Rogers stated if those requirements have been met, the Board may modify its decision. If both requirements are not met, the Board lacks authority under Bingham County Code 10-10-3 (c) to modify its previous decision.

The Board reviewed the issues raised within the Motion for Reconsideration of Remand Reasons and Decision dated July 1, 2026, wherein discussion was held as follows:

Issue 1: Whether Ordinance 8.5.9.2 was violated. Section 8.5.9.2 clearly requires a Special Use Permit prior to commencing construction of a material change to an existing CAFO or improvements that expand a CAFO. The robotic dairy, new lagoon, and waste management facilities were constructed years before a CUP Application was submitted.

Chairman Manwaring stated that Bingham County Ordinance 8.5.9.2 was not violated as the ordinance is out of service and has been replaced with the now existing Bingham County Code 10-7-10, which the County followed as it has more strict requirements and was adopted in 2012.

Commissioner Jackson stated this issue is moot as the Ordinance is no longer in place and has been superseded.

Issue 2: Whether a CUP filed after construction can cure a violation of Ordinance 8.5.9.2.

Chairman Manwaring stated that issue is moot as Ordinance 8.5.9.2 is no longer in place. Commissioner Jackson stated that he is in agreeance.

Issue 3: Whether the 2021 agricultural exempt building permit remained valid. County staff testified that the agricultural exempt building permit was issued because Cedar Arch represented that there would be no increase in animal units and that existing lagoons would be used. The evidence later showed that additional animal units were added, a new lagoon was constructed, and four catch basins were installed. The Board never determined whether the agricultural exempt permit remained valid after the project was built differently that it had been represented to the County.

Chairman Manwaring stated the 2021 agriculture exempt building permit was not the center of discussion leading to the denial of the Conditional Use Permit. As it stands, given the information throughout the process, there is an investigation into the validity of the agricultural exempt building that was built. Chairman Manwaring stated there was conversation held that the permit was applied for as an agricultural exempt building and that changes with the lagoon and animal unit count triggered a Conditional Use Permit.

Commissioner Jackson asked Legal Counsel to explain this issue further. Mr. Rogers explained that the Movant is asking the Board to make a conclusion as to whether or not the 2021 agricultural exempt permit is valid or invalid.

Ms. Olsen explained that an Agricultural Exempt Permit was issued as a valid permit in 2021 based on the information provided by Mr. Gaylen Clayson and it was not until 2024 when Planning & Development was made aware there was a new lagoon, catch basins and bathroom inside of the structure. Ms. Olsen stated that would not have been allowed in 2021, had Planning & Development been made aware of those facts. Ms. Olsen stated that state code for agricultural exempt buildings in 2021 was strict and required the property be zoned Agriculture and used for certain limited uses. Ms. Olsen stated with the information provided in 2021, it was permitted as such, but a couple of years ago the state code has been changed, and agricultural buildings now allow for more uses than previously. Ms. Olsen referred to Idaho Code 39-4116(5)(a), which includes milking barns. Therefore, if the county were to receive an application today underneath the current law, for an agricultural exempt building for a milking barn, the permit would be issued based on the milking barn but the lagoons and catch basins are a separate component of permitting.

Commissioner Jackson stated that he is in agreeance with Chairman Manwaring.

Issue 4: Whether the robotic dairy is legally a new CAFO, an expanded CAFO, or a material change. Throughout the hearings, different terms have been used, including “enhancement”, “Expansion,” and “new dairy”. The Board never determined how the robotic dairy should be classified under Ordinance 8.5. That legal determination is important because different Ordinance provisions apply depending upon how the project is classified.

Chairman Manwaring stated the reconsideration states that the Board never determined how the robotic dairy should be classified under Ordinance 8.5. However, 8.5 is not the current Ordinance that the County operates under, and they were not adding to the decision to define it under expired terms.

Commissioner Jackson stated that he is in agreeance with Chairman Manwaring and the issue is moot.

Issue 5: Whether Cedar Arch had already exceeded its grandfathered rights. The appeal explained that Cedar Arch materially expanded the North Dairy years before filing its CUP Application. Although the Board requested additional animal unit information, it never determined whether Cedar Arch had already exceeded or lost its grandfathered status before filing the application.

Commissioner Jackson asked if the North Dairy is the new dairy, which Chairman Manwaring confirmed.

Chairman Manwaring stated to amend the decision by adding that Cedar Arch exceeded its grandfathered rights as it expanded its numbers sometime before filing for its Conditional Use Permit and acted as an act first and as permission later type of situation.

Commissioner Jackson asked if it was the Board discretion as to determine what the dairy should be classified as, wherein Chairman Manwaring stated the numbers were not determined and if the application was approved, conditions could be placed to have the part time Code Enforcement Officer and the State to conduct animal unit count.

Chairman Manwaring referred to the grandfathered status and that the old dairy can still operate so long as it remains under the number requirement but if there are any increases, a Conditional Use Permit is required.

Commissioner Jackson stated that he is in agreeance with Chairman Manwaring.

Issue 6: Whether animal units from separate dairies may legally be combined. A major issue was Cedar Arch’s attempt to combine animal units from separate dairy locations, including locations that no longer existed or operated independently. The Board requested additional information but never determined how Ordinance 8.5 allows grandfathered animal units to be transferred between separate CAFO locations.

