

STATE OF IDAHO)
: ss. Monday, November 3, 2025
County of Bingham)

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

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

STAFF MEETING

Present: Pamela Eckhardt- County Clerk
Laura Lora- Chief Deputy Clerk/Payroll
Donavan Harrington- County Assessor
Debbie Cunningham- Chief Deputy Assessor
Dusty Whited- Public Works Director
Jimmy Roberts- County Coroner
Scott Reese- Emergency Services/Parks & Recreation
Laraine Pope- Human Resource Director
Tiffany Olsen- Planning & Development Director
Jordyn Nebeker- Chief Deputy Sheriff
Cody Lewis- Treatment Court
Megan Kearsley- Elections Office
Tanna Beal- Treasurer
Carmen Willmore- Extension Office
Matt Galloway- IT Director
Miles Cornwall- IT Department
Shawn Hill- Probation Services
Ryan Jolley- Prosecuting Attorney

Excused: Sheri Landon- Court Supervisor
Gordon Croft- Blackfoot Chief of Police
Jeff Gardner- Sheriff
Jason Marlow- Building Maintenance

The Commissioners met with department heads and Elected Officials for the November 2025 Staff Meeting. Commissioner Jackson conducted Staff Meeting.

Pledge of Allegiance: Commissioner Jackson conducted.

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

Special Presentation: No special Presentation

Safety Concerns: Jimmy Roberts mentioned the lights on the back of the annex building and stated that they had not been turning on at night, which can be a safety issue. Commissioner Jackson stated that Building Maintenance would look into the issue.

Employee Years of Service Recognition: Chief Deputy Sheriff Jordyn Nebeker recognized Carina Nevarez for five (5) years of service to Bingham County. Chief Deputy Nebeker stated that Deputy Nevarez is always a joy to be around and every time you see her, she is smiling. Deputy Nevarez is a utilitarian and has been

on the Courts Team and can work with the general population, has a backbone when it is needed and is not shy to get involved in intense situations.

Chief Deputy Sheriff Jordyn Nebeker recognized Todd Howell for twenty-five (25) years of service to Bingham County and stated that Sgt. Howell has worked in Detention, undercover narcotics, detectives and patrol. On September 21, 2018, he almost gave the ultimate sacrifice to the citizens of Bingham County and was shot in the line of duty. Chief Deputy Sheriff Nebeker stated that he has watched Sgt. Howell go through a lot of physical pain, navigate the mental and emotional side of that incident and stated that he is a true warrior. Currently Sgt. Howell give great attention to detail and is serving in the civil department, he has a way with people and is a huge asset to Bingham County.

Dusty Whited recognized Greg Yancey for ten (10) years of service to Bingham County and stated that Greg is a mechanic, helps during election time and is normally the individual called when something major happens. No matter what, Greg is always willing to go out and take care of the issue. Mr. Whited stated that Greg can work on just about anything and is not afraid to do what he needs to do in order to get the job done. He is a great employee and an asset to Bingham County.

Commissioner Jackson: Stated that he would like to thank the Sheriffs Office and explained a recent training that they had put on in which he was able to attend.

Chairman Manwaring: Had no updates at this time.

Commissioner Jensen: Had no update at this time.

Pamela Eckhardt: Stated that there is an Election on November 4th, for the local elections. Clerk Eckhardt stated that she attended one of the candidate forums and the candidates were asked if they know what the budget is for their city and if they knew how much property tax, wherein none of the candidates knew. Therefore, Clerk Eckhardt has provided each department head and elected official with the budget amount and property tax amounts, to share with their employees. Clerk Eckhardt stated that 40% of the budget is salaries, 20% are benefits and the property taxes are listed on the documentation provided as well.

Laura Lora: Stated that time sheets need to be reviewed and approved by Friday, November 21st, due to the holiday.

Donavan Harrington: Stated that all agriculture ground has been changed over to cash rent and that he would like to thank Clerk Eckhardt for her knowledge on the budget, as well as thanking the Board of County Commissioners for their approval of the cost of living for employees.

Dusty Whited: Stated that mountain roads are getting close to closing and there will be no winter maintenance after November 15th. The mountain roads will officially close on December 1st.

Jimmy Roberts: Stated the intern that has worked in his office will be graduating with her Anthropology Degree and has accepted a position as a Forensic Technician at the Ada County Coroners Office. The interview pool included 32 applicants and she scored number 1 and was the top pick for the position. She will be missed but it is great to see individuals blossom and start their career.

Mr. Roberts stated that he sits on the Child Fatality Review Team and the Governors Task Force on Children at Risk recently put out applications for grants, with a maximum amount of \$10,000.00. That funding was not awarded but he was notified last week that Bingham County had been awarded said grant, which will be used to hold a single day child death investigation class for Prosecutors, Coroners, Death Investigators, Sheriffs Office and Healthcare Providers.

Lastly, the Community Dinner Table is occurring on Tuesday nights at the Methodist Church, which is located behind Hawker Funeral Home. Commissioner Jackson stated that on Wednesdays the Community Food Pantry distributes boxes of food, which occurs year round.

Scott Reese: Had no updates at this time.

Laraine Pope: Had no updates at this time.

Tiffany Olsen: Stated that Planning & Development has a new employee, Mike Marvin, who served in law enforcement for many years and the county is fortunate to have him back. Mr. Marvin is the Code Enforcement Officer and handles all land use violations that are reported to Planning & Development. There have been quite a few over the years and Mr. Marvin has the unique set of skills to talk with individuals to the point where they feel that an agreement can be determined to cure the violation.

Ms. Olsen stated that she would like to thank the Building Maintenance and IT Department for their assistance in the remodel of their basement office space in the Annex Building.

Shawn Hill: Had no updates at this time.

Cody Lewis: Stated the Felony Drug Court Graduation will be held November 25th at 4:00 p.m., and the Misdemeanor Drug Court Graduation will be held November 20th at 4:00 p.m.

Ryan Jolley: Stated that the Prosecutors Office has hired a new attorney, Jarrod Hurlbert, and they are now fully staffed. Mr. Jolley stated there was a homicide a couple of weeks ago and he would like to thank the Joint Detectives Division for their phenomenal work on the case which went from an unattended death to a homicide and within a couple of hours making an arrest.

Jordyn Nebeker: Stated that the Bingham County Search and Rescue team is assisting with a recovery off of Henrys Lake.

Tanna Beal: Had no updates at this time.

Carmen Willmore: Had no updates at this time.

Matt Galloway: Stated that he would like to welcome Miles Cornwall to the IT Department and stated that he comes with a lot of experience. Mr. Galloway stated that there will be another new employee joining the IT Department next week and there are a lot of changes happening and he is asking for every one's patience as the IT Department will be extremely busy.

