

STATE OF IDAHO)
 : ss. Monday, October 2, 2023
County of Bingham)

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

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

STAFF MEETING

Present: Gina Perschon- Chief Deputy Clerk
 Laura Lora- Payroll/Indigent Services
 Cody Lewis- Treatment Court
 Tanna Beal- County Treasurer
 Laraine Pope- Human Resources Director
 Debbie Cunningham- Chief Deputy Assessor
 Sheri Landon- Courts
 Emilie Loveland- Courts
 Jason Marlow- Building Maintenance
 Shawn Hill- Probation Department
 Jordyn Nebeker- Chief Deputy Sheriff
 Tanna Beal- County Treasurer
 Gordon Croft- City of Blackfoot Police Chief
 Ryan Jolley- Prosecuting Attorney

Excused: Jimmy Roberts- County Coroner
 Grahm Anderson- City of Blackfoot Treasurer
 Marc Carroll- City of Blackfoot Mayor
 Donavan Harrington- County Assessor
 Dusty Whited- Public Works Director
 Julie Buck- Extension Office
 Danette Miller- Election Director
 Tiffany Olsen- Planning & Development Director
 Scott Reese- Emergency Services/Parks & Recreation
 Pamela Eckhardt- County Clerk
 Jeff Gardner- Sheriff

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

Pledge of Allegiance: Chairman Manwaring conducted.

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

Special Presentation: None.

Safety Concerns: None.

Employee Years of Service Recognition: Sheri Landon recognized Emilie Loveland for five (5) years of service to Bingham County. Emilie started working in the courts in 2018 when the electronic filing system went live, which was filled with training and madness. Sheri stated that Emilie has a superpower where she

is able to learn quickly, is a hard worker and if someone needs help, she is always willing to help. When Jaeme Freeman passed away, Emilie, along with another Court Clerk, stepped in to be sure the position was filled and successful. Sheri stated that Emilie works in District Court, mainly for Judge Thompson

Commissioner Bair: Stated that he attended the Idaho Association of Counties Conference in Boise last week, which had good classes and instructors. There were several Resolutions passed by the body, which will become legislative priorities when the legislature is in session.

Commissioner Jackson: Stated that he attended the Idaho Association of Counties Conference, which was his first year attending. One thing that he took away from the conference was the Secretary of State, Phil McGrane, who was a County Clerk for thirteen (13) years before he ran for Secretary of State, wherein he stated that his office was voted to be one of the top offices to work for in the State of Idaho. Mr. McGrane spoke in regards to a book called "Thanks for the Feedback" and stated the feedback is not in the person who gives the feedback but in the person who receives the feedback. He explained that being able to receive feedback without becoming offended or upset is important and reminded everyone to look at the positive side of things.

Chairman Manwaring: Gave a brief update on county owned rental homes surrounding the courthouse and stated that the rental house located at 56 Airport Road will be used by the Sheriff's Office and Blackfoot Fire Department for training. The yard will also be removed and gravel placed, which will be used for additional parking for the Detective Division.

Gina Perschon: Stated that Fiscal Year 2024 has started. When submitting claims, any claims needing to be paid from Fiscal Year 2023 budget will need to be dated September 29, 2023 and will need to be submitted before October 18th.

Laura Lora: Reminded everyone to please review timesheets carefully and get them approved in a timely manner. This helps her be sure that payroll is completed on time. Lastly, the new pay scale is located on the "O" Drive, under Human Resources.

Debbie Cunningham: Had no updates at this time.

Sheri Landon: Had no updates at this time.

Laraine Pope: Reminded everyone of the Flu Shot Clinic to be held on October 11th and anyone who is interested should contact her to schedule a time.

Jason Marlow: Gave a brief review of the fire alarm drill completed on Monday, September 25, 2023, which went well with no issues. Mr. Marlow stated that he will be updating the emergency exit plans that are posted throughout the courthouse in order to add the location of AED Machines and First Aid kits.

Shawn Hill: Had no updates at this time.

Cody Lewis: Stated that Misdemeanor Drug Court Graduation is to be held on October 26th at 4:00 p.m., and Felony Drug Court Graduation is to be held on October 24th at 4:00 p.m.

Ryan Jolley: Announced that he has appointed Ollie Wimbish to be his Chief Deputy Prosecuting Attorney.

Chief Deputy Nebeker: Gave an update on the STAR Team, wherein Lieutenant Gary Yancey has been voted in as Commander and Sergeant Jon Croxford has been voted in as Assistant Commander. This is a high honor for these individuals and Bingham County is lucky to have them. If there are any offices that would like Narcan Training or AED Machine Training, please contact the Sheriff's Office.

Lastly, Chief Deputy Nebeker would like to give a shout out to the Elected Officials that attended the Idaho Association of Counties Conference. In watching a few individuals speak for several committees, it is apparent that Bingham County is highly respected, which brought a lot of pride to him.

Tanna Beal: Had no updates at this time.

Chief Gordon Croft: Stated that Trunk or Treat is scheduled for Friday, October 27th and if there are any departments that would like to get involved, please contact Kimberlee Arms at the Blackfoot Police Department.

Chairman Manwaring stated next Staff Meeting is scheduled for Monday, November 6, 2023 at 8:30 a.m.

Nothing further.

APPROVAL & EXECUTION OF AGREEMENT FOR IT SERVICES BETWEEN THE CITY OF ABERDEEN AND BINGHAM COUNTY

Present: Matt Galloway- Out of Class IT Director

The Board met to approve and execute the Agreement for IT Services between the City of Aberdeen and Bingham County.

Mr. Galloway stated this is an agreement that is signed yearly, with an increase of 3% per fiscal year. The agreement before the Board today is in the amount of \$17,016.00 for six (6) Aberdeen employees.

Chairman Manwaring asked if the agreement had been reviewed by Legal Counsel, which Mr. Galloway confirmed that it had.

Decision: Commissioner Bair moved to approve and execute the Agreement for IT Services between the City of Aberdeen and Bingham County. Commissioner Jackson seconded. All voted in favor. The motion carried.

PRIOR APPROVAL-IT DEPARTMENT

Present: Matt Galloway- Out of Class IT Director

The Board met to discuss and make a decision in regards to the submitted Prior Approval documentation for the IT Department.

Mr. Galloway explained the submitted Prior Approval for Major Purchase of Windows Server 2022 License's. Said purchase is in the amount of \$39,940.90 and is to be paid from Fund: 01-14-524-01 (Software Renewals).

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of Windows Server 2022 License's. Said purchase is in the amount of \$39,940.90 and is to be paid from Fund: 01-14-524-01 (Software Renewals). Commissioner Bair seconded. All voted in favor. The motion carried.

PROBATION DEPARTMENT

Present: Shawn Hill- Probation Director

The Board met with Shawn Hill to discuss department updates.

MEETING TO RECEIVE UPDATE FROM MAGGIE MANN- SOUTHEAST IDAHO PUBLIC HEALTH DISTRICT

Present: Maggie Mann- Southeast Idaho Public Health

The Board met with Maggie Mann to receive an update from the Southeast Idaho Public Health District.

PRIOR APPROVAL- BUILDING MAINTENANCE

Present: Jason Marlow- Building Maintenance Director

The Board met with Jason Marlow to discuss several submitted Prior Approvals for the Building Maintenance Division.

Mr. Marlow discussed the submitted Prior Approval for Major Purchase for panic alarm buttons to be installed at transfer station locations. Said purchase is in the amount of \$4,297.00 and is proposed to be paid from Fund: 01-10-506-00 (Jail Repairs).

A brief discussion was held wherein Chairman Manwaring suggested this matter be tabled to hold further discussion with Dusty Whited.

Decision: This matter would be rescheduled during the Public Works Agenda next week.

Next, discussion was held in regards to the submitted Prior Approval for Major Purchase of Trane, AC Compressor Flow Condenser Loop Flow Sensor. Said purchase is in the amount of \$2,187.35 and is to be paid from Fund: 01-10-506-00 (Jail Repairs).

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of Trane, AC Compressor Flow Condenser Loop Flow Sensor. Said purchase is in the amount of \$2,187.35 and is to be paid from Fund: 01-10-506-00 (Jail Repairs). Commissioner Bair seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL TUESDAY OCTOBER 3, 2023

PAMELA W. ECKHARDT, CLERK

Lindsey Dalley- Commission Clerk-----

WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Tuesday, October 3, 2023
County of Bingham)

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

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

MEETING TO RECEIVE PRESENTATION OF THE 2022 AUDIT- REQUESTED BY WIPFLI

Present: Fred Goodworth- Wipfli
Theresa Flannery- Wipfli
Pamela Eckhardt- County Clerk
Gina Perschon- Chief Deputy Clerk/Auditor
Shawn Hill- Probation Director
Tanna Beal- Treasurer
Jeff Gardner- Sheriff
Laraine Pope- Human Resources
Ryan Jolley- Prosecuting Attorney

Matt Galloway- Sheriff's Office/Out of Class IT Director

The Board met to receive presentation of the Fiscal Year 2022 audit from Wipfli.

Mr. Goodworth and Ms. Flannery presented the Audit with a clean and unmodified opinion.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY OCTOBER 4, 2023

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

WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Wednesday, October 4, 2023
County of Bingham)

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

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

CASH WARRANT

Cash Warrants were approved in the amount of \$559.30.

COLLEGE OF EASTERN IDAHO

A Certificate of Residency document was approved by the Board and sent to the College of Eastern Idaho for the following Bingham County student: Luke McCain Savage.

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

APPROVAL OF RETAIL ALCOHOLIC BEVERAGE LICENSE'S

The Board met to approve the Retail Beverage License's for the following Bingham County businesses:

- Los Gavilanes Mexican Grill
- Daisy's
- Martha's Café
- Bridge Street Saloon
- Tumbleweed Saloon
- Mr. Eds Pawn
- Hitching Post
- Family Dollar #26480
- Family Dollar #26982
- El Jaliciense Mexican Restaurant
- Good 2 Go Store #20
- Good 2 Go Store #122
- Family Dollar #31028

Decision: Commissioner Jackson moved to approve the Retail Alcoholic Beverage License's as presented. Commissioner Bair seconded. All voted in favor. The motion carried.

SHERIFF'S OFFICE

Present: Jeff Gardner- Sheriff
Jordyn Nebeker- Chief Deputy Sheriff
Ryan Jolley- Prosecuting Attorney

The Board met with Sheriff Gardner to discuss updates within the Sheriff's Office, which included jail population, jail expansion discussion and Bancorp leasing.

PUBLIC WORKS

Present: Troy Lenhart- Road & Bridge Supervisor
Ryan Jolley- Prosecuting Attorney

The Board met with Troy Lenhart to discuss department updates and other agenda items.

Discussion was held in regards to the submitted Prior Approval for Major Purchase of Grader Blades for snow removal. Said purchase is in the amount of \$3,935.00 and is to be paid from Fund: 02-40-499-01 (Area of Impact Maintenance).

Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of Grader Blades for snow removal. Said purchase is in the amount of \$3,935.00 and is to be paid from Fund: 02-40-499-01 (Area of Impact Maintenance). Commissioner Jackson seconded. All voted in favor. The motion carried.

Next, discussion was held in regards to the request to approve Bingham County Resolution 2023-50, a formal resolution declaring certain Bingham County property not necessary for use in Bingham County, specifically for the Bingham County Solid Waste Division, for a 2017 IMCO SE Trailer (VIN: 1M9W533B0H1041032).

Decision: Commissioner Jackson moved to approve and sign Bingham County Resolution 2023-50 as presented. Commissioner Bair seconded. All voted in favor. The motion carried and said Resolution was adopted as follows:

BINGHAM COUNTY
RESOLUTION NO. 2023-50

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

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

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

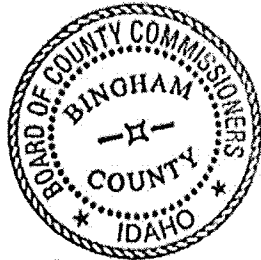
THEREFORE BE IT HEREBY RESOLVED, by the Board of County Commissioners,
Bingham County, Idaho, that the following items may be sold as excess property:

BINGHAM COUNTY SOLID WASTE

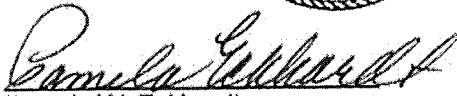
2017 IMCO SE Trailer

Vin: 1M9W533B0H1041032

DATED this 4th day of October 2023.



ATTEST:


Pamela W. Eckhardt
Bingham County Clerk

BINGHAM COUNTY COMMISSION


Whitney Manwaring, Chairman


Mark R. Bair, Commissioner


Eric Jackson, Commissioner

HUMAN RESOURCES

Present: Laraine Pope- Human Resources Director
Ryan Jolley- Prosecuting Attorney

The Board met with Laraine Pope to discuss department updates and other agenda items.

Ms. Pope gave updates in regards to current recruitments, vacancies, the upcoming Flu Shot Clinic and Open Enrollments with Gem Plan that have recently closed.

Discussion was held in regards to drug screening of new employees and current employees, wherein Ms. Pope stated there has been discussion held with both legal counsel and ICRMP who agreed there are no concerns with doing so. The screening has been held previously before there was a change made to no longer do so. Ms. Pope stated that she would like to expand the screening to add all employees and not just employees that may be driving county vehicles.

Mr. Jolley stated he had no concerns in regards to the proposal.

Decision: No decision was made at this time. This matter was tabled and will be scheduled at a later date in order to gather additional information.

DISCUSSION & DECISION REGARDING THE JAIL EXPANSION PROJECT FLOOR PLAN CHANGES

Present: Jeff Gardner- Sheriff
Jordyn Nebeker- Chief Deputy Sheriff
Kris Talbot- Sheriff's Office Lieutenant
Ryan Jolley- Prosecuting Attorney
Darrell Fellows- Sheriff's Office Lieutenant
Matt Galloway- Sheriff's Office

Via Zoom: Tanner Richardt- Headwaters Construction
Kent Carson- Headwaters Construction
Logan Bingham- Headwaters Construction
Ben Bernier- Lombard Conrad Architects
Ken Gallegos- Lombard Conrad Architects

The Board met to discuss and make a decision in regards to the changes to be made to the floor plan for the jail expansion project, in doing the surveying, there was a high pressure gas line located that is a 6-inch hard gas line and an easement on each side of that line that cannot be built on. This is a high-pressure gas line that services more than half of Blackfoot, including Bingham Memorial Hospital. It could be moved but would take at least six months to engineer to do so, therefore prolonging the construction timeline. It is currently unknown of what the expense would be to move the line as well, which could add a significant amount of cost to the project.

Mr. Bernier stated that the proposal and suggestion are to update the drawings to leave the gas line and not relocate. Approximately 12-feet would be removed from the building plan to get away from the easement, which would remove 2 beds from the original plan but could possibly be added within other locations of the current jail. There would be no other mechanical or electrical changes to the project.

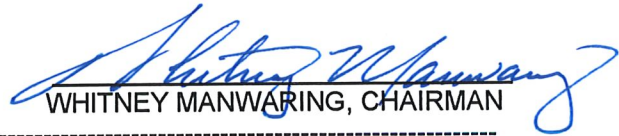
The Board were in agreeance that they would prefer to leave the gas line in its current location and proceed with updating the floor plans. The updated floor plans could be updated by the end of the week and provided to Headwaters Construction but the state review time could take 2-3 months but in speaking with the City of Blackfoot, they would work with the state to keep that time as minimal as possible so as to proceed with the original construction timeline.

Decision: Commissioner Bair moved to proceed with the plan and modify the floor plan so that the high-pressure gas line does not have to be moved. Commissioner Jackson seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY OCTOBER 6, 2023



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Friday, October 6, 2023
County of Bingham)

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

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

PRIOR APPROVAL- NARCAN KITS

The Board met to discuss and make a decision regarding the submitted Prior Approval for Major Purchase of Narcan kits for the Blackfoot School District. Said purchase is in the amount of the estimated amount of \$3,000.00 and is to be paid from Fund: 49-00-559-00 (Opioid Abatement Fund).

Lindsey Dalley, Commission Clerk, stated this specific order would allow one Narcan kit to be placed in each classroom throughout the Blackfoot High School, Mountain View Middle School and the Sixth Grade School. Ms. Dalley has worked closely with the Superintendents from each school to get this completed.

The Board had no concerns with the submitted Prior Approval.

Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of Narcan kits for the Blackfoot School District, to cover the Blackfoot High School, Mountain View Middle School and the Sixth Grade School. Said purchase is in the amount of the estimated amount of \$3,000.00 and is to be paid from Fund: 49-00-559-00 (Opioid Abatement Fund). Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF RETAIL ALCOHOLIC BEVERAGE LICENSE'S

The Board met to approve Retail Alcoholic Beverage License's for the following Bingham County businesses:

- Regalos Y Novedades Elizabeth
- Broulim's #9
- Collet's Pub
- Pindale Lanes

Decision: Commissioner Bair moved to approve and sign the Retail Alcoholic Beverage License's as presented. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF REASON & DECISION FOR THE ZONE CHANGE FROM "A" AGRICULTURE TO "R/A" RESIDENTIAL/AGRICULTURE- SUBMITTED BY SHERI PECK

The Board met to approve and execute the Reason & Decision for the Zone Change from "A" Agriculture to "R/A" Residential/Agriculture, submitted by Sheri Peck.

Decision: Commissioner Bair moved to approve and execute the Reason & Decision for the Zone Change from "A" Agriculture to "R/A" Residential/Agriculture, submitted by Sheri Peck. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF TAX INQUIRY DOCUMENTS

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

MH353S09C00040	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP8270760	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1312435	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP8221200	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1005900	Year 2023	Homeowner signed up for Homeowners Exemption in 2023

Decision: Commissioner Bair moved to approve and sign the Tax Inquiry documents submitted by the County Assessor. Chairman Manwaring seconded. Both voted in favor. The motion carried.

CLAIMS

Claims for Fiscal Year 2024 were approved in the amount of \$191,750.09.
Claims for Fiscal Year 2023 were approved in the amount of \$720,691.69.

PERSONNEL ACTION FORMS

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

Salary Increase Form:	Lead Emergency Communication Officer
	Emergency Communication Supervisor
	SRO Patrol Deputy
	Detention Deputy
	SRO Patrol Deputy
	Patrol Deputy
	Victim Services Coordinator
	Detention Deputy
	Detention Corporal
	Detention Deputy
	Detention Deputy
	Patrol Deputy
	Patrol Deputy
	Admin Lieutenant
	Lieutenant
	Lieutenant (Detention)
	Chief Deputy Sheriff
	Emergency Communication Officer
Employee Status Sheet:	Lead Probation Secretary to Juvenile Probation Officer

COLLEGE OF SOUTHERN IDAHO

A Certificate of Residency was approved by the Board and sent to the College of Southern Idaho for the following Bingham County student: Andrew J. Brumphen.

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.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY OCTOBER 11, 2023

PAMELA W. ECKHARDT, CLERK

Lindsey Dalley- Commission Clerk-----

WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Wednesday, October 11, 2023
County of Bingham)

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

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

Commissioner Jackson moved that Commissioner Bair be acting Chairman due to the absence of Commissioner Manwaring. Commissioner Bair seconded. Both voted in favor. The motion carried.

CASH WARRANTS

Cash Warrants were approved in the amount of \$56,880.00.

Decision: Commissioner Jackson moved to approve Cash Warrants, Claims and Administrative Documents for October 11, 2023. Commissioner Bair seconded. Both voted in favor. The motion carried.

APPROVAL OF RETAIL ALCOHOLIC BEVERAGE LICENSE'S

The Board met to approve and sign the Retail Alcoholic Beverage License's for the following Bingham County Businesses:

- Fast Stop 1146
- Fast Stop 2241
- Atomic Motor Raceway
- Atomic City Bar & Store
- Ridley's Family Market
- Tommy Vaughn's
- BGC Café
- All American Market

Decision: Commissioner Jackson moved to approve and sign the Retail Alcoholic Beverage License's as presented. Commissioner Bair seconded. Both voted in favor. The motion carried.

DECISION REGARDING REQUEST TO PLACE SIGNAGE BY THE COURTHOUSE SIGN PERTAINING TO OCTOBER BEING DOMESTIC VIOLENCE AWARENESS MONTH

Present: Susan Nalley- Victim Witness Coordinator
Ryan Jolley- Prosecuting Attorney

The Board met to make a decision to allow placement of signage by the courthouse sign pertaining to October being Domestic Violence Awareness Month. Ms. Nalley stated this would include one single sign to be placed out front by the Courthouse sign, to bring awareness.

The Board had no issues regarding the request.

Decision: Commissioner Jackson moved to allow placement of signage by the courthouse sign pertaining to October being Domestic Violence Awareness Month. Commissioner Bair seconded. Both voted in favor. The motion carried.

MOTION TO RECONSIDER THE BOARDS DECISION MADE ON SEPTEMBER 11, 2023 IN REGARDS TO VISION WIFI AND DECISION REGARDING THE SAME

Present: Justin Oleson- Attorney for Vision Wifi
Josh Preston- Vision Wifi
Audrey Preston- Vision Wifi
Tiffany Olsen- Planning & Development Director
Ryan Jolley- Prosecuting Attorney
Jeff Gardner- Sheriff
Gwen Inskeep- County Surveyor

The Board met to hear the Motion to Reconsider the Boards Decision made on September 11, 2023 in regards to Vision Wifi and a decision regarding the same.

Commissioner Bair welcomed all to the meeting and explained that during review of Idaho Code 67-6535 and Bingham County Code 10-10-1, it was determined by County Legal Counsel that this decision should have gone before the Planning & Zoning Commission rather than by the Board of County Commissioners. The only time that a Conditional Use Permit would come before the Board would be if there was an Appeal filed regarding the Planning & Zoning Commission level.