Chairman Manwaring stated the conclusion in the discussion was that it needed to be treated as two separate CAFOs, which to clarify the decision, is interpreted as the separate dairies may not be combined.

Commissioner Jackson stated that he has no input and was in agreeance with Chairman Manwaring.

Chairman Manwaring asked Ms. Olsen if the Nutrient Management Plan combined the two dairies into one but as far as the dairy and the Conditional Use Permit, they are two separate dairies. Ms. Olsen explained that a Nutrient Management Plan treats them as one dairy, as they share the same waste management system as far as the fields that they apply their waste to. Ms. Olsen stated before the Conditional Use Permit was filed by the Applicant, she contacted the Local State Representative for guidance on if they are treated as one or two separate locations, wherein she was informed that they were to be treated as one CAFO, which is why Planning & Development proceeded with one application but through the Public Hearing process, the county found that the home dairy is compliant with its 2005 inherited status and therefore, only one CAFO application is required for the north dairy.

Issue 7: Whether the Home Dairy and North Dairy are legally separate CAFOs.

This issue was addressed above with issue 6.

Issue 8: Whether construction of the new lagoon independently triggered the requirement for a CUP. Ordinance 8.5 defines an expanded CAFO as one that increases the capacity of its animal waste management system. The new lagoon and associated waste management facilities appear to meet the definition. The Board acknowledged these improvements but never determined whether they independently required a CUP before construction.

Chairman Manwaring stated that was determined, as that is what triggered the Applicant to apply for the Conditional Use Permit, as there was a new lagoon. Chairman Manwaring stated that it has been discussed several times that when the new lagoon was placed, that was an improvement and initiated the process for Conditional Use Permit. The decision needs to be amended to include that any expansion to a CAFO needs to follow Bingham County Code 10-7-10(c)(1) and seek a Conditional Use Permit.

Commissioner Jackson stated that the process occurred backwards and the Applicant should have filed for and obtained a Conditional Use Permit prior to construction began.

Ms. Olsen stated if the County had received information that led them to believe there was an increase in cattle or a new lagoon constructed, a Conditional Use Permit would have been required.

Issue 9: Whether future expansion shown in the Nutrient Management Plan should be considered. The Nutrient Management Plan submitted to the County depicts additional robotic barns beyond the one currently constructed. This issue was raised during the hearings, yet the Board never addressed whether approval of this CUP would effectively authorize future expansion or whether additional barns would require separate review.

Chairman Manwaring stated the reconsideration states that the Board never addressed whether approval of this Conditional Use Permit would effectively authorize future expansion or whether additional barns would require separate review. This point is moot as the Board did not approve the Conditional Use Permit.

Commissioner Jackson stated that he is in agreeance with Chairman Manwaring.

Issue 10: Whether previous material changes should have been considered. The appeal also raised concerns regarding earlier dairy improvements, including construction of a feed facility that may have constituted a material change under Ordinance 8.5. The Board never addressed whether those earlier improvements affected Cedar Arch's grandfathered status.

Chairman Manwaring stated there was not much discussion in regard to a feed facility, but it was more about the robotic dairy and animal units, along with the issues of the digester and other nuisance issues. Chairman Manwaring stated that the decision should be amended to include that all prior material changes should have been considered such as feed facilities and lagoon as those improvements were outside of Cedar Arch's grandfathered allowance.

Commissioner Jackson stated if the dairy is in operation, depending on what the material change is, they should have applied for the Conditional Use Permit prior to the change occurring but that did not occur.

The Board agreed that there is not sufficient information in order to come to a conclusion with regard to issue 10. Chairman Manwaring reiterated that there was not enough discussion, if any, in regard to a feed facility.

Issue 11: Whether adequate protections were provided for neighboring property owners. Although odor and fly control were discussed, the appeal also raised concerns regarding traffic, dust, noise, groundwater protection, future expansion, and the loss of use and enjoyment of neighboring properties.

Chairman Manwaring stated the findings need to be amended to include that the Conditional Use Permit was denied because adequate protections for the neighboring properties were significantly inadequate, and more than just odor and fly control needed to be proposed by the applicant. If the Application was approved, there would be a lot more of the issues raised and addressed, but it was denied. There was no traffic study done and no nuisance ordinance but, in the past, there have been applications that have conditions put in place to cure the concerns.

Mr. Rogers stated the application was remanded to the Planning & Zoning Commission to gather additional information in regard to some of the concerns and gather information, but the requested information was not provided and that is why the application was brought to the board as a proposed denial, due to inadequate information.

Chairman Manwaring stated where the Conditional Use Permit was denied, this is a moot point because there would not be conditions placed on a denial.

Issue 12: Whether Cedar Arch could lawfully continue operating during the remand process. The appeal alleges that the robotic dairy had been constructed without first obtaining the required Conditional Use Permit, the Board should have determined whether Cedar Arch was legally authorized to continue operating while these issues remained unresolved.