Megan Kearsley: Stated there will be an election November 4th, for Aberdeen, Shelley, Basalt, Firth School Trustees and Blackfoot. Election will be held from 8:00 a.m., to 8:00 p.m. Ms. Kearsley stated that the Elections Office had individuals come from Oneida County last week to view how Bingham County handles ballot on demand as they would like to do the same next year. Lastly, Ms. Kearsley stated that she would like to thank the Building Maintenance crew as they deliver election equipment to the polling locations.

Commissioner Jackson stated next Staff Meeting is scheduled for Monday, December 1, 2025 at 8:30 a.m.

Nothing further.

ALCOHOL LICENSE

The Board met to approve one (1) Alcohol License, which was as follows:

El Chuy Market

Decision: Commissioner Jensen moved to approve the Alcohol License as presented. Commissioner Jackson seconded. All voted in favor. The motion carried.

PROBATION DEPARTMENT

Present: Shawn Hill- Probation

The Board met with Shawn Hill to discuss updates within the Probation Department.

PRIOR APPROVAL- CORONERS OFFICE

Present: Jimmy Roberts- County Coroner

The Board met with Jimmy Roberts to discuss the submitted prior approval for major purchase of tires for the 2018 Dodge Ram truck used by the Coroners Office. Said purchase is in the amount of \$1,432.88, which is to be paid from Fund: 01-06-470-04.

Decision: Commissioner Jackson moved to approve the submitted prior approval for major purchase of tires for the 2018 Dodge Ram truck used by the Coroners Office. Said purchase is in the amount of \$1,432.88, which is to be paid from Fund: 01-06-470-04. Commissioner Jensen seconded. All voted in favor. The motion carried.

UPDATE REGARDING AREA OF IMPACT MAP

Present: Tiffany Olsen- Planning & Development Director

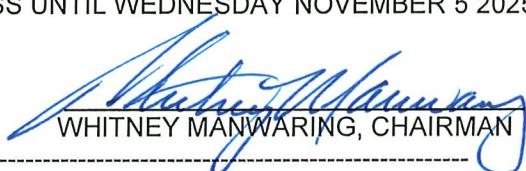
The Board met with Tiffany Olsen to receive an update regarding the Area of Impact Maps, with potential decision.

No decision was made on the record and Ms. Olsen was instructed to send out the proposed Area of Impact proposals.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY NOVEMBER 5 2025



PAMELA W. ECKHARDT, CLERK
Lindsey Gluch- Commission Clerk



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
: ss. Wednesday, November 5, 2025
County of Bingham)

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

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

Commissioner Jensen, Acting Chairman.

CASH WARRANTS

One (1) Cash Warrant was approved in the amount of \$300.00.

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

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
Paul Rogers- County Legal Counsel

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

Discussion was held in regards to the final acceptance letter for the Bingham County Bridge Bundle project.

Decision: Commissioner Jackson moved to approve and sign the final acceptance letter for the Bingham County Bridge Bundle project, as proposed by Mr. Whited. Commissioner Jensen seconded. All voted in favor. The motion carried.

Discussion was held in regards to the submitted prior approval for major purchase of geo-fabric for the z-wall at the Central Transfer Station. Said purchase is in the amount of \$4,690.00, which is to be paid from Fund: 23-70-899-09.

Decision: Commissioner Jackson moved to approve the submitted prior approval for major purchase of geo-fabric for the z-wall at the Central Transfer Station. Said purchase is in the amount of \$4,690.00, which is to be paid from Fund: 23-70-899-09. Commissioner Jensen seconded. All voted in favor. The motion carried.

PUBLIC HEARING REGARDING PROPOSED BINGHAM COUNTY ORDINANCE 2025-14, TITLE 7 "PUBLIC WAYS AND PROPERTY" CHAPTER 5 "PARKS AND WATERWAYS REGULATIONS" SUBSECTION 3 "DEFINITIONS", AN AMENDMENT OF THE ORDINANCE OF BINGHAM COUNTY, TO DECLARE AND DEFINE THE RECREATION AREA OF ROSE PONDS AS A COUNTY PARK

Present: Paul Rogers- County Legal Counsel
Scott Reese- Parks & Recreation
Jordyn Nebeker- Chief Deputy Sheriff
Chad Kent- Sergeant

The Board held a Public Hearing regarding the proposed Bingham County Ordinance 2025-14, Title 7, "Public Ways and Property" Chapter 5 "Parks and Waterways Regulations" Subsection s "Definitions", an amendment of the Ordinance of Bingham County, to declare and define the recreation area of Rose Ponds as a county park. Commissioner Jensen welcomed all to the Public Hearing and introductions were held for the record.

Commissioner Jensen opened the Public Hearing to testimony and confirmed there was no testimony in favor, in neutral or in opposition.

Commissioner Jackson stated that he is in favor of the submitted proposal.

Commissioner Jensen stated that he is also in favor of the proposal and that it is in the best interest of the health, safety and welfare of the community.

Decision: Commissioner Jackson moved to approve Bingham County Ordinance 2025-14, Title 7, "Public Ways and Property" Chapter 5 "Parks and Waterways Regulations" Subsection s "Definitions", an amendment of the Ordinance of Bingham County, to declare and define the recreation area of Rose Ponds as a county park. Commissioner Jensen welcomed all to the Public

Hearing and introductions were held for the record. Commissioner Jensen seconded. Both voted in favor. The motion carried and said Ordinance was approved and recorded as follows:

Instrument # 775317

BINGHAM COUNTY

11-8-2026 03:59:43 PM No. of Pages: 2

Recorded for: BINGHAM COUNTY COMMISSIONERS

PAMELA W. ECKHARDT Fee: 0.00

Ex-Officio Recorder Deputy *MDA/RS*

BINGHAM COUNTY

ORDINANCE NO. 2025-14

**TITLE 7 "PUBLIC WAYS AND PROPERTY"
CHAPTER 5 "PARKS AND WATERWAYS REGULATIONS"
SUBSECTION 3 "DEFINITIONS"**

AN AMENDMENT OF THE ORDINANCE OF BINGHAM COUNTY, BY BINGHAM COUNTY BOARD OF COMMISSIONERS, TO DECLARE AND DEFINE THE RECREATION AREA OF ROSE PONDS AS A COUNTY PARK UNDER TITLE 7 "PUBLIC WAYS AND PROPERTY" CHAPTER 5 "PARKS AND WATERWAYS REGULATIONS" SUBSECTION 3 "DEFINITIONS," PROVIDING THAT THIS AMENDMENT OF THE ORDINANCE SHALL BE IN FULL FORCE AND EFFECT AS OF ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

NOW THEREFORE, BE IT ORDAINED BY THE BINGHAM COUNTY BOARD OF COMMISSIONERS, AS FOLLOWS:

7-5-3: DEFINITIONS:

As used in this chapter, the terms and phrases used in this chapter shall carry the following meanings:

COUNTY PARK: Real property which is routinely maintained by Bingham County for the purposes of facilitating recreational activities or social congregation, whether or not such property is specifically designated by Bingham County as a park.