Ms. Olsen stated that it is not necessarily an Application but an administrative decision, wherein her letter sent to Mr. Preston was a decision and if he disagreed, it would be appropriate for code for Mr. Preston to appeal within ten (10) days of receiving that letter, to the Planning & Zoning Commission. Where the decision stands now and after review with the newly elected Prosecuting Attorney, is that the decision within her letter will stand as effective. Ms. Olsen stated ten (10) days from today, Mr. Preston will have the opportunity to file an Appeal to be submitted and placed on the Planning & Zoning Commission Public Hearing agenda. That Appeal would need to provide for the reason as to why Mr. Preston feels that decision was made inaccurately.

Mr. Jolley added after the Planning & Zoning Commission makes its decision, that decision could then be appealed to the Board of County Commissioners and because that had not happened in this case, at this point it needs to be done properly.

Ms. Olsen stated at this time, the decision made by herself to remove the tower would still stand and all decisions made previously by the Board of County Commissioners is null and void at this time because it was not held before the Planning & Zoning Commission first, per code.

Nothing further at this time.

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
Ryan Jolley- Prosecuting Attorney
Jeff Gardner- Sheriff
Jason Marlow- Building Maintenance Supervisor
Tiffany Olsen- Planning & Development Director

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

A brief discussion was held in regards to the Prior Approval for Major Purchase of panic buttons, wherein this matter would be tabled again until Chairman Manwaring could be present for the discussion.

Next, discussion was held in regards to the Credit Application for Goodfellow Corporation, wherein Mr. Whited explained this is to update the Credit Application on file with Goodfellow Corporation, to allow the county to purchase items needed.

Decision: Commissioner Jackson moved to approve and sign the Credit Application for Goodfellow Corporation as presented. Commissioner Bair seconded. Both voted in favor. The motion carried.

Lastly, discussion was held in regards to the amendment to the Approach Spacing Standards, wherein Mr. Whited explained the verbiage that was added and several changes that should be made prior to approval.

Decision: Commissioner Jackson moved to table this decision in order for proper changes to be made. Commissioner Bair seconded. Both voted in favor. The motion carried.

PUBLIC HEARING IN REGARDS TO THE REQUEST TO VACATE ROAD RIGHT-OF-WAY FOR THE CLASSIFICATION OF 1200 E. (PARK ROAD)

Present: Gwen Inskeep- County Surveyor
Ryan Jolley- Prosecuting Attorney
Tiffany Olsen- Planning & Development Director
Dusty Whited- Public Works Director
Jeff Gardner- Sheriff

The Board met to hold a Public Hearing in regards to the request to vacate the road right-of-way for the classification of 1200 East (Park Road). Commissioner Bair welcomed all to the meeting and turned the time over to Ms. Inskeep.

Ms. Inskeep stated it was discovered during the Preliminary Plat for the Woodsy Acres Subdivision, which was a replat of Spring Creek Estates, that the existing right-of-way which was dedicated as part of Spring Creek Estates in 2009, exceeded the forty (40) feet from center line of road as required by County Ordinance for a minor arterial roadway classification. It is assumed that the section line was inadvertently used as the proposed center line of 1200 East but as the Preliminary Record of Survey shows, the section line falls westerly of the center line. Therefore, the strip to be vacated is approximately 545 feet long, 900 feet on the north and 13.91 feet on the south. That portion would go back to the adjoining property owners. Ms. Inskeep stated that Commission Clerk, Lindsey Dalley, has followed all notice requirements within Idaho Code Section 40-203, wherein there were no public utilities found within the proposed vacated area and only one adjoining property owner.

Commissioner Bair stated at this time the hearing would be opened for public testimony.

Commissioner Bair confirmed there was no testimony in opposition, none in neutral and none in favor, therefore time for public testimony was closed.

Commissioner Bair and Commissioner Jackson had no major concerns and Legal Counsel has reviewed the documentation with no concerns.

Decision: Commissioner Jackson moved to approve the request to vacate the road right-of-way for the classification of 1200 E. (Park Road), requested by Gwen Inskeep, County Surveyor. Commissioner Bair seconded. Both voted in favor. The motion carried and said decision was solidified within Bingham County Resolution 2023-51, which was recorded as follows:

Instrument # 757904

BINGHAM COUNTY

10-16-2023 01:37:44 PM No. of Pages: 1

Recorded for : BINGHAM COUNTY COMMISSIONERS

PAMELA W. ECKHARDT Fee: 0.00

Ex-Officio Recorder Deputy

BINGHAM COUNTY
RESOLUTION 2023-51

A RESOLUTION AND ORDER PROVIDING FOR THE VACATION OF A PORTION OF THE WESTERLY RIGHT OF WAY OF 1200 E, LYING EASTERLY OF SPRING CREEK ESTATES IN SECTION 25 OF T1N R37E BM, BINGHAM COUNTY, IDAHO.

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

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

Legal Description:

Part of the NE 1/4 of Section 25, Township 1 North, Range 37 East, Boise Meridian, Bingham County, Idaho, more particularly described as;

Commencing at the Northeast Corner of said Section 25, point being N 00°05'16" E, 2636.60 feet from the East Quarter Corner of said Section; Thence S 00°05'16" W, 1318.29 feet along the east line of said Section; thence N 89°56'08" W 31.00 feet to a point being 40.00 feet westerly of the centerline of N 1200 E (Park Rd.), also being the POINT OF BEGINNING;

Thence N 89°56'08" W, 9.00 feet to the Northeast corner of Spring Creek Estates, recorded as Instrument No. 605883; thence S 00°05'16" W, 545.29 feet along the East line of said Spring Creek Estates; thence S 89°54'44" E 13.91 feet to a point being 40.00 feet westerly of said centerline; thence running parallel with and 40.00' westerly of said centerline N 00°25'43 W, 545.32 feet to the POINT OF BEGINNING. Parcel contains 0.14 Acres, more or less.

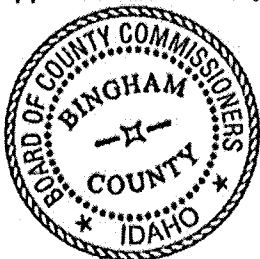
Section 2: Easements Reserved. All easements and appurtenances for existing sewer, gas, water and similar pipelines, ditches and canals, and for existing electrical, telephone and similar utility lines are reserved.

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

Section 4: Effective Date. This Resolution 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 11th day of October 2023.

Signed and Approved this 11th day of October 2023.



BOARD OF COUNTY COMMISSIONERS
BINGHAM COUNTY, IDAHO

Whitney Manwaring, Chairman

Mark R. Bair, Commissioner

Eric Jackson, Commissioner

ATTEST:

Pamela W. Eckhardt
Bingham County Clerk

757904

SHERIFF'S OFFICE

Present: Jeff Gardner- Sheriff
Jordyn Nebeker- Chief Deputy Sheriff
Ryan Jolley- Prosecuting Attorney

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

Discussion was held in regards to the Amendment #4 to the Food Service Partnership between Bingham County and Summit Food Service.

Decision: Commissioner Jackson moved to approve and sign the Amendment #4 to the Food Service Partnership between Bingham County and Summit Food Service as presented. Commissioner Bair seconded. Both voted in favor. The motion carried.

PROSECUTOR'S OFFICE

Present: Ryan Jolley- Prosecuting Attorney

The Board met with Ryan Jolley, Prosecuting Attorney, to discuss updates within the Prosecutor's Office.

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider Personnel matters. Commissioner Jackson moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Bair seconded. All in favor. The Board moved into Executive Session at 10:49 a.m. The Board moved out of Executive Session at 11:11 a.m.

Decision: No Decision was to be made on the record at this time.

READING & SIGNING OF DOMESTIC VIOLENCE AWARENESS MONTH PROCLAMATION

The Board met to hold reading and signature of the Domestic Violence Awareness Month Proclamation, which was signed jointly with the City of Blackfoot as follows:



CITY OF BLACKFOOT, &
BINGHAM COUNTY, IDAHO
DOMESTIC VIOLENCE AWARENESS MONTH
PROCLAMATION, OCTOBER 2023



WHEREAS, domestic violence is a serious crime that effects people of all races, ages, gender, socio-economic levels, religions, backgrounds, beliefs, and

WHEREAS, domestic violence includes, physical, emotional, social, sexual, spiritual, financial, and digital abuse, and can occur between family members, intimate partners and within a dating relationship, and

WHEREAS, in 2022, law enforcement agencies in Idaho received reports of 5,940 incidents of intimate partner violence, it is important to know that many survivors of domestic violence do not report to law enforcement for a wide range of reason, and

WHEREAS, in 2022, there were 10 domestic violence related fatalities in Idaho. As of September 2023, there have been 9 intimate partner related fatalities in Idaho, and

WHEREAS, in 2022 the Bingham Crisis Center provided help to 297 people, 234 were females, 63 were male, 138 total bed nights, and 8, 631 services were provided, and

WHEREAS, domestic violence costs the nation billions of dollars annually in medical expenses, police, court cost, shelters, foster care, sick leave, absenteeism, and non-productivity; and

WHEREAS, domestic violence incidents are some of the most complex and dangerous incidents that law enforcement respond to in our community, putting their lives at risk every day in the belief that a coordinated community response is necessary to support survivors, hold offenders accountable and work toward ending the cycle of violence; and

WHEREAS, Domestic Violence Awareness Month provides an excellent platform to show support for the domestic violence advocates, crisis hotline staff, victim witness coordinators, prosecutors who hold offenders accountable, and law enforcement officers in our community and provides the citizens of Bingham County the opportunity to learn more about preventing domestic violence and how support for the organizations and individuals who proved critical advocacy, resources, hope and assistance to victims;

NOW THEREFORE, The Bingham County Commissioner's Whitney Manwaring, Mark Bair, Eric Jackson and the City of Blackfoot Mayor Marc Carroll, do hereby proclaim the month of October as DOMESTIC VIOLENCE AWARENESS MONTH, and urge our citizens to work together to eliminate domestic violence in our community.

DATED this 11th day of October, 2023

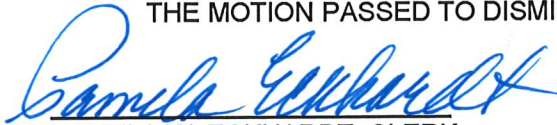
Whitney Manwaring
Bingham County Commissioner

Eric Jackson
Bingham County Commissioner

Mark Bair
Bingham County Commissioner

Marc Carroll
City of Blackfoot Mayor

THE MOTION PASSED TO DISMISS UNTIL FRIDAY OCTOBER 13, 2023


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Friday, October 13, 2023
County of Bingham)

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

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

CASH WARRANTS

Cash Warrants were approved in the amount of \$40.00.

CLAIMS

Claims for Fiscal Year 2023 were approved in the amount of \$269,048.06

Claims for Fiscal Year 2024 were approved in the amount of \$225,718.70.