Ms. Olsen explained when the County identified that Cedar Arch needed a Conditional Use Permit, Title 10 Chapter 13, *Code Enforcement*, provides that when the Director finds that a party is non-compliant with a section of Bingham County Code, in Title 10, there is notification provided to that party and an opportunity to cure the violation. Mr. Olsen stated that code provides that she may grant leeway for up to 180 days in that process for the party to make progressive steps towards compliance. In this particular incident, it was that the party needed to apply for a Conditional Use Permit and that was done within the 180 day timeframe. Ms. Olsen stated that a Temporary Operating Permit was granted through the Conditional Use Permit process until the County found that the Board denied the Conditional Use Permit. Ms. Olsen stated on July 2, 2026, a letter was sent to Cedar Arch Dairies, LLC, that they have since received, stating that they are not in compliance with County Code and as a result of the Boards denial.

The two items that triggered this matter are the animal units, wherein Ms. Olsen asked that they not increase the number of animal units at the home dairy and the north dairy beyond their reported 2005 animal unit inventory. Ms. Olsen stated the second trigger was the lagoon system and that they cannot operate or use any structure or waste water lagoon established after 2005 that was intended to support an expansion beyond the grandfathered animal unit inventory. Ms. Olsen stated that would specifically include the robotic dairy barn, its associated wastewater lagoons and any unpermitted lagoon. Ms. Olsen stated as a part of those two requirements, there is follow up giving Cedar Arch Dairies a reasonable timeframe to make that cure. Ms. Olsen stated that she would expect that the County hears from Cedar Arch Dairies on or before August 19, 2026, to have an update on how they are in compliance with the current codes, as well as an independent third party to verify head counts at each of the dairies. Ms. Olsen stated that as of today, she has not received a request for temporary permit to allow them to continue operations.

Chairman Manwaring asked if Cedar Arch can continue operating, wherein Ms. Olsen stated she is not able to verify if Cedar Arch Dairies is still operating as she has not performed an onsite inspection. Ms. Olsen referred to issue 12, which states "during the remand process" and to her that is in the past as they have been allowed to operate through the remand process to what the Boards decision was and they were granted continual operations by Planning & Development until there was a decision reached by the Board. Ms. Olsen stated when the Board denied the Conditional Use Permit Application, she served a letter upon Cedar Arch Dairies letting them know that now that the permit is denied, they need to comply with current code which states that they need to revert to their 2005 grandfathered operating status for all points in the future. If they chose to come to the Board and ask for a Temporary Operating Permit to continue operations while they apply for a new Conditional Use Permit, that would be a separate discussion, but she has not received that request as of the current date. Ms. Olsen stated it would be her understanding that Cedar Arch Dairies would not be in an operating status but would be working towards curing compliance to notify Planning & Development on or before August 19, 2026, for an onsite inspection to verify that compliance.

Chairman Manwaring verified with Ms. Olsen that Cedar Arch Dairies could still operate at the home dairy, to which Ms. Olsen stated was correct and under the 2005 grandfathered operating status.

Mr. Rogers asked the Board if the substantial rights of the affected parties have been prejudiced, wherein Commissioner Jackson stated he does not feel their substantial rights were prejudiced. Chairman Manwaring agreed with Commissioner Jackson and stated that he feels that all issues were covered, the Application was remanded back to the Planning & Zoning Commission for additional information, but sufficient information was not provided to answer the concerns and therefore, the Application was denied.

Although the first requirement was not met and the Board will not proceed, Mr. Rogers stated the second requirement to be met is if the Board believes the underlying decision is in violation or in excess of constitutional or statutory authority made upon lawful procedure, not supported by substantial evidence or arbitrary, capricious, or abusive discretion. Commissioner Jackson and Chairman Manwaring both concurred that requirement was not met either, as there was not enough information provided and a sound decision was made to deny the Application.

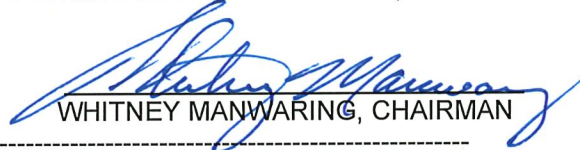
DECISION

Commissioner Jackson moved to deny the Motion for Reconsideration filed by Chris Jensen on the grounds that the substantial rights of the affected party were not prejudiced and the underlying decision is supported by substantial evidence. Chairman Manwaring seconded. All voted in favor. The motion carried.

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 JULY 29, 2026


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Wednesday, July 29, 2026
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 Gluch- Commission Clerk

APPROVAL OF COMMISSION NOTICE & AGENDA

The Board met to approve the Commission Notice & Agenda for July 29, 2026, as posted.

Decision: Commissioner Jensen moved to approve the Commission Notice & Agenda for July 29, 2026, as posted. Commissioner Jackson seconded. All voted in favor. The motion carried.

COLLEGE OF EASTERN IDAHO

The Board met to approve four (4) Certificate of Residency documents, which were sent to the College of Eastern Idaho for the following Bingham County student's: Sadie J. Bowman, Kristalyn VanOrden, McKay VanOrden, and Melissa R. Penrod.

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

APPROVAL OF BINGHAM COUNTY RESOLUTION 2026-45, DESTRUCTION OF RECORDS FOR THE SHERIFFS OFFICE

The Board met to approve and sign Bingham County Resolution 2026-45, destruction of records for the Sheriffs Office.

