

STATE OF IDAHO)
 : ss. Tuesday, November 1, 2022
County of Bingham)

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

Present: Chairman Manwaring
 Commissioner Bair
 Commissioner Lewis
 Lindsey Dalley- Commission Clerk

MEETING TO RECEIVE THE PLANNING & ZONING COMMISSIONERS RECOMMENDATION TO APPROVE THE 6TH AMENDED BINGHAM INDUSTRIAL PARK SUBDIVISION

Present: Tiffany Olsen- Planning & Development Director
 Verl Jarvie- Blackfoot Fire Marshall
 Bryon Howell- Blackfoot Fire Chief
 Chris Street- HLE

The Board met to receive the Planning & Zoning Commissions recommendation to approve the 6th Amended Bingham Industrial Park Subdivision. Chairman Manwaring welcomed all to the meeting, introductions were held and the time was turned over to Director Olsen.

Director Olsen presented Staff Report at this time.

Chairman Manwaring referred to the Custom Soil Resource Report and asked Director Olsen if access will be available to the two cellars facing the East and West side, to which she confirmed there would be access. Director Olsen referred to Exhibit CC-2 and explained there is an access easement that comes through to those cellars, which is 50 feet wide and will have sufficient access.

Commissioner Bair asked if there is sufficient room to get around lot 16, between lots 16, 14 and 15, to which Director Olsen stated there is another access easement at the North end that allows for sufficient room, the additional access easement will be verified and upon approval, could be placed as a condition. Commissioner Bair stated if approved, it should be a condition that each parcel has proper legal access.

Commissioner Lewis stated her concern is without having testimony from the property owners, they may not want the access. If this is placed as a condition and the condition cannot be met, it will be denied. Director Olsen stated lot 16 does show that owner is Lambert Rose Partners LLC. She and Mr. Street will be sure the condition for proper legal access to both lots and the easements are recorded in unison.

Commissioner Bair asked Mr. Street for clarification if there is access, to which Mr. Street explained there is access to each individual cellar. In discussions with Mr. Nickell, they did not talk about having access all of the way through but he is sure that is the direction they are proceeding.

Chairman Manwaring stated if the property is sold in the future, there might be issues between property owners. Commissioner Lewis added that she is not comfortable placing a condition, if approved, that may not be met. Director Olsen stated so long as the motion includes that both lot owners have sufficient and mutually agreeable access for the plat to be recorded, that should be sufficient.

Decision: Commissioner Bair moved to uphold the decision of the Planning & Zoning Commission to approve the request for Replat within Lot 13 of Block 2 of the Bingham Industrial Park Subdivision, based upon the record presented, Reason & Decision of the Planning & Zoning Commission and the discussion held today with the condition that there be an agreement with property owners that each lot will have proper legal access. Commissioner Lewis stated she would like to add to ensure that the lots are properly labeled, depending on the order in which they are

recorded. Commissioner Bair amended his motion to add the same. Commissioner Lewis seconded. All voted in favor. The motion carried.

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

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

MEETING TO RECEIVE THE PLANNING & ZONING COMMISSIONS RECOMMENDATION TO APPROVE THE BASALT BAR SUBDIVISION PRELIMINARY PLAT

Present: Tiffany Olsen- Planning & Development Director
Verl Jarvie- Blackfoot Fire Marshall
Bryon Howell- Blackfoot Fire Chief

The Board met to receive the Planning & Zoning Commissions recommendation to approve the Basalt Bar Subdivision Preliminary Plat. Chairman Manwaring welcomed all to the meeting, introductions were held and the time was turned over to Director Olsen.

Director Olsen presented the Staff Report at this time.

Commissioner Bair expressed his concern that the subdivision will have smaller lots, individual septic systems for each and being in close proximity to the Snake River. Chairman Manwaring concurred and stated the individual septic systems for each individual lot is also a concern for him.