Decision: Commissioner Bair moved to approve and sign Cash Warrants, Claims, Administrative Documents and Personnel Action Forms for October 13, 2023. Commissioner Jackson seconded. All voted in favor. The motion carried.

DISCUSSION & DECISION REGARDING OFFER OF PAY RANGE FOR THE HUMAN RESOURCE TECHNICIAN

Present: Laraine Pope- Human Resources Director
 Ryan Jolley- Prosecuting Attorney

The Board met to hold discussion and make a decision in regards to the requested offer of pay range for the Human Resources Technician position to be offered.

Ms. Pope explained that she has interviewed an individual who has experience with risk management and therefore, she would like to offer her a higher range of pay. At this time, Ms. Pope proposed to offer N13, Step 3 (\$18.54).

The Board had no issues with the proposal.

Decision: Commissioner Jackson moved to allow Ms. Pope to offer the individual that has applied for the Human Resource Technician Position, N13, Step 3 (\$18.54). Commissioner Bair seconded. All voted in favor. The motion carried.

APPROVAL & SIGNING OF PUBLIC DEFENDER CONTRACT WITH DAVID CANNON AND JEFF KUNZ

Present: Pamela Eckhardt- County Clerk
 Ryan Jolley- Prosecuting Attorney

The Board met to approve and sign the Public Defender Contract with David Cannon and Jeff Kunz.

Clerk Eckhardt reiterated that the only change made was the pay increase from \$90.00 per hour to \$95.00 per hour.

Decision: Commissioner Bair moved to approve and sign the Public Defender Contract with David Cannon and Jeff Kunz for FY 2024. Commissioner Jackson seconded. All voted in favor. The motion carried.

APPROVAL & SIGNING OF CONFLICT PUBLIC DEFENDER CONTRACT WITH JOHN BULGER, RICHARD HEARN AND JOHN INGELSTROM

Present: Pamela Eckhardt- County Clerk
Ryan Jolley- Prosecuting Attorney

The Board met to approve and sign the Conflict Public Defender Contract with John Bulger, Richard Hearn and John Ingelstrom.

Clerk Eckhardt reiterated that the only change made was the pay increase from \$90.00 per hour to \$95.00 per hour.

Decision: Commissioner Jackson moved to approve and sign the Conflict Public Defender Contract with Jon Bulger, Richard Hearn and John Ingelstrom for FY 2024. Commissioner Bair seconded. All voted in favor. The motion carried.

APPROVAL & SIGNING OF FINAL PLAT AND DEVELOPMENT AGREEMENT FOR BRENT VIEW SUBDIVISION

Present: Tiffany Olsen- Planning & Development Director
Terry Fowler- Brent View Subdivision
Fred Beasley- Brent View Subdivision
Ryan Jolley- Prosecuting Attorney

The Board met to approve & sign the Final Plat and Development Agreement for Brent View Subdivision.

Decision: Commissioner Jackson moved to approve & sign the Final Plat and Development Agreement for Brent View Subdivision. Commissioner Bair seconded. All voted in favor. The motion carried.

APPROVAL & SIGNING OF AGREEMENT FOR PATHOLOGY SERVICES BETWEEN BINGHAM COUNTY AND ADA COUNTY

Present: Ryan Jolley- Prosecuting Attorney

The Board met to approve and sign the Agreement for Pathology Services between Bingham County and Ada County.

Mr. Jolley stated there are two (2) clarifications that he would like to see made within the agreement, which were the start and end date for the agreement, along with the Ada County Fee's that are mentioned within the documentation. Mr. Jolley would like to have the fees attached to the Agreement.

The Board would like to table this matter in order to gather the proper information and have the necessary changes made.

Decision: Commissioner Bair moved to table this matter for a later date, in order for Mr. Jolley to gather the proper information and have necessary changes made to the Pathology Agreement. Commissioner Jackson seconded. All voted in favor. The motion carried.

PRIOR APPROVAL- BUILDING MAINTENANCE

Present: Jason Marlow- Building Maintenance Supervisor
Ryan Jolley- Prosecuting Attorney

The Board met to discuss and make a decision regarding the submitted Prior Approval for Major Purchase of replacement door for the overflow pod in the jail. Said purchase is in the amount of \$1,242.82 and is to be paid from Fund: 01-10-506-00 (Jail Repairs).

Mr. Marlow explained that the overflow cell within the jail has a glass panel, which has been kicked several times within the last month causing significant damage. Mr. Marlow confirmed that he has filed an incident report with the Prosecuting Attorneys Office in order to be reimbursed for costs through the restitution process against the inmate.

Decision: Commissioner Bair moved to approve and sign the submitted Prior Approval for Major Purchase of replacement door for the overflow pod in the jail. Said purchase is in the amount of \$1,242.82 and is to be paid from Fund: 01-10-506-00 (Jail Repairs). Commissioner Jackson seconded. All voted in favor. The motion carried.

APPROVAL OF ALCOHOL LICENSE

The Board met to approve and sign Alcohol Licenses for the following Bingham County businesses:

Walgreens #13672
Teton House

Decision: Commissioner Jackson moved to approve Alcohol Licenses for Walgreens #13672 and Teton House. Commissioner Bair seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL TUESDAY OCTOBER 17, 2023

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

WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Tuesday, October 17, 2023
County of Bingham)

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

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

PLANNING & DEVELOPMENT

Present: Tiffany Olsen- Planning & Development Director
 Ryan Jolley- Prosecuting Attorney

The Board met with Tiffany Olsen to discuss updates within the Planning & Development Division, along with discussion in regards to Ag Exempt structure requirements.

PRIOR APPROVAL FOR MAJOR PURCHASE- IT DEPARTMENT

Present: Matt Galloway- Out of Class IT Director

The Board met with Matt Galloway to discuss several submitted Prior Approval documents for the IT Department.

Mr. Galloway explained the first Prior Approval for Major Purchase, which is for Tricerat Annual Maintenance Renewal, which is the Screwdriver program used to assist with the printers used throughout the county. Said purchase is in the amount of \$7,872.00 and is to be paid from Fund: 01-14-524-01 (Software Renewals).

Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase for Tricerat Annual Maintenance Renewal. Said purchase is in the amount of \$7,872.00 and is to be paid from Fund: 01-14-524-01 (Software Renewals). Commissioner Jackson seconded. All voted in favor. The motion carried.

Next, Mr. Galloway explained the Prior Approval for Major Purchase of ESRI Software Annual Renewal, which is for all maps used within the GIS Department. Said purchase is in the amount of \$21,200.00 and is to be paid from Fund: 01-14-524-01 (Software Renewals).

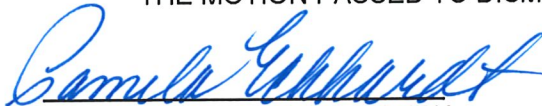
Chairman Manwaring asked Mr. Galloway if it would be easier for future budget to have these costs come out of the budget of the department who uses the software. Mr. Galloway agreed that would make sense and a note was made by the Commission Clerk to address this matter during budget next year.

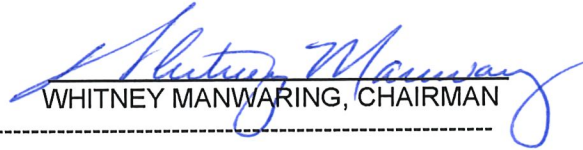
Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of ESRI Software Annual Renewal. Said purchase is in the amount of \$21,200.00 and is to be paid from Fund: 01-14-524-01 (Software Renewals). Commissioner Bair seconded. All voted in favor. The motion carried.

Lastly, Mr. Galloway explained the submitted Prior Approval for Major Purchase of Direct Business Support, which is assistance for the Secret Double Octopus Application used for security purposes for all county computers. Said purchase is in the amount of \$7,250.00 and is to be paid from Fund: 01-14-492-00 (Back Up).

Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of Direct Business Support. Said purchase is in the amount of \$7,250.00 and is to be paid from Fund: 01-14-492-00 (Back Up). Commissioner Jackson seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY OCTOBER 18, 2023


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Wednesday, October 18, 2023
County of Bingham)

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

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

APPROVAL & SIGNING OF THE COOPERATIVE AGREEMENT FOR THE UNIVERSITY OF IDAHO EXTENSION PROGRAM

Present: Julie Buck- Extension Office
 Ryan Jolley- Prosecuting Attorney

The Board met to approve and sign the Cooperative Agreement for the University of Idaho Extension Program.

Mr. Jolley confirmed that he had reviewed the proposed agreement and had no concerns.

Decision: Commissioner Bair moved to approve and sign the Cooperative Agreement for the University of Idaho Extension Program for 2024. Commissioner Jackson seconded. All voted in favor. The motion carried.

APPROVAL OF CASH WARRANTS, CLAIMS AND ADMINISTRATIVE DOCUMENTS

Decision: Commissioner Bair moved to approve and sign Cash Warrants, Claims and Administrative Documents for October 18, 2023. Commissioner Jackson seconded. All voted in favor. The motion carried.

APPROVAL OF COMMISSIONER MINUTES FOR SEPTEMBER 1-18, 2023

The Board met to approve and sign the Commissioner Minutes for September 1-18, 2023.

Decision: Commissioner Jackson moved to approve and sign Commissioner Minutes for September 1-18, 2023. Commissioner Bair seconded. All voted in favor.

APPROVAL OF ALCOHOL LICENSE'S

The Board met to approve and sign Alcohol License's for the following Bingham County businesses:

- Vazquez Restaurant
- Riverside Quik Stop LLC
- Bingham Ag Services
- Lora's Investment LLC
- 3G's
- Shoshone Bannock Casino Hotel

Decision: Commissioner Bair moved to approve and sign Alcohol License's as listed. Commissioner Jackson seconded. All voted in favor. The motion carried.

APPROVAL OF TAX INQUIRY DOCUMENTATION

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

RP0511302	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP3075800	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP2087202	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP2064600	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP7001101	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP1174500	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP1211800	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP8272015	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP8270850	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP8270710	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP1310213	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP1308530	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP1308522	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP1308502	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP0139705	Year 2023	Homeowner signed up for Homeowners Exemption for 2023

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

APPROVAL OF ALCOHOL CATERING PERMIT

The Board met to approve and sign the Alcohol Catering Permit for the Shoshone Bannock Casino Hotel for December 1, 2023.

Decision: Commissioner Bair moved to approve and sign the Alcohol Catering Permit for the Shoshone Bannock Casino Hotel for December 1, 2023. Commissioner Jackson seconded. All voted in favor. The motion carried.

SHERIFF'S OFFICE

- Present:
- Jeff Gardner- Sheriff
 - Ryan Jolley- Prosecuting Attorney
 - Jan Niesh- Idaho State Journal

The Board met with Sheriff Gardner to discuss updates within the Sheriff's Office, which included jail population, Bancorp and jail expansion project updates.