Decision: Commissioner Jackson moved to approve and sign Bingham County Resolution 2026-45, destruction of records for the Sheriffs Office. Commissioner Jensen seconded. All voted in favor. The motion carried and said resolution was approved as follows:

**BINGHAM COUNTY
RESOLUTION 2026-45**

**RESOLUTION REGARDING THE DESTRUCTION OF RECORDS
FOR THE SHERIFFS OFFICE**

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

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

WHEREAS the Sheriffs Office has represented that all records for which destruction is sought pertain to matters which have been concluded for the designated period of time allowed in sections of Idaho Code; and

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

See Attached "Exhibit A"

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

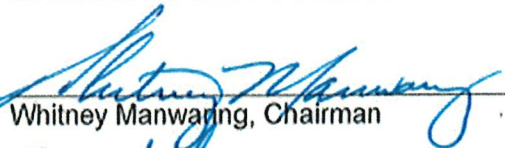
Dated this 28 day of July 2026.

ATTEST:


Pamela W. Eckhardt
Bingham County Clerk



BINGHAM COUNTY COMMISSION


Whitney Manwaring, Chairman


Eric Jackson, Commissioner


Drew Jensen, Commissioner



BINGHAM COUNTY
SHERIFF JEFF GARDNER

(208) 785-4440
501 N. MAPLE ST. #405
BLACKFOOT, ID 83221

County Records Destruction list

July 20, 2026

Bingham County Sheriff's Office Records is requesting approval for destruction of the following items:

Box 1: Jail Jackets #541 - 677
Box 2: Jail Jackets #678 - 750
Box 3: Jail Jackets #893 - 899
Box 4: Jail Jackets #285 - 2171
Box 5: Jail Jackets #165 - 284
Box 6: Jail Jackets # 102 - 764
Box 7: Jail Jackets #1076 - 2340
Box 8: Jail Jackets #893 - 1070
Box 9: Jail Jackets #2342 - 2543
Box 10: Jail Jackets #2511 - 2593

Kaitlin Smith
Records Clerk

KimberLee Arms
Office Manager

APPROVAL OF BINGHAM COUNTY ORDINANCE 2026-14, COMPREHENSIVE PLAN MAP AMENDMENT FOR DIEGO ARMANDO BUSTAMENTS-AQUINO AND DORA PATRICIA VIDAL-ANDRADE

The Board met to approve Bingham County Ordinance 2026-14, an ordinance amending the Comprehensive Plan Designation from Agricultural to Residential/Agriculture for approx. 20.26 acres of land, located north and east of 46 W 50 S, Blackfoot, Idaho 83221, for Diego Armando Bustamante-Aquino & Dora Patricia Vidal Andrade.

Decision: Commissioner Jensen moved to approve and sign Bingham County Ordinance 2026-14, an ordinance amending the Comprehensive Plan Designation from Agricultural to Residential/Agriculture for approx. 20.26 acres of land, located north and east of 46 W 50 S,

Blackfoot, Idaho 83221, for Diego Armando Bustamante-Aquino & Dora Patricia Vidal Andrade. Commissioner Jackson seconded. All voted in favor. The motion carried and said Ordinance was approved and recorded as follows:

Instrument # 782327

BINGHAM COUNTY

7-29-2026 08:50:03 AM No. of Pages: 1

Recorded for : BINGHAM COUNTY COMMISSIONERS

PAMELA W. ECKHARDT

Fee: 0.00

Ex-Officio Recorder Deputy

NOV 13

**BINGHAM COUNTY
ORDINANCE 2026-14**

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN DESIGNATION FROM AGRICULTURAL TO RESIDENTIAL/AGRICULTURE FOR APPROX. 20.26 ACRES OF LAND, LOCATED NORTH AND EAST OF 46 W 50 S, BLACKFOOT, IDAHO 83221, FOR DIEGO ARMANDO BUSTAMANTE-AQUINO & DORA PATRICIA VIDAL-ANDRADE

BE IT ORDAINED by the Board of County Commissioners of Bingham County, Idaho, as follows:

Part of the SW 1/4 of the NE 1/4 Section 1, Township 3S, Range 35 E, of the Boise Meridian, Bingham County, Idaho. More particularly described as:

Commencing at the East 1/4 corner of said Section 1; Thence N 89° 30' 30" W along the Latitudinal Center line of said Section, 1848.80 feet to the Point of Beginning; Thence continuing along said Center Line, N 89° 30' 30" W 374.92 feet to a Southwesterly corner of a parcel described in Deed Instrument No. 704945; Thence along a Westerly line of said parcel, N 00° 15' 24" E 435.00 feet to a Southwesterly corner of said parcel; Thence along a Southerly line of said Parcel, N 89° 30' 30" W 435.00 feet to a point on the Longitudinal Center Line of said Section 1; Thence along said Center line, N 00° 15' 24" E 890.43 feet to the Northwest corner of a parcel described in said Deed Instrument No. 704945; Thence along the North line of said Deed, S 89° 29' 27" E 807.19 feet to the Northeast corner of said Deed; Thence S 00° 08' 18" W 1325.20 feet along the East line of said Deed to the Point of Beginning.

Parcel contains 20.26 acres more or less.

Section 2: This Ordinance shall become effective upon its publication in the manner required by law.

Passed and Approved by the Board of County Commissioners, County of Bingham, State of Idaho, at a Public Hearing held on the 18th day of March 2026.