COUNTY PROPERTY: The following:

- A. Any real or personal property which is owned by Bingham County;
- B. Real or personal property in which Bingham County possesses an interest, including, but not limited to, partial ownership, lease, or loan; and
- C. Real or personal property owned by a private individual or another government body which property is being used by or for the benefit of Bingham County.

GREENBELT: The real property maintained by Bingham County upon which paved paths or walkways are located, which paths or walkways extend from the City of Blackfoot at Jensen's Grove to Rose Ponds and the City of Shelley from the Shelley City Park to North Bingham County Park.

ROSE PONDS: The real property maintained by Bingham County, located in the area of Rose on the Snake River located north of Blackfoot City on Rose Road, used for recreational fishing, biking, hiking, walking and other day use, including an archery range, is a County Park, and is subject to all ordinances, regulations and penalties concerning the maintenance, managing and enforcement of use of County Parks within this Code, applies to.

PASSED AND APPROVED on this 5th day of November, 2025.

BOARD OF COUNTY COMMISSIONERS
BINGHAM COUNTY, IDAHO

Whitney Manwaring, Chairman



Eric Jackson
Eric Jackson, Commissioner

Drew Jensen
Drew Jensen, Commissioner

Attest: Pamela W. Eckhardt
Pamela W. Eckhardt
County Clerk

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(d), to consider records that are exempt from public disclosure. Commissioner 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 in favor. The Board moved into Executive Session at 10:30 a.m. Commissioner Jensen moved to go out of Executive Session. Chairman Manwaring seconded. The Board moved out of Executive Session at 10:48 a.m.

Decision: Commissioner Jackson moved to approve Case Number 2025-13, approve Case Number 2025-14 and deny Case Number 2025-15. Commissioner Jensen seconded. Both voted in favor. The motion carried.

IT DEPARTMENT

Present: Matt Galloway- IT Director
Paul Rogers- County Legal Counsel

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

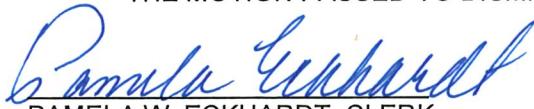
REVIEW & APPROVAL OF COUNTY ANNUAL JUVENILE JUSTICE REPORT TO THE IDAHO DEPARTMENT OF JUVENILE CORRECTIONS

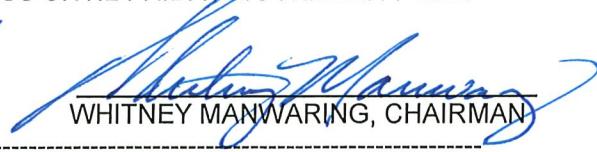
Present: Mark Gough- Probation Department
Shane Boyle- Idaho Department of Juvenile Corrections
Paul Rogers- County Legal Counsel
Pamela Eckhardt- County Clerk

The Board met to review and approve the County Annual Juvenile Justice Report to the Idaho Department of Juvenile Corrections.

Decision: Commissioner Jackson moved to approve and sign the County Annual Juvenile Justice Report to the Idaho Department Corrections. Commissioner Jensen seconded. Both voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY NOVEMBER 7 2025


PAMELA W. ECKHARDT, CLERK
Lindsey Gluch- Commission Clerk


WHITNEY MANWARING, CHAIRMAN

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

CLAIMS

Claims were approved in the amount of \$411,831.19.

PERSONNEL ACTION FORMS

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

Salary Increase Form: **Road & Bridge Lead
Truck Driver
Probation Services Secretary**

COLLEGE OF EASTERN IDAHO

The Board met to approve one (1) Certificate of Residency, which was approved and sent to the College of Eastern Idaho for the following student: Brianna L. Wimmill.

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.

TAX INQUIRY FORMS

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

RP0416701	Year 2025	Homeowner signed up for Homeowners Exemption for 2025
RP0333103	Year 2025	Homeowner signed up for Homeowners Exemption for 2025
RP8273330	Year 2025	Homeowner signed up for Homeowners Exemption for 2025
RP0157404	Year 2025	Homeowner signed up for Homeowners Exemption for 2025
RP0419104	Year 2025	Homeowner signed up for Homeowners Exemption for 2025
RP8245100	Year 2025	Homeowner signed up for Homeowners Exemption for 2025
RP8271960	Year 2025	Homeowner signed up for Homeowners Exemption for 2025
RP1000701	Year 2025	Homeowner signed up for Homeowners Exemption for 2025
RP1223100	Year 2025	Homeowner signed up for Homeowners Exemption for 2025

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

APPROVAL OF CANVASS FROM THE NOVEMBER 4, 2025 ELECTION

Present: Julie Conan- City of Blackfoot Clerk
Megan Kearsley- Election Director
Kelli Robbins- Elections
Libbie McBurney- Elections

Pamela Eckhardt- County Clerk
Paul Rogers- County Legal Counsel

The Board met to approve the CANVASS from the November 4, 2025 Election.

Decision: Commissioner Jensen moved to approve the CANVASS from the November 4, 2025 Election. Commissioner Jackson seconded. All voted in favor. The motion carried.

DECISION TO PUBLIC NOTICE CALLING FOR BIDS OF SERVICE FOR MOSQUITO ABATEMENT IN BINGHAM COUNTY

The Board met to approve publication of the Notice Calling for Bids of Service for Mosquito Abatement Services in Bingham County.

Decision: Commissioner Jensen moved to approve publication of the Notice Calling for Bids of Services for Mosquito Abatement Services in Bingham County. Commissioner Jackson seconded. Both voted in favor. The motion carried.

PRIOR APPROVAL- IT DEPARTMENT

Present: Matt Galloway- IT Director

The Board met with Matt Galloway to discuss and make a decision in regards to the submitted prior approval documents for the IT Department.

Discussion was held in regards to the submitted prior approval for purchase of 30 Dell Workstation, which is the yearly replacement of older work stations. Said purchase is in the amount of \$39,050.40, which is to be paid from Fund: 01-14-804-00.

Decision: Commissioner Jensen moved to approve the submitted prior approval for purchase of 30 Dell Workstation, which is the yearly replacement of older work stations. Said purchase is in the amount of \$39,050.40, which is to be paid from Fund: 01-14-804-00. Commissioner Jackson seconded. Both voted in favor. The motion carried.