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
 Jan Niesh- Idaho State Journal
 Ryan Jolley- Prosecuting Attorney
 Jason Marlow- Building Maintenance
 Tiffany Olsen- Planning & Development Director

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

Discussion was held in regards to the waterline abandonment for the county owned house located at 56 Airport Road, wherein Mr. Whited explained that the waterline into the home needs to be abandoned. Mr. Marlow spoke with the City of Blackfoot who stated the waterline is in the middle of the road. In order to abandon, a permit would be needed, the road would need to be dug up, traffic control planned, and the mainline dug. Once the mainline is abandoned, then backfill would need done. The City of Blackfoot stated that they would allow the county Road and Bridge crew to complete the excavation and backfill but Mr. Whited stated he would recommend having a contractor complete the backfill. Mr. Whited stated if the Board would like the Road and Bridge crew to complete the project he would do so but he would like to reiterate if the mainline is hit, there would be liability and the cost would be huge. Chairman Manwaring stated it would only take a few individuals to complete the project if the Board chose to go that route.

Commissioner Bair stated he also would like to have a contractor complete the project and Chairman Manwaring stated he would like to see bids from several companies in order to make a decision. Mr. Whited and Mr. Marlow would gather the bids and bring them before the Board for a final decision.

Discussion was held in regards to funding and where the cost would be paid from, wherein Chairman Manwaring stated that it would more than likely be paid from PILT.

Decision: No decision was made at this time. Mr. Whited and Mr. Marlow will gather quotes to determine the cost of digging up the mainline for abandonment and backfill completed.

Next, discussion was held in regards to the Prior Approval for Major Purchase of panic alarm buttons to be installed at the three scale houses. Mr. Whited explained his concern pertaining to the panic alarms being connected to the internet, as there is not good internet connection at the Rattlesnake location. Mr. Marlow stated that he would be happy to look into other options to be sure there is good connectivity.

Decision: No decision was made at this time. Mr. Marlow will gather additional information as to the options for connectivity.

Next, discussion was held in regards to the request to amend the Approach Standards. Mr. Whited explained the amendment to be made would be as follows, 1.7.1- Challenge of the sight distance requirement exceeding 10% of the required spacing. Mr. Whited stated if an approach does not meet the requirements, it could be challenged to the Public Works Director. If the Public Works Director is not comfortable in making that determination, he/she could require the individual to provide an engineer's study. Once that is done, the Public Works Director would review said documentation to make a decision. The amendment is to provide an outline of some items that he would like the engineer's study to include and that the cost would be incurred by the Applicant.

Ms. Olsen voiced concerns in regards to HLE and if they would need to review the proposed amendment as they drafted the document, verbiage is being added to a document that they prepared and their engineer's stamp is on the cover page of the document. Mr. Jolley stated he does not believe that HLE would need to review the amendment and if the Board so chooses, the HLE stamp could be removed from the cover page.

Decision: Commissioner Bair moved to approve the Amendment to the Approach Standards, Section 1.7.1, to include the new terminology that Mr. Whited placed, verbiage will be added stating

that the cost would be incurred to the Applicant and to remove the front page of the Approach Standards that has the HLE stamp on it. Commissioner Jackson seconded. All voted in favor. The motion carried.

Lastly, discussion was held in regards to the submitted Prior Approval for Major Purchase of a pickup plow. Said purchase is in the amount of \$7,299.00 and is to be paid from Fund: 27-60-899-09 (Weed Department-Capital-Other). The pickup plow is to be purchase from Riverside Boot and Saddle.

Decision: Commissioner Jackson moved to approve the submitted Prior Approval for Major Purchase of a pickup plow for the Weed Department. Said purchase is in the amount of \$7,299.00 and is to be paid from Fund: 27-60-899-09 (Weed Department-Capital-Other). Commissioner Bair seconded. All voted in favor. The motion carried.

HUMAN RESOURCES

Present: Laraine Pope- Human Resources Director
Ryan Jolley- Prosecuting Attorney
Jan Niesh- Idaho State Journal
Jeff Gardner- Sheriff

The Board met with Laraine Pope to discuss department updates and other agenda items.

Ms. Pope gave an update in regards to current vacancies and recruitments.

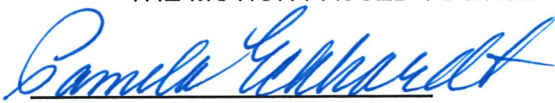
Discussion was held in regards to random drug testing of an Elected Official, wherein Mr. Jolley stated that the primary concern from a legal perspective is what could be done if an Elected Official becomes in violation of the drug testing policy or because of a previous schedule, is unable to attend to get testing which would ultimately declare a positive for lack of testing.

Mr. Jolley stated that Sheriff Gardner proposed having Elected Officials sign a resolution stating that they pledge to be a drug free workplace.

The Board had no major concerns in regards to the proposal and Chairman Manwaring stated that he would like the resolution to be discussed during Staff Meeting to allow the department heads to be included as well.

Decision: Commissioner Jackson moved to advise Mr. Jolley to draft a resolution stating that Elected Officials would be part of a drug free employment place, wherein each Elected Official could sign. Commissioner Bair seconded. Commissioner Jackson amended his motion to add that once the resolution was drafted it would be sent to the Personnel Board and discussed during upcoming Staff Meeting. Commissioner Bair seconded the amendment to the motion. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY OCTOBER 20, 2023



PAMELA W. ECKHARDT, CLERK

Lindsey Dalley- Commission Clerk-----



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Friday, October 20, 2023
County of Bingham)

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

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

CASH WARRANTS

Cash Warrants were approved in the amount of \$5,000.00, \$700.00, \$33,105.38, \$2,080.00, \$2,320.16, \$1,595.82, \$7,401.88 and \$23,573.23, for a total of \$75,776.47.

CLAIMS

Claims for Fiscal Year 2023 were approved in the amount of \$102,143.53.

Claims for Fiscal Year 2024 were approved in the amount of \$47,780.42.

Decision: Commissioner Bair moved to approve Cash Warrants, Claims, Administrative Documents and Personnel Action Forms for October 20, 2023. Chairman Manwaring seconded.

PATHOLOGY SERVICES AGREEMENT

The Board met to approve and sign the Pathology Services Agreement between Bingham County and Ada County.

Mr. Jolley stated that he has been in contact with the Ada County Coroner, who informed him of the two concerns that the Board would like to see cured. Mr. Jolley confirmed that the duration date for the agreement and a copy of the fee schedule would be sent to him as soon as possible.

The Board concurred to table said Agreement until the proper information could be gathered and concerns cured.

Decision: Commissioner Bair moved to table the approval of the Pathology Services Agreement in order to gather additional information from Ada County pertaining to the fee schedule. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF ALCOHOL LICENSE'S


The Board met to approve and sign Alcohol License's for the following Bingham County businesses:

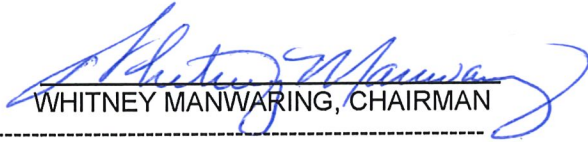
Maverik

Decision: Commissioner Bair moved to approve and sign the Alcohol License for Maverik. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Chairman Manwaring moved to go off the record until Wednesday, October 25, 2023. Commissioner Bair seconded. Both voted in favor. The motion carried

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY OCTOBER 25, 2023


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Wednesday, October 25, 2023
County of Bingham)

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

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

COLLEGE OF EASTERN IDAHO

Certificate of Residency documents were approved by the Board and sent to the College of Eastern Idaho for the following Bingham County student's: Myleigh B. Ostler, Hailey E. Keezel, Jose Armando Zamarripa, Hope R. Wanstrum, Kaitlyn N. Taylor, Kaitlin K. Smith, Yulissa Rodriguez, Ava M. Newman, Bridget R. Leslie, Emrey D. Guthrie, Thomas R. Christensen, Jalynn M. Arriaga, Kyrach B. Ashcraft and Ayris Anna Blonquist.

COLLEGE OF SOUTHERN IDAHO

Certificate of Residency documents were approved by the Board and sent to the College of Southern Idaho for the following Bingham County student's: Kylee K. Morgan, Tevis Tyler Vance, Valeria Guadalupe Moreno Ledesma, Hope R. Wanstrum, Kaitlyn N. Taylor, Kaitlin K. Smith, Yulissa Rodriguez, Ava M. Newman, Bridget R. Leslie, Emrey D. Guthrie, Thomas R. Christensen, Jalynn M. Arriaga, Kyrach B. Ashcraft and Ayris Anna Blonquist.

Decision: Commissioner Jackson moved to approve and sign Cash Warrants, Claims and Administrative Documents for October 25, 2023. Commissioner Bair seconded. All voted in favor. The motion carried.

DISCUSSION & DECISION REGARDING VOLUNTARY FUNDING ASSESSMENT FOR NACO CENTER FOR PUBLIC LANDS

Present: Pamela Eckhardt- County Clerk

The Board met to hold discussion and make a decision in regards to the request for voluntary funding assessment for NACo Center for Public Lands. The mission of this project is to advance the policy and practice research and learning networks for America's public lands counties.

The objectives are to enrich the understanding of national, state, tribal and county policymakers and influencers of the unique policy and practice issues facing America's county officials in areas with federal public lands, to curate the policy and practice research, case studies, public forums, and learning networks necessary to advance and inform our nation's policies and practices impacting public lands counties, and to deepen intergovernmental relationships and dialogue on the intersection of federal, state and local policymaking and practices across the broad range of issues facing public lands counties, such as:

landscape health, wildfire risk mitigation, watershed protection, economic competitiveness and job creation, enhanced public access to federal lands and waters, species management and biodiversity health.

Clerk Eckhardt stated the request came in less than what was budgeted for, wherein originally the amount was \$12,000.00 per year that could be split in two payments but came in at \$9,615.51. This assessed amount is based on 1% of SRS and PILT. Clerk Eckhardt reiterated that this is a one time cost and there would not be any further request.

Decision: Commissioner Bair moved to approve and sign for the NACo Voluntary Funding Assessment for Center for Public Lands, which is in the amount of \$9,615.51. Commissioner Jackson seconded. All voted in favor. The motion carried.

APPROVAL & SIGNING OF BINGHAM COUNTY PUBLIC DEFENDER CONTRACT WITH MANUEL MURDOCH AND SCOTT MADSON

Present: Pamela Eckhardt- County Clerk

The Board met to approve and sign the Bingham County Public Defender Contract with Manual Murdoch and Scott Madson.

Decision: Commissioner Jackson moved to approve and sign the Bingham County Public Defender Contract with Manuel Murdoch and Scott Madson for 2024. Commissioner Bair seconded. All voted in favor. The motion carried.

APPROVAL OF ALCOHOL LICENSE'S

The Board met to approve and sign Alcohol Licenses for the following Bingham County businesses:

The Short Stop
El Vaquero

Decision: Commissioner Bair moved to approve and sign the Alcohol License's as stated. Commissioner Jackson seconded. All voted in favor. The motion carried.