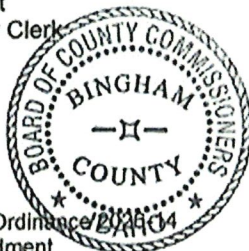
Signed this 29th day of July 2026

**BOARD OF COUNTY COMMISSIONERS
BINGHAM COUNTY, IDAHO**

ATTEST:

Pamela Eckhardt

Pamela Eckhardt
Bingham County Clerk



Whitney Manwaring
Whitney Manwaring, Chairman

Eric Jackson
Eric Jackson, Commissioner

Drew Jensen
Drew Jensen, Commissioner

Bingham County Ordinance 2026-14
Comp Plan Amendment
Mountain Aura Estates

Page 1 of 1

782327

SHERIFFS OFFICE

Present: Jeff Gardner- Sheriff
Jordyn Nebeker- Chief Deputy Sheriff
Paul Rogers- County Legal Counsel

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

PUBLIC WORKS

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

The Board met with Troy Lenhart in regard to updates from within the Public Works Department, along with other agenda items.

Discussion was held with regard to the cattle guard on Reid Road and the submitted request for removal. Mr. Lenhart stated that the county has received signed requests from three individuals who reside in close proximity to the cattle guard.

The Board had no concerns.

Decision: Commissioner Jensen moved to approve removal of the cattle guard on Reid Road, as requested by surrounding property owners. Commissioner Jackson seconded. All voted in favor. The motion carried.

Next, discussion was held in regard to Bingham County Resolution 2026-46, a formal resolution declaring certain Bingham County property not necessary for use in Bingham County, specifically for the Weeds Department.

Decision: Commissioner Jackson moved to approve Bingham County Resolution 2026-46, a formal resolution declaring certain Bingham County property not necessary for use in Bingham County, specifically for the Weeds Department. Commissioner Jensen seconded. All voted in favor. The motion carried and said resolution was approved as follows:

**BINGHAM COUNTY
RESOLUTION NO. 2026-46**

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);

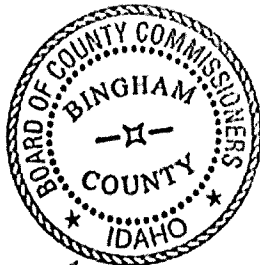
WHEREAS, The Bingham County Commissioners have the authority to sell or offer for sale personal property exceeding two hundred fifty dollars (\$250) in value at private sale, (Idaho Code §31-808);

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

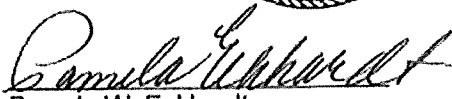
Bingham County Weeds Department

2001 John Deere Tractor	Vin: L06310P266585
2008 Tiger Flail Mower	Vin: TF2677

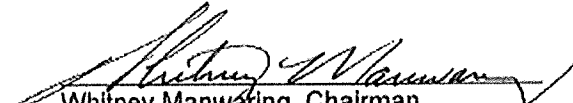
DATED this 29th day of July, 2026.



ATTEST:


Pamela W. Eckhardt
Bingham County Clerk

BINGHAM COUNTY COMMISSION


Whitney Manwaring, Chairman


Eric Jackson, Commissioner


Drew Jensen, Commissioner

Discussion was held with regard to the guardrail on Ferry Butte Bridge and a change order for retrofit, prompted by new ITD safety standards that require the three-beam guardrail to sit within two inches of the curb face rather than set back behind it. Under the original plans, the rail would simply have been moved forward onto the existing curb — acceptable to the engineers because travel width is measured curb-to-curb — but staff flagged that the bridge already feels tight to farm equipment, and Keller Design Company has spent the weeks since the last meeting working with ITD and structural engineers on an alternative.

The proposed fix is to saw-cut and remove roughly 11.25 inches of curbing on each side, widening the actual driving surface by about 22.5 inches while narrowing the rail-to-rail dimension from the current 29 feet to 28 feet 5 inches — a net loss of about seven inches between rails, but a real gain in usable concrete-to-concrete width. Because the cut severs the front rebar tying the curb to the deck, the front anchor bolt would be drilled all the way through curb and deck and secured underneath with a four-inch plate, washer, and nut, effectively sandwiching the two back together. The drawings arrived only the night before, so Canon hasn't priced it yet; the estimate was around \$80,000, though staff cautioned the added labor of drilling through and working from beneath the bridge could push it past \$100,000. Grant funds are expected to cover it, since the project remains within roughly 7% of Canon's bid.

Discussion touched on the farmers' concerns raised at the prior week's meeting — Neil Morgan pushed for moving the railing out, though Shaun VanOrden maintained the curbing, not the railing, is the real obstacle for wide machinery such as detached headers, spud diggers, beet harvesters, and discs. One operator reportedly relies on GPS to cross the bridge rather than sight.

Staff also gave a construction update: patching is complete and went far beyond the engineer's estimate of 167 square feet — likely over 500 — because the top mat of rebar sits only a quarter to a half inch below the surface instead of the standard two inches, letting water reach and rust it and delaminate the deck. That reinforces the decision to act before further deterioration. Next phases are epoxy coating of the deck at night, then asphaltic plug joints, after which work shifts to daytime hours from the barge.

Decision: Commissioner Jackson moved to approve the modification of the Ferry Butte Bridge project to cut the excess curb and keep the rail as wide as possible at 28 feet 5 inches, which will be a change order, per Keller Design Company's recommendation. Commissioner Jensen seconded. All voted in favor. The motion carried.