Commissioner Lewis stated on the plat, why Lot 3 has a little flag and not either just an easement or go all the way to the road. Director Olsen stated this is an interesting shape of lot in general. Bingham County Code Requires 75 feet of frontage and in working with Legal Counsel, at the time was John Dewey, it was determined that 75 feet from termination of that joint easement access of land that would be owned by the lot owner of Lot 3, to constitute that property. Commissioner Lewis asked Director Olsen if there was 20 feet between the home and lot line to do an easement, wherein Director Olsen stated that is correct.

Commissioner Lewis also asked what the definition is for a community system, wherein it reads in the Code that a property owner can have ¼-acre lot if you have both community systems but it does not specifically state what is considered a community water system. Her thought is that the code is not defined well enough to restrict that from being a community system. Director Olsen explained when looking at Lot 3, having the entire drain field and the easement on that being greater than ½ acre and the other being less than ½ acre with that community water system, that was taken as meeting the code requirements. Commissioner Lewis stated this one is not as large of a concern as it meets the one-acre requirement but what if it did not meet that requirement.

Discussion was held in regards to Bingham County Code Section 10.2.3, Community Sewage Disposal System and Bingham County Code Section 10.6.6(b)(1)&(2), Residential Zoning District and it was determined that these code are contradicting. Director Olsen stated there could be an argument to be made if the septic system involves a septic permit or if it is a community sewage disposal system. One thing that could be considered, if approved with conditions, would be to add a condition that a septic permit and all associated items that come with a joint system, be approved by the Department of Public Health before moving forward.

Commissioner Lewis stated she does not feel comfortable in approving this Application without having additional information, specifically from Legal Counsel and the Department of Public Health. Commissioner Bair concurred.

After further deliberation, Chairman Manwaring entertained a motion on the Application.

Decision: Commissioner Lewis moved to remand the Application for Basalt Bar Estates Subdivision back to the Planning & Zoning Commission for more information specifically on the community sewage disposal system that is proposed on Lot 2 and Lot 3. Also for additional input regarding the definition Bingham County Code Section 10-2-3 on the Community Sewage Disposal System and Section 10-6-6(B)(1)&(2) the Area Regulation- Residential Zoning District, as they are contradicting. In addition, the Board is requesting input from Legal Counsel and the Idaho Department of Public Health on the best way to move forward. Commissioner Bair seconded. All voted in favor. The motion carried.

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

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

BI-WEEKLY UPDATE MEETING WITH TIFFANY OLSEN- PLANNING & DEVELOPMENT DIRECTOR

Present: Tiffany Olsen- Planning & Development Director
Verl Jarvie- Blackfoot Fire Marshall
Bryon Howell- Blackfoot Fire Chief

The Board met with Tiffany Olsen to discuss updates for the Planning & Development Division.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY NOVEMBER 2, 2022


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Wednesday, November 2, 2022
County of Bingham)

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

Present: Chairman Manwaring
Commissioner Bair
Commissioner Lewis
Lindsey Dalley- Commission Clerk

CASH WARRANTS

Cash Warrants were approved in the amount of \$288,282.32 & \$50.00, for a total of \$288,332.32.

PAYROLL

Payroll was approved in the amount of \$742,976.47.

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

TAX INQUIRIES

The Board approved Tax Inquiries, which were as follows:

RP8271150	Year 2022	Homeowner signed up for Homeowners Exemption
RP0633701	Year 2022	Homeowner signed up for Homeowners Exemption
RP8271130	Year 2022	Homeowner signed up for Homeowners Exemption
RP2041500	Year 2022	Homeowner signed up for Homeowners Exemption
RP0451406	Year 2022	Homeowner signed up for Homeowners Exemption
RP0318602	Year 2022	Homeowner signed up for Homeowners Exemption
RP0629610	Year 2022	Homeowner signed up for Homeowners Exemption
MH0629610	Year 2022	Homeowner signed up for Homeowners Exemption
RP3018700	Year 2022	Homeowner signed up for Homeowners Exemption
RP8198800	Year 2022	Homeowner signed up for Homeowners Exemption
RP0515405	Year 2022	Homeowner signed up for Homeowners Exemption
RP1088500	Year 2022	Homeowner signed up for Homeowners Exemption
RP0384012	Year 2022	Homeowner signed up for Homeowners Exemption
RP1312426	Year 2022	Homeowner signed up for Homeowners Exemption
RP1344203	Year 2022	Homeowner signed up for Homeowners Exemption
RP0193904	Year 2022	Homeowner signed up for Homeowners Exemption
RP8268200	Year 2022	Homeowner signed up for Homeowners Exemption
RP1319438	Year 2022	Homeowner signed up for Homeowners Exemption
RP1171301	Year 2022	Homeowner signed up for Homeowners Exemption
RP1255301	Year 2022	Homeowner signed up for Homeowners Exemption
RP1300119	Year 2022	Homeowner signed up for Homeowners Exemption
RP1300131	Year 2022	Homeowner signed up for Homeowners Exemption
RP1300133	Year 2022	Homeowner signed up for Homeowners Exemption
RP0036104	Year 2022	Homeowner signed up for Homeowners Exemption
MH0036104	Year 2022	Homeowner signed up for Homeowners Exemption

Decision: Commissioner Bair moved to approve Tax Inquiries submitted by the County Assessor. Commissioner Lewis seconded. All voted in favor. The motion carried.

SHERIFF'S OFFICE

Present: Jeff Gardner- Bingham County Sheriff
Paul Rogers- Prosecuting Attorney
Laraine Pope- Human Resources Director

The Board met with Sheriff Gardner to receive updates within the Sheriff's Office and other agenda items. Chairman Manwaring welcomed all to the meeting and turned the time over to Sheriff Gardner.

Sheriff Gardner stated the current jail population is 106 inmates and gave a brief update on Bancorp. He explained there are 6-7 Toyota Rav 4 vehicles that will be delivered soon and Human Resources is working on the insurance for these vehicles.

Next, Sheriff Gardner stated that he would like to propose that the Board consider making the current Driver's License position, a full time position rather than a part time position, as there have not been any applicants. This full time position would replace the two part time positions previously approved.

Commissioner Lewis stated she had no concerns with the proposal, as public service is important.

Sheriff Gardner stated his goal is to have Drivers License open during the lunch hour and if this full time position is approved, that will assist in doing so.

There are salary savings to cover both wages and benefits for this proposal.

Decision: Commissioner Lewis moved to change the Drivers License position from part time to full time. This will withdraw the two part time positions previously approved. Commissioner Bair seconded and added that the wage would be N11, Step 1-9 (range depending on experience). All voted in favor. The motion carried.

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
 Justin Johnson- City of Shelley
 Scott Reese- Parks & Recreation
 Tyler Draney- Parks & Recreation
 Gwen Inskeep- County Surveyor
 Paul Rogers- Prosecuting Attorney

The Board met with Dusty Whited to department updates and other agenda items. Chairman Manwaring welcomed all to the meeting and turned the time over to Mr. Whited.

Mr. Whited turned the time over to Justin Johnson from the City of Shelley, to discuss their request to waive the Right-of-Way Permit Fee in order to install irrigation pipe for water service to the North Bingham County Park. Mr. Johnson explained that the project would start this coming Monday, which will consist of placing 10-inch irrigation line underneath 1275 North Road, which takes you to Exit 108 off I-15. The City of Shelley has spoken with the Eastern Idaho Regional Sewer District and got permission to make the pond bigger but they would like to trench the road to lay the 10-inch irrigation line. This will service the City of Shelley's property close to North Bingham Park, plus the park in the future and would be a one-day project. He is before the Board today to ask if the Right-of-Way Permit fee could be waived for this project.