APPROVAL OF BINGHAM COUNTY ORDINANCE 2023-02

The Board met to approve and sign Bingham County Ordinance 2023-2, an ordinance amending the zoning designation from "A" Agriculture to "R/A" Residential/Agriculture and the Comprehensive Plan Map designation to Residential/Residential Agriculture for Sheri Peck, on Approximately 11.72 acres located at approximately 132 S. 900 W. and 142 S. 900 W., Blackfoot, Idaho 83221.

Decision: Commissioner Bair moved to approve and sign Bingham County Ordinance 2023-02 as written. Commissioner Jackson seconded. All voted in favor. The motion carried and said Ordinance was approved and recorded as follows:

Instrument # 758090
BINGHAM COUNTY
10-26-2023 01:25:06 PM No. of Pages: 2
Recorded for : BINGHAM COUNTY COMMISSIONERS
PAMELA W. ECKHARDT Fee: 0.00
Ex-Officio Recorder Deputy

**BINGHAM COUNTY
ORDINANCE 2023-2**

AN ORDINANCE AMENDING THE ZONING DESIGNATION FROM "A" AGRICULTURE TO "R/A" RESIDENTIAL/AGRICULTURE AND THE COMPREHENSIVE PLAN MAP DESIGNATION TO RESIDENTIAL/RESIDENTIAL AGRICULTURE FOR SHERI PECK, ON APPROXIMATELY 11.72 ACRES LOCATED AT APPROXIMATELY 132 S. 900 W. AND 142 S. 900 W., BLACKFOOT, IDAHO 83221.

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

Section 1: The Bingham County Zoning Designation from "A" Agriculture to "R/A" Residential/and the Comprehensive Plan Map is hereby amended to Residential/Residential Agriculture to comply with the recent change in zoning, classification to Residential/Agriculture, for the following described real property. The real property to which this Comprehensive Plan Map amendment applies is described as follows:

Property is located at approximately 132 S. 900 W. and 142 S. 900 W., Blackfoot, Idaho 83221.

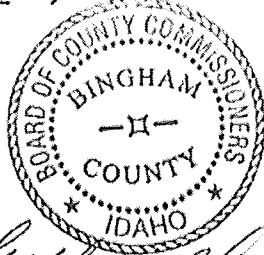
Part of the SE ¼NE ¼ Section 9 Township 3 South Range 34 East B.M. Bingham County, Idaho described as:

Commencing at the Northeast corner of said Section 9; Thence, S 00° 16' 37" W 1319.01 feet along the East section line of said section to the North line of the SE1/4NE1/4; Thence N 89°04'58" W 25.00 feet, to the Westerly Right of Way line of a county road, being the Point of Beginning; Thence, S 00° 16' 37" W along said Right of Way, 642.28 feet to the Southerly Line of Deed Inst. No. 754610; Thence continuing, S 00°16'37" W along said Right of Way, 303.21 feet to the South line of land described in Deed Inst. No. 743678; Thence along the South and West boundary of said Deed Inst. No. 743678, the following four (4) courses; (1) Thence S 88°50'10" W 437.64 feet; (2) Thence N 01°09'50" W 289.31 feet; (3) Thence N 89°43'23" W 130.22 feet; Thence N 00°16'37" E 25.00 feet, to the South line of Deed Inst. No. 754610; Thence, along the Westerly Line of Said Deed; N 00° 16' 37" E 648.71 feet to a point on the North line of the SE1/4NE1/4; Thence, along said North line S 89° 04' 58" E 575.04 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 19th day of September 2023.

Signed this 25 day of October 2023.



BOARD OF COUNTY COMMISSIONERS
BINGHAM COUNTY, IDAHO

ATTEST:


Pamela Eckhardt
Bingham County Clerk


Whitney Manwaring, Chairman


Mark R. Bair, Commissioner


Eric Jackson, Commissioner

APPROVAL OF TAX INQUIRY DOCUMENTS SUBMITTED BY THE COUNTY ASSESSOR

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

RP1181100	Year 2023	Homeowner signed up for Homeowners Exemption for 2023 (Duplex only 50%)
MH0306005	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
MH352S30TCC120	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
MH0174609C	Year 2022	Mobile Home is not habitable & cannot be moved
RP1308510	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP1419942	Year 2023	Homeowner signed up for Homeowners Exemption for 2023

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

APPROVAL & SIGNING OF PATHOLOGY AGREEMENT BETWEEN BINGHAM COUNTY & ADA COUNTY

Present: Ryan Jolley- Prosecuting Attorney

The Board met to approve and sign the Agreement for Pathology Services between Bingham County and Ada County.

Mr. Jolley confirmed that the concerns had been cured and the Agreement is ready for signature.

Decision: Commissioner Jackson moved to approve and sign the Agreement for Pathology Services between Bingham County and Ada County. Commissioner Bair seconded. All voted in favor. The motion carried.

SHERIFF'S OFFICE

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

The Board met with Sheriff Gardner to discuss updates within the Sheriff's Office, which included jail population, Bancorp and the jail expansion project.

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Bair moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Jackson seconded. All in favor. The Board moved into Executive Session at 9:08 a.m. The Board moved out of Executive Session at 9:20 a.m.

Decision: Commissioner Jackson moved to allow Ms. Pope and Mr. Whited to offer the position of Solid Waste Operator, to the individual discussed in Executive Session. Commissioner Bair seconded. All voted in favor. The motion carried.

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
Ryan Jolley- Prosecuting Attorney
Luke Jolley- HLE

Ranae Harding- HLE
Tiffany Olsen- Planning & Development Director
Chris Nelsen- Cedar Estates Subdivision

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

Mr. Whited referred to discussion in regards to a traffic impact study for Cedar Estates Subdivision, wherein he would like clarification from the Board as to the intent for the impact study.

Mr. Jolley stated the main focus is to clarify the scope of work to be completed in order to not have any scope creep. Mr. Jolley stated with there being no ordinance or guidelines to follow, Mr. Whited informed him to follow the guidelines of Bonneville County, which is how Ranae has written the technical memorandum of the scope of work to be done.

Mr. Whited added that this subdivision is unique as it is located on a road that borders Bonneville County and therefore, Bonneville County should be included as the road is half theirs. Using the BMPO guidelines is important as the county needs to be sure that Bonneville County is in agreeance to what is occurring as well.

Mr. Whited stated the main clarification that is needed is while calculating new trips, what should be included. The proposal of HLE within the technical memorandum states they would calculate traffic generations on Division 4 of Cedar Estates Subdivision and that was based upon the fact that Cedar Estates Divisions 1-3 and the neighboring Stone River Estates were fully built out two years after receiving Final Plat.

Commissioner Bair asked if the study would need to include what is planned in Division 4, along with Divisions 1, 2 and 3, wherein there may be homes built with no occupants or open spaces and should be included. Mr. Jolley stated that is correct and that open lots are included but would waiver on the homes that may be built with do not have occupancy as there are more than likely more trips from workers going in and out than there are individuals that would be using the homes. Therefore, in his opinion the background would be higher due to the number of workers but the plan is to add open lots through the trip generation manual.

Ms. Olsen reviewed the number of lots within each division, which were as follows:

Division 1	34 lots
Division 2	32 lots
Division 3	29 lots
Proposed Division 4	43 lots

Ms. Olsen stated a Certificate of Occupancy was ran for each Division, where were as follows:

Division 1	21 CEO
Division 2	3 CEO
Division 3	None

A brief discussion was held in regards to speed limits within subdivisions and the signage throughout the same.

Ms. Harding stated that during the Commission Meeting held on June 20, 2021, it was agreed upon that Mr. Briscoe stated that he would do a traffic study when Division 4 and 5, specifically when the amount of new traffic would be better known.

Mr. Whited stated in working with Bonneville County, it would be the recommendation to look at Divisions 1-3 as well in order to cover all divisions within the subdivision.

Commissioner Bair stated that he would like to see a Traffic Study completed prior to Division 4 coming before the Board.

Chairman Manwaring stated the priority of the county is safety and therefore, he would like to see a traffic study done on all four divisions of the subdivision.

Decision: Commissioner Jackson moved to proceed with the Traffic Study for all four divisions within Cedar Estates. After the Traffic Study is completed, said documentation would be sent to Mr. Whited. Commissioner Bair seconded. All voted in favor. The motion carried.

DISCUSSION & DECISION REGARDING OPIOID SETTLEMENT FUNDING- REQUESTED BY AIMEE AUSTIN

Present: Aimee Austin- Bonneville County Family & Felony Treatment Court Coordinator
Sheri Landon- Court Supervisor
Michelle Smoley- Center for Hope
Nancy Espeseth- Center for Hope Director
Tiffany Olsen- Planning & Development Director

The Board met to discuss and make a possible decision in regards to possible use of Opioid Settlement Funding.

Ms. Smoley gave her story and explained how helpful the Center of Hope has been for her recovery.

Ms. Austin stated that she would like to respectfully request funding from the Opioid Settlement allocation to fund a Peer Recovery Center in Bingham County. The request is for one (1) year funding to start the Center for Hope in Bingham County for a total of \$105,282.00. If the Bingham County Center for Hope is funded and starts, IROC (Idaho Response to the Opioid Crisis) has agreed to fund \$100,000.00 for the following two years. At the end of the following two years, IROC will renew this contribution for the following five years. After this initial request for funding from the Bingham County Opioid Fund, the Bingham County Center for Hope's ask of the Bingham County Opioid Funds would be minimal depending on the growth of the center.

Commissioner Bair stated his concern would be if the county were to be placed in a position of having to fund this center in the future and that it would be an ongoing request. He would like to see the cities within Bingham County assist with the project as well.

Chairman Manwaring stated that he is not opposed to assisting but that he too would like to see the other entities assist as well.

Commissioner Jackson concurred and stated that he would also like to see the other entities assist.

Decision: Commissioner Bair moved to direct Aimee Austin to communicate with the Cities within Bingham County to see what they would be willing to assist with and once that is completed, Ms. Austin should come back before the Board of County Commissioners for a decision. 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)(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 Bair seconded. All in favor. The Board moved into Executive Session at 10:50 a.m. The Board moved out of Executive Session at 11:14 a.m.

Decision: No decision was to be made on the record. Attorney Jared Harris would be in touch with Legal Counsel and Susan Denny, Indigent Services, to see what needs to be done in order to proceed with settlement of the Indigent Lien and the process to follow.

CONTINUED PUBLIC WORKS AGENDA

Chairman Manwaring continued the Public Works Agenda. Mr. Whited explained the submitted Prior Approval for Major Purchase of two loader tires. Mr. Whited stated that the loader used at the Aberdeen Landfill is in need of new tires. Said purchase is in the amount of \$2,611.66, to be paid from Fund: 23-70-473-01 (Solid Waste-Tires).

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of two loader tires. Said purchase is in the amount of \$2,611.66 and is to be paid from Fund 23-70-473-01 (Solid Waste- Tires). Commissioner Bair seconded. All voted in favor. The motion carried.