MEETING REQUEST SUBMITTED BY KEN FELD IN REGARD TO ABERDEEN AREA ROAD ISSUES AND H2 WORKER HOMES, WITH POTENTIAL DECISION

Present: Ken Feld- Concerned Citizen
Jeff Gardner- Sheriff
Jordyn Nebeker- Chief Deputy Sheriff
Paul Rogers- County Legal Counsel
Dusty Whited- Public Works Director
Troy Lenhart- Road & Bridge Supervisor
Tiffany Olsen- Planning & Development Director

The Board held a meeting with Ken Feld to discuss Aberdeen area road issues and H2 worker homes.

DISCUSSION & DECISION REGARDING VEHICLE MAINTENANCE FOR THE CORONERS OFFICE- REQUESTED BY JIMMY ROBERTS- CORONER

Present: Jimmy Roberts- County Coroner

The Board met with Jimmy Roberts to hold discussion in regard to vehicle maintenance needed for the 2018 Ram Truck used by the Coroners Office.

Mr. Roberts explained that he was in Idaho Falls and had to have the pickup towed back to the county. The diagnosis was that the fuel pump needed to be replaced. Said cost is in the amount of \$1,306.11, which is to be paid from Fund: 01-06-470-0004.

Decision: Commissioner Jackson moved to approve the prior approval for purchase for replacement of the fuel pump for the 2018 Ram pickup used by the Coroners Office. Said purchase is in the amount of \$1,306.11, which is to be paid from Fund: 01-06-470-0004. Chairman Manwaring seconded. Both voted in favor. The motion carried.

DISCUSSION REGARDING PLACEMENT OF RESIDENTIAL TREATMENT CENTER OR HALFWAY HOUSE IN RESIDENTIAL NEIGHBORHOODS AND OVERSIGHT OF THE SAME- REQUESTED BY STEPHEN ARAVE, CONCERNED CITIZEN, WITH POTENTIAL DECISION

Present: Stephen Arave- Concerned Citizen
Dusty Whited- Public Works Director
Paul Rogers- County Legal Counsel
Tiffany Olsen- Planning & Development Director
Jeff Garder- Sheriff
Jordyn Nebeker- Chief Deputy Sheriff
KennaDee Lott- Planner

The Board held a meeting to hold discussion in regard to placement of a residential treatment center or halfway house in residential neighborhoods and oversight of the same. Concerns included increase in traffic, speed limit and the lack of county code to regulate placement of a residential treatment facility.

No decision was made and Mr. Arave was informed that if he would like to propose code amendments, he had the right to do so but it would take a public hearing and advertisement.

UPDATE MEETING WITH PAUL ROGERS, COUNTY LEGAL COUNSEL

Present: Paul Rogers- County Legal Counsel

The Board held a meeting with Paul Rogers to discuss updates and other agenda items.

Discussion was held in regard to proceeding with publication and public hearing for amendment of Bingham County Code 1-6-5, Testimony.

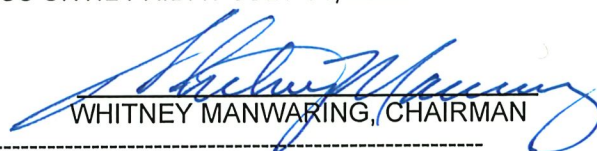
Decision: Commissioner Jensen moved to proceed with a Public Hearing to propose amendment to County Code 1-6-5. Commissioner Jackson seconded. All voted in favor. The motion carried.

Next, discussion was held in regard to the Lease Agreement between Bingham County and the Eastern Idaho State Fair for the Ridge Street Landfill and County property for fair purposes.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY JULY 31, 2026



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Friday, July 31, 2026
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 Gluch- Commission Clerk

APPROVAL OF COMMISSION NOTICE & AGENDA

The Board met to approve the Commission Notice & Agenda for July 31, 2026, as posted.

Decision: Commissioner Jackson moved to approve the Commission Notice & Agenda for July 31, 2026, as posted. Commissioner Jensen seconded. All voted in favor. The motion carried.

CLAIMS

The Board met to approve Claims, which were in the amount of \$507,486.81.

PAYROLL

The Board met to approve Payroll Claims, which were in the amount of \$936,638.94.

COLLEGE OF EASTERN IDAHO

The Board met to approve one (1) Certificate of Residency, which was sent to the College of Eastern Idaho for the following Bingham County student: Keylee A. Hone.

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.

APPROVAL OF REASON & DECISION DOCUMENTS FOR 1ST AMENDED DRAKOS ESTATES SUBDIVISION AND RIVER ISLAND ESTATES SUBDIVISION

The Board met to approve the Reason & Decision documents for 1st Amended Drakos Estates Subdivision and River Island Estates Subdivision. Chairman Manwaring confirmed with Commissioner Jackson and Commissioner Jensen that they had reviewed the same and had no concerns.

Decision: Commissioner Jackson moved to approve the Reason & Decision documents for 1st Amended Drakos Estates Subdivision and River Island Estates Subdivision, as written. Commissioner Jensen seconded. All voted in favor. The motion carried.

ORDINANCE 2026-15

The Board met to approve Bingham County Ordinance 2026-15, an ordinance amending the General Bingham County Zoning Ordinance 2012-08 and accompanying zoning map by amending the zoning designation from R/A to R, submitted by RR Johnson Real Estates, LLC.