Mr. Whited stated the permit fee is \$100.00 plus the deposit of \$800.00 and he has no issue with waiving the fee. Mr. Johnson will send the County a copy of the traffic control plan, which will be attached to the permit submitted as well. The \$800.00 deposit is to insure within the first year that any issues that may rise will be taken care of by those funds.

The Board had no issues with this request and Chairman Manwaring entertained a motion at this time.

Decision: Commissioner Bair moved to waive the Right-of-Way Permit Fee and Deposit for the City of Shelley to install irrigation pipe across 1275 North. Commissioner Lewis seconded. All voted in favor. The motion carried.

Next, Mr. Whited explained the request made by the Firth Fire District to donate 2-3 loads of gravel. Since the fire station burnt down, they have been storing equipment in a potato cellar on the other side of the highway. In front of that cellar, there is a lack of gravel making it muddy and hard for equipment to get in and out. They are requesting donation of the gravel, along with delivering the gravel but they would spread the gravel themselves. Commissioner Lewis asked Legal Counsel for clarification and that the

County is not able to provide service free to another agency but something would need to be given in return. Mr. Rogers stated that is correct and the County is not able to legally donate gravel.

Commissioner Lewis stated in the past a Memorandum of Understanding has been done showing that the specific entity will pay FEMA rate or a type of service to the County. Mr. Whited stated in the past cemetery districts have bought gravel and paid the County FEMA rate for services.

After discussion, Mr. Whited will speak with Brandon Jolley, Firth Fire, to explain to him that the County cannot legally donate gravel without services returned or FEMA rate paid and that a Memorandum of Understanding would need to be done.

**PUBLIC HEARING TO OPEN THE FISCAL YEAR 2022 BUDGET- REQUESTED BY CLERK
ECKHARDT**

Present: Pamela Eckhardt- County Clerk
Paul Rogers- Prosecuting Attorney

The Board met to approve Bingham County Resolution 2022-35, a Resolution opening the Fiscal Year 2022 Budget.

Chairman Manwaring stated there are no citizens in attendance and therefore, there is no testimony to be received.

Decision: Commissioner Lewis moved to adopt Bingham County Resolution 2022-35, a Resolution opening the Fiscal Year 2022 Budget. Commissioner Bair seconded. All voted in favor. The motion carried and said Resolution was adopted as follows:

**BINGHAM COUNTY
RESOLUTION NO. 2022 - 35**

A RESOLUTION TO OPEN FISCAL YEAR 2022 BUDGET

WHEREAS, the Bingham County Commissioners have found it necessary to adjust the Fiscal Year 2022 County Budget for additional expenditures and,

WHEREAS, the adjustments to the following budgeted amount will not result in the increase of anticipated property taxes over the amounts previously levied for Fiscal Year 2022.

NOW THEREFORE, pursuant to Idaho Code §31-1605, the Bingham County Commissioners hereby resolve that the following FY 2022 budget be adjusted by the following amounts:

**Fund 02 Road and Bridge: Expenditures in the amount of \$300,000
Revenue in the amount of \$300,000 from additional highway user revenue.**

**Fund 23 Solid Waste: Expenditures in the amount of \$65,000.
Revenue in the amount of \$65,000 from existing fund balance.**

**Fund 32 Special Projects: Expenditures in the amount of \$545,000.
Revenue in the amount of \$545,000 from additional highway user revenue.**

**Fund 51 American Recovery Plan: Expenditures in the amount of \$280,000.
Revenue from American Recovery Plan in the amount of \$280,000.**

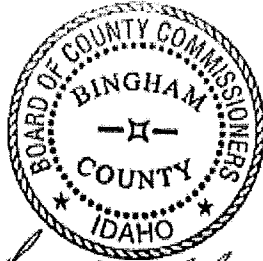
**Fund 60 Consolidated Elections: Expenditures in the amount of \$5,300.
Revenue in the amount of \$5,300 from the proposed North End Recreation District to proceed with an election.**