Next, discussion was held in regards to the proposed amendment to the County Road Standards Manual. Mr. Whited explained that there was a clerical error that was pointed out by one of the local engineering firms, specifically within section III, subsection, number 2. Mr. Whited explained within the County Road Standards Manual, it states that all subdivisions and townsites will be built with a minimum of 75 feet of road frontage. Within Bingham County Code Section 10, it states that 105 feet of road frontage is required and therefore, Mr. Whited would propose to remove this section from the County Road Standards Manual as it is does not need to be listed within both.

Decision: Commissioner Bair moved to approve the removal of Section III (Design Criteria), subsection O, number 2, from the Bingham County Road Standards Manual. Commissioner Jackson seconded. All voted in favor. The motion carried and said decision was solidified within Bingham County Resolution 2023-51, which was approved and signed as follows:

BINGHAM COUNTY
RESOLUTION 2023-51

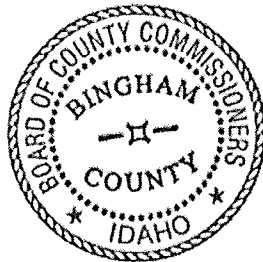
A RESOLUTION AMENDING THE BINGHAM COUNTY ROAD STANDARDS
MANUAL FOR USE BY THE BINGHAM COUNTY PUBLIC WORKS DEPARTMENT

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

1. The current Road Standards Manual being used by the Bingham County Public Works Department provided by Bingham County, specifically section III (Design Criteria), subsection O, number 2, is hereby repealed and removed.
2. The Bingham County Road Standards Manual section III (Design Criteria), subsection O, number 2 removal, is effective as of October 25, 2023, pursuant to a decision made by the Board of County Commissioners.


Dated this 25th day of October, 2023


BINGHAM COUNTY COMMISSION




Whitney Manwaring, Chairman


Mark R. Bair, Commissioner


Pamela W. Eckhardt,
Bingham County Clerk


Eric Jackson, Commissioner

A brief discussion was held in regards to the pedestrian bridge across the Blackfoot Canal at the west end of Foundry Road, wherein Mr. Whited stated that a citizen from the area had contacted him and was under the impression that maintenance was the county's responsibility. There is a hole in that bridge and it is unsafe. The citizen requested that the county fix the hole, which initiated Mr. Whited to complete research. In doing so, it was found that Idaho Supreme is aware of the issue, they are responsible for maintenance of the bridge and are planning to buy materials to fix the issue. Mr. Whited also spoke with Darren Schneider with Idaho Fish and Game, who is over the Sportsman's accesses and part of the Cooperative Agreement with landowners (Idaho Supreme included) in the area, who stated that he has materials in stock and would work to get the hole fixed as soon as possible.

In 2017, the Road and Bridge crew improved the road down to the bridge but at that time was told the bridge itself was not the responsibility of the county and therefore, nothing was done at that time either. It was clarified within minutes from 2017 that Idaho Supreme had built and paid for the pedestrian bridge, which again makes the bridge their responsibility for maintenance.

Mr. Whited contacted the complainants and informed her of the same.

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 Bair 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. All in favor. The Board moved into Executive Session at 10:4 a.m. The Board moved out of Executive Session at 11:11 a.m.

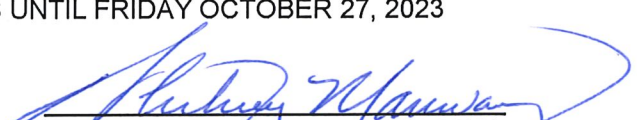
Decision: Commissioner Bair moved to approve the Cremation Application for Case Number 2023-10 in the amount of \$2,000.00. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Chairman Manwaring moved to adjourn until Friday, October 27, 2023 at 8:15 a.m. Commissioner Bair seconded. Both voted in favor. The motion carried.

Nothing further.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY OCTOBER 27, 2023


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Friday, October 27, 2023
County of Bingham)

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

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

DISCUSSION & DECISION TO ADVERTISE THE SYSTEMS ADMINISTRATOR POSITION FOR THE IT DEPARTMENT

Present: Laraine Pope- Human Resources Director
Matt Galloway- IT Director
Jeff Gardner- Sheriff
Jordyn Nebeker- Chief Deputy Sheriff

The Board met to hold discussion and make a decision to advertise the Systems Administrator position for the IT Department.

Mr. Galloway explained that there were specific job duties removed from the job description, which were as follows:

- Determine network and system requirements
- Design and deploy networks
- Prepares users by designing and conducting training programs; providing references and support
- Meets financial requirements by submitting information for budgets; monitoring expenses through the IT Director.

Other than the listed removals, everything within the job description is the same.

A brief discussion was held in regards to the position remaining an exempt position, to which both Mr. Galloway and Ms. Pope were in agreeance.

The Board stated that they would like the full pay range to be listed on the job posting, which is N27 (\$56,035.00 to \$82,219.77).

Decision: Commissioner Jackson moved to direct Ms. Pope to advertise the Systems Administrator position for the IT Department, an exempt position, with the full range of N27 as \$56,035.00 to \$82,219.77, to be listed. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL & SIGNING OF THE MEMORANDUM OF UNDERSTANDING FOR INTERNET SERVICES WITH THE SHELLEY FIRTH FIRE DISTRICT

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

The Board met to approve and sign the Memorandum of Understanding for internet services with the Shelley Firth Fire District.

Sheriff Gardner explained that this proposal is a joint effort to bring sufficient internet connection to the Fire Department. The Fire Department has allotted an office to allow the officers that are working in the north end of the county to work on reports and upload photographs, in order to save travel time. Said Agreement states that both parties will split the internet cost, with the Shelley Firth Fire District paying \$89.98 and \$89.98 would be owed monthly by the Bingham County Sheriff's Office.

Chairman Manwaring confirmed that legal counsel had reviewed the document and the Board had no concerns in regards to the proposal.

Decision: Commissioner Jackson moved to approve and sign the Memorandum of Understanding for internet services with the Shelley Firth Fire District as presented. The cost to Bingham County is \$89.98, which is 50% of the cost split with the Shelley Firth Fire District. Chairman Manwaring seconded. Both voted in favor. The motion carried. Sheriff Gardner took the original document to

the Shelley Firth Fire District and a copy would be held both at the Sheriff's Office and within files in the Clerks Office.

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. All in favor. The Board moved into Executive Session at 9:05 a.m. The Board moved out of Executive Session at 9:23 a.m.

Decision: Commissioner Jackson moved to deny Indigent Case Number 2023-11, due to lack of information. Chairman Manwaring seconded. Both voted in favor. The motion carried.

CASH WARRANTS

One Cash Warrant was approved in the amount of \$311,001.59.

CLAIMS

Claims were approved in the amount of \$143,289.65.

PERSONNEL ACTION FORMS

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

Employee Status Sheet:	Probation Secretary to Lead Probation Secretary
New Employee Status Sheet:	Solid Waste Operator

Decision: Commissioner Jackson moved to approve Cash Warrants, Claims, Administrative Documents and Personnel Action Forms for October 27, 2023. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF COMMISSIONER MINUTES FOR SEPTEMBER 19-29, 2023

The Board met to approve and sign the Commissioner Minutes for September 19-29, 2023, as written.

Decision: Commissioner Jackson moved to approve and sign the Commissioner Minutes for September 19-29, 2023. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF COMMISSIONER MINUTES FOR OCTOBER 1-13, 2023

The Board met to approve and sign the Commissioner Minutes for October 1-13, 2023, as written.


Decision: Commissioner Jackson moved to approve and sign the Commissioner Minutes for October 1-13, 2023. Chairman Manwaring seconded. Both voted in favor. The motion carried.

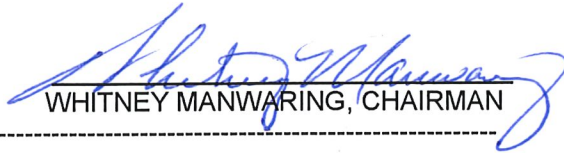
Chairman Manwaring stated for the record that he and Commissioner Jackson both attended the Ribbon Cutting Ceremony for the Aberdeen Gem Trail. Upon arrival, they were informed that it had been cancelled.

Commissioner Manwaring moved to adjourn until October 31st at 12:45 p.m. Commissioner Jackson seconded. Both voted in favor.

Nothing further.

THE MOTION PASSED TO DISMISS UNTIL TUESDAY OCTOBER 31, 2023


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Tuesday, October 31, 2023
County of Bingham)

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

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

APPROVAL & SIGNING OF BINGHAM COUNTY CONFLICT PUBLIC DEFENDER CONTRACT WITH R. JAMES ARCHIBALD

The Board met to approve and sign the Bingham County Conflict Public Defender Contract with R. James Archibald for Fiscal Year 2024.

Decision: Commissioner Jackson moved to approve and sign the Bingham County Public Defender Contract with R. James Archibald for Fiscal Year 2024. Chairman Manwaring seconded. Both voted in favor. The motion carried.

DISCUSSION & DECISION TO ADVERTISE THE COMBINED IT DIRECTOR AND ADMINISTRATIVE CORPORAL POSITION AND PAY RANGE FOR THE SAME

Present: Laraine Pope- Human Resources
 Jeff Gardner- Sheriff
 Jordyn Nebeker- Chief Deputy Sheriff

The Board met to discuss and make a decision to advertise the combined IT Director and Administrative Corporal Position and pay range for the same.

A brief discussion was held in regards to the pay range to be advertised, wherein it was decided that the appropriate range would be from \$80,000.00 to \$100,000.00.

Discussion was held in regards to the salary being split between the IT Department budget and the Sheriff's Office budget, wherein it was concluded that the preference would be 50% to be paid from the IT Department budget and 50% would be paid from the Sheriff's Office budget.

The Board had no concerns in regards to the proposal.

Decision: Commissioner Jackson moved to approve the advertisement of the hybrid position for the IT Director and Administrative Corporal position, with the pay range of \$80,000.00 to \$100,000.00, which would be split between the IT Department and the Sheriff's Office. Chairman Manwaring seconded. Both voted in favor. The motion carried.

DISCUSSION & DECISION REGARDING WATER RUNOFF FROM 1100 E ONTO 700 N., CAUSING FLOODING OF ROADS AND PROPERTY LOCATED AT 1050 E. 7800 N., SHELLEY, IDAHO- REQUESTED BY HALLIE PETERSON

Present: Hallie Peterson- Citizen
Amber Peterson- Citizen
Collin Peterson- Citizen
Jade Searle- Citizen
Dale Mecham- Citizen
Jared Fielding- Citizen
Connie Fielding- Citizen
Brad Clayson- Citizen
Nolan Clayson- Citizen
Rock Deschamps- Citizen

The Board met to discuss and make a decision regarding water run off from 1100 E onto 700 N., causing flooding of roads and property located at 1050 E. 7800 N., Shelley, Idaho, requested by Hallie Peterson.

Amber Peterson explained that her father, Collin Peterson and his family moved to the subject area in 1954. In the 1950's there was no road (end of Highline Road or 700 N) existing from the home of Wilbur Clayson (currently her home located at 1050 E) to Mountain View Road (1100 E). At that time, the Highline Canal existed and extended further than what it is today, and ended by draining excess water into a dry wash drainage ditch that ran between the Cook and Clayson farms, and then down into the Idaho Canal. This is how the water drainage was managed at that time.