Decision: Commissioner Jensen moved to approve Bingham County Ordinance 2026-15, an ordinance amending the General Bingham County Zoning Ordinance 2012-08 and accompanying

zoning map by amending the zoning designation from R/A to R, submitted by RR Johnson Real Estates, LLC. Commissioner Jackson seconded. All voted in favor. The motion carried and said ordinance was approved and recorded as follows:

Instrument # 782423

BINGHAM COUNTY

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Recorded for : BINGHAM COUNTY COMMISSIONERS

PAMELA W. ECKHARDT

Fee: 0.00

Ex-Officio Recorder Deputy

**BINGHAM COUNTY
ORDINANCE 2026-15**

AN ORDINANCE AMENDING THE GENERAL BINGHAM COUNTY ZONING ORDINANCE 2012-08 AND ACCOMPANYING ZONING MAP BY AMENDING THE ZONING DESIGNATION OF THE BELOW-DESCRIBED REAL PROPERTY FROM "R/A" RESIDENTIAL/ AGRICULTURE TO "R" RESIDENTIAL, SUBMITTED BY RR JOHNSON REAL ESTATE LLC.

BE IT ORDAINED by the Board of County Commissioners of Bingham County, Idaho, as follows:

PARCEL ONE:

BEGINNING AT A POINT THAT LIES N89°53'31"W 516.00 FEET ALONG THE ¼ SECTION LINE FROM THE EAST ¼ CORNER OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 37 EAST OF THE BOISE BASELINE AND MERIDIAN, BINGHAM COUNTY, IDAHO; AND RUNNING THENCE S00°05'24"W 1355.92 FEET ALONG THE WEST SIDE OF A ROAD RIGHT- OF-WAY; THENCE WEST 175.77 FEET TO A POINT ON A CURVE HAVING A CENTRAL ANGLE OF 42°39'22" AND A RADIUS OF 980 FEET AND A LENGTH OF 729.60 FEET WITH A CORD THAT BEARS S42°07'04"W 712.87 FEET; THENCE TO THE RIGHT ALONG SAID CURVE 729.60 FEET; THENCE S00°00'05"E 101.05 FEET TO THE MEANDERINGS OF THE SNAKE RIVER; THENCE ALONG THE MEANDERINGS S79°11'47"W 154.49 FEET; THENCE S89°55'27"W 659.75 FEET; THENCE N81°01'02"W 411.04 FEET TO THE SOUTHEAST CORNER OF THE PARCEL CURRENTLY OWNED BY MIKE MILLER; THENCE N14°35'25"W 380.74 FEET TO THE NORTHEAST CORNER OF SAID PARCEL; THENCE WEST 61.84 FEET TO THE SOUTHEAST CORNER OF RIVER PARK ESTATES DIVISION NUMBER ONE; THENCE ALONG THE EASTERLY RIGHT-OF-WAY OF THE ROAD FOR RIVER PARK ESTATES NORTH 45.98 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 45.00 FEET AND A CENTRAL ANGLE OF 69°45'48" A DISTANCE OF 54.79 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET A CENTRAL ANGLE OF ANGLE OF 67°25'18" A DISTANCE OF 23.53 FEET; THENCE N02°20'30"W 68.96 FEET; THENCE N00°12'11"E 681.38 FEET; TO A POINT OF CURVATURE THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 475.00 FEET AND A CENTRAL ANGLE OF 09°17'50" A DISTANCE OF 77.08 FEET; THENCE N09°30'01"E 222.59 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 09°17'50" AND A RADIUS OF 525.00 FEET A DISTANCE OF 85.19 FEET; THENCE N00°12'11 "E 290.09 FEET; THENCE WEST 50.00 FEET; THENCE N00°12'11"E 59.30 FEET TO A POINT ON THE ¼ SECTION LINE; THENCE S89°53'31"E 2072.47 FEET TOTHE POINT OF BEGINNING.

SUBJECT TO A COUNTY ROAD RIGHT-OF-WAY ALONG THENORTHERLY SIDE OF THE ABOVE DESCRIBED PARCEL.

ALSO SUBJECT TO ANY CLAIM ARISING FROM THE DIFFERENCE INTHE MEAN HIGH-WATER LINE OF THE SNAKE RIVER AND THE MEANDER LINE AS SHOWN BY THE ORIGINAL GOVERNMENT SURVEY.

PARCEL TWO:

ALSO A PARCEL DESCRIBED AS: BEGINNING AT A POINT THAT LIES N89°53'31"W 2588.47 FEET FROM THE EAST ¼ CORNER OF SAID SECTION 17, AND RUNNING THENCE S00°12'11"W 144.63 FEET; THENCE WEST 175.66 FEET; THENCE N50°37'00"E 227.93 FEET TO THE POINT OF BEGINNING.

Section 2: This Ordinance shall become effective upon its publication in the manner required by law.

Passed and Approved by the Board of County Commissioners, County of Bingham, State of Idaho, at a Public Hearing held on the 10th day of June 2026.

Signed this 31st day of July 2026.