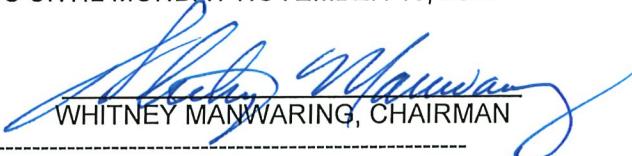
Next, discussion was held in regards to the submitted prior approval for purchase of network monitoring software renewal for What's Up Gold (3-year term). Said purchase is in the amount of \$5,924.30, which is to be paid from Fund: 01-14-524-0001.

Decision: Commissioner Jensen moved to approve the prior approval for purchase of network monitoring software renewal for What's Up Gold (3-year term). Said purchase is in the amount of \$5,924.30, which is to be paid from Fund: 01-14-524-0001.

THE MOTION PASSED TO DISMISS UNTIL MONDAY NOVEMBER 10, 2025



PAMELA W. ECKHARDT, CLERK
Lindsey Gluch- Commission Clerk



WHITNEY MANWARING, CHAIRMAN

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

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a), to consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. Commissioner Jensen moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a), to consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. Commissioner Jackson seconded. Both in favor. The Board moved into Executive Session at 2:18 p.m. Commissioner Jensen moved to go out of Executive Session. Chairman Manwaring seconded. The Board moved out of Executive Session at 3:22 p.m.

Decision: Commissioner Jackson moved to appoint Jody Jackman to the Eastern Idaho State Fair Board, for a four-year term. At the conclusion of the term, the position will be put out for advertisement in order to give other individuals the opportunity. Commissioner Jensen seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY NOVEMBER 12, 2025

Barbara Edwards

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



WHITNEY MANWARING, CHAIRMAN

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

JAIL INSPECTION

The Board of County Commissioners attended Jail Inspection with Lieutenant Fellows, Chief Deputy Sheriff Jordyn Nebeker and Sheriff Gardner.

ALCOHOL LICENSE

The Board met to approve the following Alcohol Licenses:

Vasquez Restaurant LLC

Decision: Commissioner Jensen moved to approve the Alcohol License as presented. Commissioner Jackson seconded. All voted in favor. The motion carried.

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
Paul Rogers- County Legal Counsel

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

Discussion was held in regards to the submitted prior approval for purchase of one radar-controlled traffic counter. Said purchase is in the amount of \$3,826.00, which is to be paid from Fund: 02-40-643-00.

Decision: Commissioner Jensen moved to approve the prior approval for purchase of one radar-controlled traffic counter. Said purchase is in the amount of \$3,826.00, which is to be paid from Fund: 02-40-643-00. Commissioner Jackson seconded. All voted in favor. The motion carried.

HUMAN RESOURCES

Present: Laraine Pope- Human Resources

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

PUBLIC HEARING TO RECEIVE THE PLANNING & ZONING COMMISSION'S RECOMMENDATION TO APPROVE:

- 1) COMPREHENSIVE PLAN MAP AREA AMENDMENT FROM AGRICULTURAL TO RESIDENTIAL/AGRICULTURAL AND, IF APPROVED, A ZONING AMENDMENT FROM RESIDENTIAL/AGRICULTURE AND AGRICULTURE TO RESIDENTIAL/AGRICULTURE ON PARCEL NO. RP0211713 LOCATED AT 30 N 950 W., BLACKFOOT, ID, OWNED BY DAREN & TERRI FERRELL; AND
- 2) A 2-LOT SUBDIVISION TO BE KNOWN AS WILLOWBROOK MEADOWS SUBDIVISION LOCATED ON A PORTION OF THE PARCEL REFERENCED ABOVE.

The Board met to hold a Public Hearing in regards to the Public Hearing to receive the Planning & Zoning Commission's recommendation as listed above.

Prior to the Public Hearing, the Board of County Commissioners reviewed the application and materials submitted by the Applicant, Daren & Terri Ferrell, along with the Staff Report and all supplemental maps, notices and other materials.

As to procedural items, the Board finds the following:

1. In accordance with Bingham County Code 10-3-6, Notice of the Boards Public Hearing was provided as follows:
 - a. Sent to Government Agencies on October 17, 2025 (CC-3 List of Government Agencies and Notice & CC-3A Government Agency Notice)

- b. Published in the Idaho State Journal and Post Register on October 21, 2025 (CC-2: Affidavit of Publication)
- c. Sent to property owners within 300' of this property on October 17, 2025. (CC-4 & CC-4A Property Owners Mailing List and Notice)
- d. Site was posted on October 21, 2025 (CC-5 Affidavit of Posting) and photographs of the site were taken on June 23, 2025 (S-9 Pictures)

2. The Commission Clerk nor the Planning & Development Department received any additional testimony prior to the Board's Public Hearing.

After presentation of the Staff Report and confirmation that there were no additional questions for county staff, the Public Hearing was opened and testimony was presented at the Public Hearing, which was as follows:

(CC-6) Daren Ferrell, Applicant, stated that he and his wife want to build a home for his family and have one parcel set aside for future needs.

Commissioner Jackson asked Mr. Ferrell if the ditch runs through services only Mr. Hansen's property or if it services other homes as well, to which Mr. Ferrell stated previously the property used to be a 9-10-acre plot with the farm house and outbuildings. Mr. Ferrell stated that he purchased 4.6 acres from Tate and Kylee Hansen. The ditch has not been altered in anyway and used to run through their property as well and they buried it on their side of the property. Therefore, the ditch currently ends at their property but he believes there was a concern that if he wanted to be able to use the ditch, that would be available, to which Mr. Ferrell stated that was not an issue.

Commissioner Jensen asked if the water runs from the south to the north and flows well, to which Mr. Ferrell stated that was correct and the water does flow well.

Chairman Manwaring asked Mr. Ferrell if surface irrigating is done, to which Mr. Ferrell stated that was correct.

Chairman Manwaring opened the Public Hearing for testimony in favor, neutral nor in opposition, to which there was none and the Public Hearing was closed.

REASON

The Board held deliberation and based on the entire record, the Board finds the following:

1. The Application met the requirements in Bingham County Code Section 10-15-3, as the Application was submitted by the Property Owner and included all required contents of a complete Application; and
2. The Residential/Agricultural Comprehensive Plan Map Area corresponds with "R" and "R/A" zones in the Zoning Ordinance and is established to direct the orderly and timely conversion of land as the need arises into Residential areas that are still rural in character, and the Application met the specific purpose of the Comprehensive Plan; and
3. A portion of the 4.46-acre parcel is already zoned Residential/Agriculture, and is surrounded by similarly sized parcels consisting of residences and agricultural land. The requested amendments would not be harmful to adjacent or neighboring uses, and will not create urban density; and

4. The purpose of the "R/A" Residential/Agriculture zone is to permit the establishment of low-density single-family dwellings with lot sizes sufficient for individual sewer and water facilities and that have lot sizes compatible with existing lot sizes in the immediate area pursuant to Bingham County Code Section 10-4-2(C); and
5. The Application met the Residential/Agriculture zone purpose as parcels exist in the immediate area that are as small as one-acre in size with existing residential uses; and
6. The Application met the notice requirements of Idaho Code Title 67, Chapter 65, and Bingham County Code Section 10-3-6.