Ms. Peterson explained that in the early 1960's, Bingham County leveled out and filled up the area known as Elmer's Hollow (Mountain View Road between Bryce Fielding' and Rocky Deschamps current residence) to connect Mountain View Road from Wilbur Clayson's to Mountain View Road to provide a through road connection there.

A culvert was placed under Mountain View Road for the drainage ditch. The excess irrigation water from the Highline Canal and any other runoff and storm drainage ran through the wash, under the road, and then continued down the wash to the bottom of the Cook hill between Cooks farm (what is now Brad Clayson's land on the south) and Wilbur Clayson's farm (now Nolan Clayson's) on the north, where another culvert was placed under the road to manage the excess water that accumulated at the bottom of that hill. A drainage ditch from this culvert and drainage wash carried the water to another culvert that ran under the road at the bottom of Cooks hill to the north. The water ran from this culvert down the borrow pit on the west site of the road and into the Idaho Canal. Another culvert was placed under the road and into the Idaho Canal approximately 300 ft further north on Wilbur Clayson's farm to aid with the drainage from the farms during the high-water times.

Later, when sprinkler irrigation began on these hillside farms, wells were drilled and pumps were put in. The Highline Canal was no longer used and was ended further north and routed into the Idaho Canal near what is now Wade Christensen's property. With the placement of sprinkler irrigation, the removal of the canal, and less immediate need for drainage, the landscape began to change.

Ms. Peterson stated the drainage ditch was still there but through the years with change of the road, landscape and farming, no upkeep has been done. The water has a natural path but it does not have a route to take and it ends up causing destruction, which she is at the end of that destruction. She would like to problem solve and come up with a plan to aid all parties because there are several that are affected. A culvert is located where Mountain View Road and Highline Road connect, but the drainage wash is no longer present. The culvert on the east side of Cook hill is no longer present. The drainage ditch is present through the southwest corner of Nolan Clayson's and through Amber Peterson's farm. The culvert at the bottom of Cook Hill to the north is blocked off on the west side of Highline Road as farming and new building changed the landscape there. The culvert further north is still present with drainage into the Idaho Canal.

With the changes occurring between the 1950's to present, there is no path for irrigation, runoff, and storm water to drain. This is resulting in the flooding of farms, with subsequent effects on the crops, flooding of homes and destruction of roads which were a rare occurrence when the drainage system existed in the past. The irrigation water is not running down the borrow pits on both sides of Highline Road and into the fields throughout the spring, summer and fall. The spring runoff no longer has a drainage path. The unexpected storm water, which cannot be controlled, has no drainage path. Without a drainage system mimicking the natural flow of the water, the excess water has no path to follow and is now encroaching into areas that it did not before. With multiple road repairs that were completed after damage has occurred, the grading of the road has been built up with gravel and sloped even more to cause an accumulation of water on the east side of Cook hill. With no culvert present under the roadway there, the drainage ditch can't direct the flow of water, resulting in frequent flooding and damage to farms and roads at this location.

Chairman Manwaring asked if the drainage ditch is in the right of way, to which Mr. Whited stated the drainage ditch flows along 700 from Mountain View to the west, which was actually on private property. Mr. Whited stated over the years, it is unsure if the ditch has been filled in by farming or runoff but it has been filled in and more than likely farmed acrossed and no longer there. Mr. Whited stated that the county will try to keep drainage along the borrow pit the best possible but as far as being able to go onto private property to rebuild a drainage ditch, the county is unable to do that.

Discussion was held in regards to the possibility of placing more culverts and other possible ways to cure the current issue.

Mr. Whited stated that he would be happy to meet with the residents on site to look at the site and create a plan to proceed.

Decision: Mr. Whited and Mr. Lenhart will meet on-site with the residents to prepare a plan to move forward, which will come before the Board at a future date for approval.

DISCUSSION & DECISION REGARDING SUBMISSION OF GRANT AND ADDITIONAL FUNDING FOR A NEW AMBULANCE- REQUESTED BY CHIEF HOWELL- BLACKFOOT FIRE

Present: Chief Howell- Blackfoot Fire
Pamela Eckhardt- County Clerk
Captain Lewis- Blackfoot Fire

The Board met to hold discussion and make a decision regarding the request for submission of grant and additional funding for a new ambulance.

Chief Howell stated there is an opportunity for an American Recovery Plan Act (ARPA) Grant through the state for a new ambulance. Said grant is in the amount of \$208,333.00 and the full cost of the 2024 F350 ambulance would be \$262,278.00, leaving a balance of \$53,945.00. Chief Howell stated the request would be if the county could assist in covering said leftover balance, if the grant is awarded. If successful, the notification of award would not be known until January of February of 2024, leaving the possible production to be around June or July of 2025, which is when payment would be due.

Chief Howell stated that the new F350 ambulance would not come equipped with the necessary equipment but said equipment would come off of an older ambulance.

Captain Lewis stated that he would request a letter of support from the Board stating that there would be assistance with the remaining funding.

Discussion was held in regards to where the funding would come from, wherein Clerk Eckhardt explained that \$20,000.00 was placed in the ambulance fund for ambulance repairs. Clerk Eckhardt further explained that once liquor distribution funds were distributed to the City of Aberdeen, the remainder of those funds could be placed in the ambulance fund. Chairman Manwaring stated due to the funding not being needed until delivery of the ambulance, he would not have an issue with using the ambulance funding over the next

two years to assist with the cost requested. Commissioner Jackson concurred and stated that he believes it is important to take advantage of the possible grant funding. Therefore, he would have no issue with the proposal.

Decision: Commissioner Jackson moved to approve to allow the Blackfoot Fire Department to participate in the ARPA Grant for an additional ambulance. The county would assist with remaining funds owed, which are not to exceed \$54,000.00, to be paid over the next two years from the ambulance fund. Chairman Manwaring seconded. All voted in favor. The motion carried.

PLANNING & DEVELOPMENT

Present: Tiffany Olsen- Planning & Development Director
Laraine Pope- Human Resources Director
Addie Jo Harris- Planning & Development Assistant Director/Lead Planner

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

Discussion was held in regards to the Building Permit Technician position, wherein Ms. Olsen explained during the budget process, it was approved for an additional Planner position. After further discussion with Ms. Harris and reviewing each division within Planning & Development, they have concluded that it would be beneficial to have an additional Building Permit Technician. There would be no budget affect for this request as the Building Permit Technician has a lesser pay range.

Ms. Pope stated that she has reviewed the job description and has no concerns with the proposal. It is proposed to have the position posted at an entry level at N15, Step 1 (\$18.01).

The Board had no concerns in regards to the proposal.

Decision: Commissioner Jackson moved to approve the advertising of the Building Permit Technician position at an entry level of N15, Step 1 (\$18.01). Chairman Manwaring seconded. Commissioner Jackson amended the motion to state the position would be advertised with a pay range of entry level N15, Step 1 (\$18.01) to an N15, Step 13 (\$26.43). Chairman Manwaring seconded. Both voted in favor. The motion carried.

Ms. Olsen gave a department update, which included the Planning & Zoning Commission Public Hearing schedule and Building Division updates.

DISCUSSION & DECISION REGARDING OFFER OF PAY RANGE FOR THE PROBATION DEPARTMENT SECRETARY POSITION

Present: Shawn Hill- Probation Director
Laraine Pope- Human Resources Director

The Board met to discuss and make a decision in regards to the proposed pay range for the Probation Department Secretary position.

Mr. Hill stated they had conducted interviews and would like to extend an offer to one applicant who has experience. Mr. Hill stated that he would like to offer N11, Step 3 (\$17.50) to the applicant.

Ms. Pope stated that she agreed with Mr. Hill and that the applicant has experience.

The Board had no concern with the proposal.

Decision: Commissioner Jackson moved to allow Mr. Hill and Ms. Pope to offer a N11, Step 3 (\$17.50), to the applicant for the Probation Department Secretary. Chairman Manwaring seconded. Both voted in favor. The motion carried.

DISCUSSION & DECISION REGARDING THE REQUEST TO SEND THREE PROBATION OFFICERS TO THE AMERICAN PROBATION AND PAROLE CONFERENCE

Present: Shawn Hill- Probation Director

The Board met to discuss and make a decision regarding the request to send three Probation Officers to the American Probation and Parole Conference.

Mr. Hill stated the conference is held in Seattle, Washington and he would like to send three Probation Officers. Those Probation Officers would then bring back any learning materials and provide training to those who do not attend. The estimated amount within the Prior Approval for Major Purchase would cover plane tickets, hotel accommodations, per diem, ground travel and conference registration. Said Prior Approval for Major Purchase is in the estimated amount of \$7,000.00 and is to be paid from Fund: 06-55-560-00 (Juvenile Probation- Training) and Fund:06-54-560-00 (Adult Misdemeanor Probation- Training). If needed, additional funding would come from Fund: 06-54-678-05 (Adult Misdemeanor Probation- Miscellaneous) and Fund: 06-55-678-05 (Juvenile Probation- Miscellaneous).


Mr. Hill stated that there has not been any Probation Officers attend this conference for the last several years and it would be extremely Beneficial.

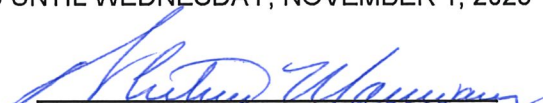
Decision: Commissioner Jackson moved to approve the request to send three Probation Officers to the American Probation and Parole Association Winter Conference in Seattle Washington. The estimated amount is \$7,000.00 and is to be paid from Fund: 06-55-560-00 (Juvenile Probation- Training) and Fund:06-54-560-00 (Adult Misdemeanor Probation- Training). If needed, additional funding would come from Fund: 06-54-678-05 (Adult Misdemeanor Probation- Miscellaneous) and Fund: 06-55-678-05 (Juvenile Probation- Miscellaneous). Chairman Manwaring seconded. Both voted in favor. The motion carried.

CLAIMS FOR THE PREVIOUS MONTH WERE APPROVED AS FOLLOWS:

Current Expenses	\$410,371.32	Weeds	\$41,276.07
Road & Bridge	\$658,532.20	Emergency Communication.....	\$15,920.32
Airport.....	\$33.99	Road & Bridge Special	
Justice Fund	\$598,482.88	Projects.....	\$49,397.58
District Court.....	\$157,321.63	Waterways.....	\$4,900.48
Historical Society & Museum.....	\$750.00	Payment in Lieu of Taxes.....	\$2,667.76
Parks & Recreation	\$11,897.81	ARPA Funds.....	\$303,411.06
Revaluation.....	\$58,143.26	Treatment Court Fund.....	\$7,858.50
Solid Waste.....	\$247,124.73	Consolidated Elections.....	\$6,907.44
Veterans Memorial.....	\$1,525.02		

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY, NOVEMBER 1, 2023


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


WHITNEY MANWARING, CHAIRMAN