BOARD OF COUNTY COMMISSIONERS
BINGHAM COUNTY, IDAHO

ATTEST:


Pamela Eckhardt
Bingham County Clerk




Whitney Manwaring, Chairman


Eric Jackson, Commissioner


Drew Jensen, Commissioner

782423

RESOLUTION 2026-47

The Board met to approve Bingham County Resolution 2026-47, a resolution for destruction of records specifically for the Elections Department.

Decision: Commissioner Jackson moved to approve Bingham County Resolution 2026-47, a resolution for destruction of records specifically for the Elections Department. Commissioner Jensen seconded. All voted in favor. The motion carried and said resolution was approved and signed as follows:

BINGHAM COUNTY RESOLUTION 2026-47

RESOLUTION REGARDING THE DESTRUCTION OF ELECTION RECORDS
MAINTAINED BY THE CLERK'S OFFICE

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 **March 9, 2021** Blackfoot, Snake River, and Bonneville School Districts Supplemental Levies and Blackfoot & Shelley School District Special Obligation Bond 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:

Combination Election Record and Poll Books, including the ballot accounting pages.

That the following may be disposed of pursuant to Idaho Code §34-217(2) (a-g) as being at least **two years**, from the date the records were created:

May 21, 2024 Snake River and Aberdeen Supplemental Levy Elections records

May 21, 2024 Moreland Cemetery Permanent Override Levy Elections records

May 21, 2024 Bingham County Commissioners Advisory Question records

Completed absentee ballot request forms; tally books; voted ballots; any ballots that were required to be duplicated before being counted; certified lists of candidates or declaration of candidacy forms from special districts used for ballot preparation; certified ballot language from special districts for any question placed on the ballot; absentee ballot affidavit envelopes, including the indication of the signature's acceptance or rejection; ballot stubs; correspondence relating to an elector's voter registration; logic and accuracy test ballot decks; write-in packets; test ballots; oaths; and transport carrier logs.

That the following may be disposed of pursuant to Idaho Code §34-217(3) (a-f) as being **one year** from the date the records were created:

May 20, 2025 Blackfoot School District Supplemental Levy Elections records

May 20, 2025 Shelley School District Special Obligation Bond Election records

May 20, 2025 North Bingham and Snake River School/Community Library District Trustee Election records

May 20, 2025 Bingham County Ambulance District Temporary Override Levy

May 20, 2025 Moreland Cemetery District Temporary Override Levy

Notice of election; personal identification affidavits; ballot tracking logs; automated tabulation election logs; receipt of supplies; copy of the election definition and program used in tabulating ballots electronically and in the ballot marking device; record of the number of ballots printed and furnished to each polling place; and oath of challenge forms.

That the following **May 19, 2026** Primary Election records may be disposed of pursuant to Idaho Code §34-217(4) as being at least **sixty (60) days** from the date the records were created:

Correspondence relating to an elector's unused ballots, spoiled ballots, stamps, voter sequence charts, absentee voted ballot envelopes, supply envelopes, locks, voter lists, duplicate poll books and test ballots.

Furthermore, such records may be destroyed after July 31, 2026

Signed and dated this 31 day of July, 2026

BINGHAM COUNTY COMMISSIONERS

ATTEST:




Pamela W. Eckhardt, Clerk


WHITNEY MANWARING, Chairman


DREW JENSEN, Commissioner


ERIC JACKSON, Commissioner

PRIOR APPROVAL FOR PURCHASE- ELECTIONS DEPARTMENT

Present: Megan Kearsley- Elections Director
Pamela Eckhardt- County Clerk

The Board met to hold discussion in regard to the submitted prior approval for purchase of DS300 Precinct Tabulators.

Said purchase is in the amount of \$99,530.00 for 13 DS300 poll place scanner and tabulators, which are to be paid from 60-0-806-00 (Consolidated Elections).

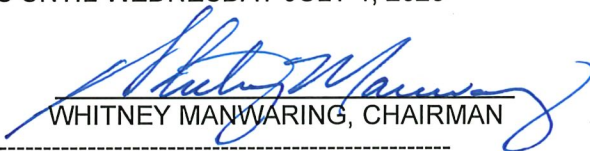
Decision: Commissioner Jensen moved to approve the prior approval for purchase of 13 DS300 poll place scanner and tabulators in the amount of \$99,530.00, which are to be paid from Fund: 60-0-806-00. Commissioner Jackson seconded. All voted in favor. The motion carried.

CLAIMS FOR THE PREVIOUS MONTH WERE APPROVED AS FOLLOWS:

Current Expenses	\$478,462.66	Weeds	\$11,291.17
Road & Bridge	\$250,337.69	Emergency Communication.....	\$11,489.45
Airport.....	\$25.59	Waterways.....	\$3,099.97
Justice Fund	\$649,348.10	Road & Bridge Special Proj...	\$314,274.28
District Court.....	\$87,904.94	Opioid Abatement Account.....	\$72.36
Preventative Health.....	\$36,000.00	Treatment Courts.....	\$336.21
Historical Society & Museum....	\$67,024.78	Interlock/Monitoring Fund.....	\$66.41
Parks & Recreation.....	\$28,814.94	Junior College.....	\$36,200.00
Revaluation.....	\$23,378.77		
Solid Waste	\$243,198.39		
Tort.....	\$2,481.00		
Veterans Memorial.....	\$868.47		

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY JULY 1, 2026


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


WHITNEY MANWARING, CHAIRMAN