Chairman Manwaring stated the only concern he noticed was that Tate Hansen brought up the worry of the existing ditch but the concern was addressed by Mr. Ferrell.

Commissioner Jackson stated a portion of the parcel is already zoned Residential/Agriculture, so it will only increase a few more acres.

Commissioner Jensen stated that he has no concerns regarding the Application.

DECISION REGARDING COMPREHENSIVE PLAN MAP AMENDMENT AND ZONING AMENDMENT

Commissioner Jensen moved to approve the Comprehensive Plan Map Amendment from Agricultural to Residential/Agriculture and Zoning Amendment from Residential/Agriculture & Agriculture to all Residential/Agriculture on approximately 4.46 acres of land, located at approximately 30 N. 950 W., Blackfoot, Idaho 83221, as proposed by Daren and Terri Ferrell. Commissioner Jackson seconded. All voted in favor. The motion carried.

Commissioner Jackson moved to approve the Zoning Amendment from Residential/Agriculture & Agriculture to all Residential/Agriculture on approximately 4.46 acres of land, located at approximately 30 N. 950 W., Blackfoot, Idaho 83221. Commissioner Jensen seconded. All voted in favor. The motion carried.

Upon approval of the Comprehensive Plan Map Amendment from Agriculture to Residential/Agriculture and Zoning Amendment from Residential/Agricultural and Agriculture to all Residential/Agriculture, the Board of County Commissioners heard the request to develop a 2-Lot Residential subdivision to be known as Willowbrook Meadows Subdivision.

After presentation of the Staff Report and confirmation that there were no questions for county staff, the Board reviewed and found the following:

- 1) The Application met the requirements of Bingham County Code Title 10, Chapter 14, *Subdivision Regulations*; and
- 2) The Subdivision Application met the requirements of Bingham County Section 10-4-2(D) as the purpose of the "R/A" Residential/Agriculture zone is to permit the establishment of low density single-family dwellings with lot sizes sufficient for individual sewer and water facilities that have suitability of parcel for agricultural purposes; proximity to existing areas of similar population density; lot size compatible with existing lot sizes in the immediate area; compatible with the existing uses in the immediate area; protection from incompatible uses; accessibility to adequate utilities; and adequate service by roadways. The Commission reviewed the Application and did not have any concerns with these criteria being met; and

- 3) The area consists of primarily residential parcels to the north, east and south, with agriculturally farmed parcels to the west.
- 4) The Application met the requirements of Bingham County Code Sections 10-6-6(B)(1) as the proposed lots meet the 1-acre minimum allowed for in a Residential/Agriculture Zoning District with an individual culinary well, individual septic system, and drain field on each lot; and
- 5) That surface water rights exist with the People's Canal and Irrigation Company. The ditch is proposed to remain open and shall provide irrigation delivery in accordance with Bingham County Code Section 10-14-8 (H) and Idaho Code Section 31-3805 with a water Users Agreement for the lots within the Subdivision to be recorded prior to the Final Plat; and
- 6) Adequate access will be provided from 950 West Pine Road with new approaches subject to permitting from Bingham County Public Works; and
- 7) The proposed Subdivision is considered to be consistent with the Bingham County Comprehensive Plan as the area is designated as Residential/Agricultural, which supports the Residential/Agriculture Zoning District.

Chairman Manwaring stated that Mr. Ferrell explained they wanted to expand and build a larger home and to have another lot. On the preliminary plat, it shows Lot 1, Block 1 which is 1.05 acres and Lot 2, Block 1 is 1.69 acres which fits code requirements and gives the ability to have its own septic and water, which is followed through the health department by permit. Chairman Manwaring stated there were concerns in regards to the ditch but that the Applicant and neighbor will be able to work together on an agreement.

Commissioner Jackson stated this is a good fit for the area as there is a center pivot that services the farm ground that is accessible and it will not be taking farm ground out of service, therefore it is a good spot for a home.

Commissioner Jensen stated that he would agree with Commissioner Jackson and that that property owner will be building a home and potentially reserve the second lot for future needs.

DECISION REGARDING WILLOWBROOK MEADOWS SUBDIVISION

Commissioner Jensen moved to approve the Willowbrook Meadows Subdivision, consisting of 2-Lots, located at approximately 30 N. 950 W., Blackfoot, Idaho on approximately 2.96 acres as proposed by Property Owners, Daren and Terri Ferrell. 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.

REQUEST FOR USE OF OPIOID SETTLEMENT FUNDING TO ASSIST WITH OPERATING COSTS-SUBMITTED BY THE CENTER FOR HOPE

Present: Nancy Espeseth- Center for Hope
Benji- Center for Hope
Aimee Austin
Nicole Baldwin- Center for Hope
Mayor Carroll- City of Blackfoot
Grahm Anderson- City of Blackfoot

The Board met to hold discussion in regards to the submitted request for use of opioid settlement funding to assist with operating costs submitted by the Center for Hope.

Nancy Espeseth explained this will be the third year in which the Center for Hope has requested assistance with operating/ rental funding from the county.

The Board was in favor of the request and Mayor Carroll agreed that the City of Blackfoot would also assist, with each paying \$12,600.00.

Decision: Commissioner Jackson moved to approve the funding request in the amount of \$12,600.00 to the Center for Hope. Commissioner Jensen seconded. All voted in favor. The motion carried.

PLANNING & DEVELOPMENT

Present: Tiffany Olsen- Planning & Development Director
Dusty Whited- Public Works Director
Derrick Going- Solid Waste Supervisor

The Board met with Tiffany Olsen to discuss updates within the Planning & Development Department, along with other agenda items.

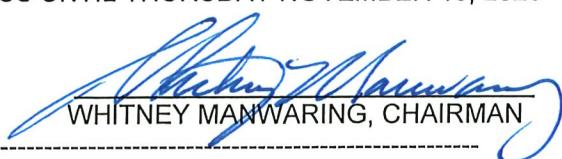
Discussion was held in regards to waiver of Building Permit Fees for the Z-Wall at the Central Transfer Station, which are in the amount of \$2,124.00.

Decision: Commissioner Jackson moved to approve waiver of Building Permit Fees for the Z-Wall at the Central Transfer Station, which are in the amount of \$2,124.00. Commissioner Jensen seconded. All voted in favor. The motion carried.

Ms. Olsen provided general updates within the Planning & Development Department.

THE MOTION PASSED TO DISMISS UNTIL THURSDAY NOVEMBER 13, 2025


PAMELA W. ECKHARDT, CLERK
Lindsey Gluch- Commission Clerk


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Thursday, November 13, 2025
County of Bingham)

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

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

MEETING TO HEAR THE MOTION FOR RECONSIDERATION, FILED BY CHARLIE COOK, BARRY SORENSEN AND FAMILIES, OF THE JEFF & JULIE KRUEGER'S APPEAL OF CONDITIONAL USE PERMIT FOR A PRIVATE OUTDOOR FIREARMS TRAINING RANGE, WHEREIN THE BOARD OF COUNTY COMMISSIONERS OVERTURNED THE DECISION OF THE PLANNING & ZONING COMMISSION AND APPROVED THE APPLICATION

MEETING TO HEAR THE MOTION FOR RECONSIDERATION, FILED BY PERSCHON FARMS, OF THE JEFF & JULIE KRUEGER'S APPEAL OF CONDITIONAL USE PERMIT FOR A PRIVATE OUTDOOR FIREARMS TRAINING RANGE, WHEREIN THE BOARD OF COUNTY COMMISSIONERS OVERTURNED THE DECISION OF THE PLANNING & ZONING COMMISSION AND APPROVED THE APPLICATION

Present: Marlette McClain
 Patrick Adams
 Jeremy Pharis
 Sandy Perschon
 Steve Perschon
 Jan Neish
 Andy Cook
 Jason Cook
 Tiffany Olsen- Planning & Development Director
 Paul Rogers- County Legal Counsel

Prior to the meeting, the Board of County Commissioners reviewed the two (2) filed Motion for Reconsideration documents and materials submitted by the Appellants, as listed above, along with the Staff Report and all supplemental maps, notices and other materials.

REASON

Chairman Manwaring explained that there are three outcomes that could occur, which are to affirm, reverse or modify the previous decision made by the Board. Chairman Manwaring stated in order to reverse or modify the decision, both of the following two requirements need to be met, which are as follows:

- 1) The Board finds that the substantial right of the party asking for the reconsideration has been prejudiced.

Chairman Manwaring stated that he could confirm that requirement was met due to his concern of safety issue and concerns for the citizens of Bingham County.

Commissioner Jackson stated the safety of both sides is a concern to him and the end of the shooting range while daily work or checking the cattle or having children playing within the area. Commissioner Jackson stated that in reading the testimony from those that are asking for the reconsideration, it does restrict their enjoyment and affect their safety. Commissioner Jackson stated to Mr. Krueger's own admission, the property values will decrease next to a shooting range. Therefore, he would agree that this requirement has been met.

Commissioner Jensen stated that in reviewing the motion's filed, he felt that the Board discussed things thoroughly and equally for both parties. Therefore, he does not feel that either party had been prejudiced.

Chairman Manwaring stated that as two (2) commissioners agreed that the first requirement had been met, discussion could occur in regards to the second requirement, which is as follows:

- 2) The Board finds that the following has occurred:
 - a. The underlying decision is in violation or in excess of constitutional or statutory authority;
OR
 - b. The decision from the last meeting was made by an unlawful procedure; and
 - c. The last decision was not supported by substantial evidence; and
 - d. The decision was arbitrary, capricious or an abuse of discretion.

Chairman Manwaring stated in reviewing the four options and could agree that the last decision was arbitrary, capricious or an abuse of discretion because in reviewing the application and in reference to safety measures that were taken, he took it for granted and after reviewing the information further, there are issues and although those issues were addressed by the Applicant, there should have been conditions put in place in order to be sure those are followed. If not, the Conditional Use Permit could be revoked.

Commissioner Jackson stated that he does not believe the requirements had been made for the second requirement.

Commissioner Jensen asked that the statements that the Applicant submitted documentation in preparing for the Conditional Use Permit and if those documents go into the record and are those safety measure stated on the record to be followed, wherein Tiffany Olsen, Planning & Development Director, stated that the Board had previously instituted six (6) conditions on the approval and because the Applicants statements within the application were not referenced in those conditions, it would be an effort of good faith for the Applicant to follow what was stated on the record outside of those placed conditions. If the Board would like those to be enforceable conditions that would be overseen by Planning & Development, those would need to be included within the decision.

Commissioner Jensen stated he was under the assumption when the first decision was made, that what the Applicants stated on the record that they would do, were things that they would need to abide by and stated that he agreed that further conditions should be placed.

Mr. Rogers confirmed with Commissioner Jensen that he believes that the second requirement had been met, wherein Commissioner Jensen stated that was correct and he feels that neither party was prejudiced but if proceeding according to discussion, further conditions need to be placed in order for the Applicants to follow.

Mr. Rogers asked Commissioner Jensen if he thought that without those conditions placed, if the individuals who filed the Motion for Reconsideration would be able to safely enjoy, use and own their property, to which Commissioner Jensen stated that he does not feel that either party were prejudiced and the Board went by the facts that were provided but as Chairman Manwaring stated the need to have the conditions is important. Commissioner Jensen stated that he feels where there is ammunition fired throughout the desert, granted this is different, but he does believe that they could be as safe there as a stray bullet being shot from another place. Therefore, he does feel that they are able to safely enjoy and use their property.

Chairman Manwaring stated after reviewing the initial decision and other information further, conditions need to be placed to be certain they are being followed rather than just stated on the record by the Applicant and if those conditions are not followed, the Conditional Use Permit could be revoked. Chairman Manwaring reiterated that the biggest concern is the safety of the citizens and therefore, he is in favor of modifying the previous decision in order to add additional conditions.

Commissioner Jackson stated it comes down to if the Board decision adversely negatively affect a persons substantial and legally protected interest in their ownership of property next to the range or their use. To him it does affect their ownership because it will decrease their property values, the use will be affected as individuals will not want to train horses or checking cattle when shooting is occurring and their enjoyment

will be affected as he is not sure how anyone can enjoy being outside working with cattle or ground with loud noises going off at the same time.

Chairman Manwaring stated the previous decision as based on the information that was provided to the Board. There was hear say in regards to property values but there was no proof. Commissioner Jackson added that Mr. Krueger stated that there has been a survey done showing that property values are affected. Chairman Manwaring stated that was the statement made by Mr. Krueger but there were no facts behind the statement.

Commissioner Jensen stated that he would be in favor of modifying the previous decision to increase the conditions placed, due to believing statements that were made by Mr. Krueger were to be required but were not.

Commissioner Jackson asked whose property rights have the most value? Someone who just moved in and purchased property recently or someone who has property that they have owned for a long time. Chairman Manwaring stated in his mind everyone has their own property rights but believes this is a personal opinion. Commissioner Jensen stated that everyone has their property rights and he does not know if that varies.

Chairman Manwaring reviewed the potential conditions that he would like to add on top of the conditions that had previously been placed, which are that Mr. Krueger's safety plan be implemented including the conditions that he stated within the Application, the recommendation of signage from the Sheriffs Deputies, at least a five (5) foot high and eight (8) foot wide berm on each side from the first shooting station to the end of the range, that the neighbors be contacted 3-5 days prior to any shooting occurring, Mr. Krueger or another professional trainer shall be on site at all shooting events and to be sure there is a booth at each shooting station. Also, that notification will be given in regards to when calving season or breeding season is to occur and other high important times of the year, wherein there should be no shooting occurring.

Commissioner Jensen stated that he would like to add that the range not be open to the public but by appointment only, limited for approved training participants, to have an implemented emergency response plan and that a gravel road be placed through the middle of the range so that when they check targets for fire hazard and properly constructed berms.

Mr. Rogers stated that he would like clarification on one proposed condition, specifically the condition that neighbors shall be contacted 3-5 days before shooting and if that would mean for all shooting, to which Chairman Manwaring stated yes that it would pertain to all shooting. Chairman Manwaring stated that would assist in planning ahead for events and to be sure there is not shooting during calving or breeding season, along with any high stress times.

Mr. Rogers referred to the safety plan proposed by Mr. Krueger included 3 uses, which were personal use (training and practice), business use (1 on 1 and group trainings), and external use (other certified firearm trainers that schedule to use the range), and asked the Board if personal use could be regulated or if it was to be constricted for business and external use. Commissioner Jensen agreed and that would put the Krueger's on the same basis as their neighbors as stated in the testimony provided during the Planning & Zoning Commission Hearing and that there is shooting activity on another property. Commissioner Jensen stated that any shooting for business and external use should be restricted and underneath the conditions for required notification.

Chairman Manwaring stated even with personal use, he believes they could check with their neighbors to know when those high function activities are occurring such as calving, breeding or working horses, in order to work around those times. Mr. Rogers stated that he was not sure if the Board could restrict that instance and reiterated that the Conditional Use Permit is for the commercial business use.

Chairman Manwaring stated every two (2) years there is to be a professional sweep of the berms to collect the led properly.

There was no further discussion at this time and Chairman Manwaring entertained a motion.

DECISION

Commissioner Jensen moved to approve to modify the underlying decision, with addition of the following conditions to be placed:

- 1) The range not be open to the public but by appointment only;
- 2) Adopt section 5 of Mr. Krueger's safety plan;
- 3) Clear signage be placed & the range be gated;
- 4) That a Certified NRA Range Safety Officer be present;
- 5) That an Emergency Response Plan be implemented;
- 6) That a gravel road be placed to firing berms;
- 7) The property be constructed with 5-foot high and 8-foot wide berms;
- 8) That neighbors should be contacted 3-5 days prior to shooting taking place;

Chairman Manwaring stated that he would request an amendment to reiterate that the six (6) conditions previously placed will remain.

Commissioner Jensen amended the motion to add that the six (6) conditions previously placed will remain. Chairman Manwaring seconded.

All in favor- Chairman Manwaring and Commissioner Jensen.

All opposed- Commissioner Jackson.

The motion passed.

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

OPEN OF FISCAL YEAR 2025 BUDGET AND APPROVAL OF RESOLUTION 2025-48- REQUESTED BY
PAMELA ECKHARDT- COUNTY CLERK

Present: Pamela Eckhardt- County Clerk
 Laura Lora- Chief Deputy Clerk
 Paul Rogers- County Legal Counsel

The Board met to Open Fiscal Year 2025 Budget and Approval of Resolution 2025-48.

Decision: Commissioner Jackson moved to approve Bingham County Resolution 2025-48, a resolution to open Fiscal year 2025 Budget. Commissioner Jensen seconded. All voted in favor. The motion carried and said resolution was approved as follows:

**BINGHAM COUNTY
RESOLUTION NO. 2025-48**

A RESOLUTION TO OPEN FISCAL YEAR 2025 BUDGET

WHEREAS, the Bingham County Commissioners have found it necessary to adjust the Fiscal Year 2025 County Budget for additional expenditures and,

WHEREAS, the adjustments to the following budgeted amount will not result in the increase of anticipated property taxes over the amounts previously levied for Fiscal Year 2025.

NOW THEREFORE, pursuant to Idaho Code §31-1605, the Bingham County Commissioners hereby resolve that the following FY 2025 budget be adjusted by the following amounts:

**Fund 02 Road and Bridge: Capital Expenditures in the amount of \$1,500,697
Revenue in the amount of \$1,500,697 from existing fund balance.**

**Fund 03 Airport: Expenditures in the amount of \$259,000.
Revenue from a grant in the amount of \$259,000 from the Idaho Transportation Department Division of Aeronautics.**

Fund 18 Parks and Recreation: Acceptance of a grant in the amount of \$324,974 from the Bureau of Reclamation.

**Fund 23 Solid Waste: Expenditures in the amount of \$169,000.
Revenue in the amount of \$169,000 from existing fund balance.**

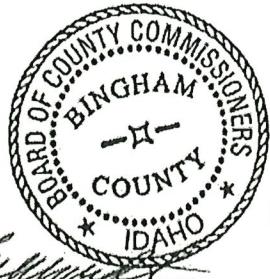
**Fund 24 Tort: Expenditures in the amount of \$9,300.
Revenue in the amount of \$9,300 from existing fund balance.**

**Fund 25 Veterans Memorial: Expenditures in the amount of \$3,574.
Revenue in the amount of \$3,574 from PILT transfer.**

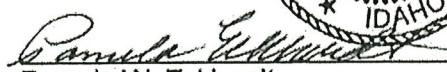
Fund 50 PILT: Expenditures in the amount of \$1,497,471. Revenue in the amount of \$1,497,471 from existing fund balance.

DATED: November 13, 2025

BOARD OF COUNTY COMMISSIONERS



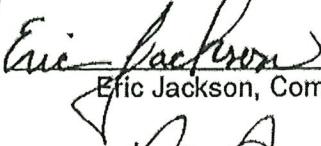
ATTEST:


Pamela W. Eckhardt

Bingham County Clerk

By:


Whitney Marwaring, Chairman


Eric Jackson, Commissioner


Drew Jensen, Commissioner

THE MOTION PASSED TO DISMISS UNTIL FRIDAY NOVEMBER 14, 2025

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

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

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

CLAIMS

Claims were approved in the amount of \$296,388.62.

PERSONNEL ACTION FORMS

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

New Employee Status:	Solid Waste Operator System Support Specialist Emergency Communications Officer
Salary Increase Form:	Sergeant Detention Deputy Detention Deputy Detention Deputy Patrol Deputy Lead Emergency Communication Officer Certified Appraiser/Deeds Specialist Chief Deputy Assessor/Revaluation Specialist

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

TAX INQUIRY FORMS

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

MH7011504A	Year 2025	Pays Fort Hall Solid Waste
MH/RP03033313	Year 2025	Homeowner signed up for Homeowners Exemption in 2025
RP1311407	Year 2025	Homeowner signed up for Homeowners Exemption in 2025
RP1143200	Year 2025	Homeowner signed up for Homeowners Exemption in 2025
RP2156310	Year 2025	Homeowner signed up for Homeowners Exemption in 2025

Decision: Commissioner Jensen moved to approve and sign the Tax Inquiry Forms as submitted. Commissioner Jackson seconded. All voted in favor. The motion carried.

PUBLIC HEARING TO RECEIVE THE PLANNING & ZONING COMMISSION'S RECOMMENDATION TO APPROVE:

- 1) COMPREHENSIVE PLAN MAP AREA AMENDMENT FROM AGRICULTURE TO NATURAL RESOURCE/AGRICULTURAL AREA FOR PARCEL NO. RP0282202, LOCATED AT 562 N 350 W, BLACKFOOT, IDAHO OWNED BY JAMES DOUGLAS AND PATRICIA ANN BURKMAN; AND IF APPROVED
- 2) ROCKY HOLLOW SUBDIVISION, A 2-LOT RESIDENTIAL SUBDIVISION ZONED AGRICULTURAL/NATURAL RESOURCES

The Board held a Public Hearing to receive the Planning & Zoning Commission's recommendation to approve the Comprehensive Plan Map Area Designation from "A" Agriculture to "NR/A" Natural Resource Agriculture, and if approved, the Rocky Hollow Subdivision, formally known as the Talley Homestead Subdivision.

Prior to the Public Hearing, the Board of County Commissioners reviewed the application and materials submitted by the Applicants, James Douglas and Patricia Ann Burkman, along with the Staff Report and all supplemental maps, notices and other materials.

As to procedural items, the Board finds the following:

3. In accordance with Bingham County Code 10-3-6, Notice of the Boards Public Hearing was provided as follows:
 - a. Sent to Government Agencies on October 17, 2025 (CC-4 List of Government Agencies and Notice & CC-4A Government Agency Notice)
 - b. Published in the Idaho State Journal and Post Register on October 21, 2025 (CC-3 Affidavit of Publication)
 - c. Sent to property owners within 300' of this property on October 17, 2025. (CC-5 & CC-5A Property Owners Mailing List and Notice)
 - d. Site was posted on October 21, 2025 (CC-6 Affidavit of Posting) and photographs of the site were taken on August 22, 2025 (S-9 Pictures)
4. The Commission Clerk nor the Planning & Development Department received any additional testimony prior to the Board's Public Hearing.

After presentation of the Staff Report and confirmation that there were no additional questions for county staff, the Public Hearing was opened and testimony was presented at the Public Hearing, which was as follows:

(CC-7) Patricia A. Burkman (562 N. 350 W., Blackfoot, Idaho), Applicant, stated the property is designed for her son to build a home and have the ability to take care of her and her husband in the future. Ms. Burkman stated that development is the best use for the property and that it will be needed.

Commissioner Jackson opened the Public Hearing for testimony in favor, neutral or in opposition, to which there was none and the Public Hearing was closed.

REASON

The Board reviewed the Application, and the evidence of said Application in the context of Bingham County Code Title 10 Chapter 15 *Amendments*, and found the following:

7. The Comprehensive Plan Map Area Amendment Application met the requirements in Bingham County Code Section 10-15-3, as the Application was submitted by the property owners and included all required contents of a complete Application; and
8. The requested amendment is for approximately 14.66 acres of land with a Comprehensive Plan Map Area designation of Agriculture. In order to facilitate the Applicant's desire to subdivide their property, which is zoned Agriculture/Natural Resource, an amendment is required to the Natural Resource/Agricultural Map Area; and
9. The Natural Resource/Agriculture Comprehensive Plan Map Area is established in areas that contain scenic areas, watershed areas, wildlife habitat, agriculture uses, and natural resources that may include, but are not limited to, mineral deposits and timber or outdoor recreation facilities. This area will allow the development of such uses in an orderly manner to provide protection for the health, safety, and welfare of residents. Development in hazardous areas such as steep or unstable slopes, wetlands, or flood areas may be limited; and
10. It was appropriate to approve the Comprehensive Plan Map Area Amendment from Agriculture to Agriculture/Natural Resources to facilitate subdivision development upon review of the Applicants response to Bingham County Code Section 10-14-3(E).

The Board reviewed the Application, and the evidence of said Application in the context of Bingham County Code Title 10 Chapter 14 *Subdivision Regulations*, and found the following:

- 1) The Subdivision Application met the zoning district purposes of Bingham County Code Section 10-4-2(A) as the "A/NR" Agriculture/Natural Resources zone is to provide for the protection and orderly development of the County's natural resources. The Board found that the creation of a two-lot subdivision with large lot sizes for immediate use and future residential growth is aligned with the purpose of this zone. Additionally, the Board found that the proposed development has access to the utilities, is compatible with adjacent uses, and has adequate service by roadways; and
- 2) The Application met the requirements of Bingham County Code Section 10-6-6(B)(4) as the proposed lots meet the 5-acre minimum allowed for in an Agriculture/Natural Resources Zoning District; and
- 3) The area consists primarily of residential parcels, agriculturally farmed fields, and lava flows, and the subject property is surrounded by Agriculture/Natural Resource zoning to the north and west; and
- 4) That adequate access will be provided from 550 N. McDonaldville Road for proposed Lot 1, and Lot 2 has existing access from 350 W. McDonaldville Road. Any new approaches are subject to permitting from Bingham County Public Works; and
- 5) That there are no irrigation water rights associated with the parcel and therefore there will be no irrigation water provided to the proposed lots; and

- 6) The Public Hearing met the notice requirements of Idaho Code Title 67, Chapter 65 and Bingham County Code Section 10-3-6.

Commissioner Jensen stated that he is in support of the Application and the decision of the Planning & Zoning Commission. Commissioner Jensen stated that the Application meets all requirements and is a good fit for the property.

Commissioner Jackson stated that the Application will not take any farm ground out of production and fits all Comprehensive Plan requirements. Commissioner Jackson stated that he is in support of the Application and the decision of the Planning & Zoning Commission.

DECISION

Commissioner Jensen moved to approve the Comprehensive Plan Map Amendment from Agricultural to Natural Resource/Agricultural for approximately 14.66 acres of land, located at approximately 562 N. 350 W., Blackfoot, Idaho 83221, as proposed by James Douglas and Patricia Ann Burkman. Commissioner Jackson seconded. Both voted in favor. The motion carried.

Commissioner Jensen moved to approve the Rocky Hollow Subdivision, consisting of 2 lots, located at approximately 562 N. 350 W., Blackfoot, Idaho, on approximately 14.66 acres as proposed by property owners James Douglas

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.