Fund 16 Indigent Services will be closed with a zero balance: The Idaho Legislature passed HB 735 which repeals the county medically indigent program, repeals the county charity levy, alters the manner in which indigent public defense is funded, and provides property tax relief to Idahoans. The legislation removed the authority for counties to levy for indigent funds in the FY 2023 budget. The remaining fund balance will be transferred in FY 2022 before the year end closure as follows:

**\$200,000 transferred to District Court to assist with Public Defense.
\$376,697 transferred to the General Fund.**

DATED: November 2, 2022

BOARD OF COUNTY COMMISSIONERS



ATTEST:

Pamela Eckhardt
Pamela W. Eckhardt
Bingham County Clerk

By: *Whitney Manwaring*
Whitney Manwaring, Chairman

Mark R. Bair
Mark R. Bair, Commissioner

Jessica Lewis
Jessica Lewis, Commissioner

PRIOR APPROVAL- IT DEPARTMENT

The Board met with Scott Mensching to discuss the submitted Prior Approval documents. Chairman Manwaring welcomed all to the meeting and turned the time over to Mr. Mensching.

Mr. Mensching explained the Prior Approval for Major Purchase to pay Shirley Featherston for Website Maintenance in the amount of \$2,091.25, to be paid from Fund 01-14-677-01.

Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase submitted by Scott Mensching to cover expenses for website maintenance in the amount of \$2,091.25, to be paid from Fund 01-14-677-01. Commissioner Lewis seconded. All voted in favor. The motion carried.

Mr. Mensching explained the first Prior Approval for Major Purchase for NEC Support and Software Renewal, which is specifically for the courthouse phone system. Said purchase is in the amount of \$3,480.00, to be paid from Fund 01-14-524-01.

Decision: Commissioner Lewis moved to approve the Prior Approval for Major Purchase for NEC Support and Software Renewal in the amount of \$3,480.00, to be paid from Fund 01-14-524.01. Commissioner Bair seconded. All voted in favor. The motion carried.

APPROVAL OF REASON & DECISION FOR THE RR JOHNSON REAL ESTATE LLC ZONING AMENDMENT FROM "A" AGRICULTURE TO "R/A" RESIDENTIAL/AGRICULTURE

The Board met to approve the Reason & Decision for the RR Johnson Real Estate LLC Zoning Amendment from "A" Agriculture to "R/A" Residential/Agriculture. Chairman Manwaring stated that the Board and Legal Counsel have reviewed the same and entertained a motion at this time.

Decision: Commissioner Lewis moved to approve the Reason & Decision for the RR Johnson Real Estate LLC Zoning Amendment from "A" Agriculture to "R/A" Residential/Agriculture. Commissioner Bair seconded. All voted in favor the motion carried.

HUMAN RESOURCES

Present: Laraine Pope- Human Resources Director
Excused: Commissioner Bair

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

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Lewis moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Chairman Manwaring seconded. All voted in favor. The Board moved into Executive Session at 2:18 p.m. Commissioner Lewis moved to go out of Executive Session. Chairman Manwaring seconded. All voted in favor. The Board moved out of Executive Session at 3:08 p.m.

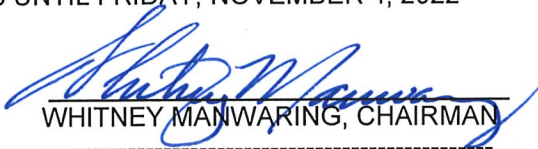
Decision: No decision was made at this time.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY, NOVEMBER 4, 2022



PAMELA W. ECKHARDT, CLERK

Lindsey Dalley- Commission Clerk-----



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Friday, November 4, 2022
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 Lewis

CLAIMS

Claims were approved in the amount of \$191,115.78.

PERSONNEL ACTION FORMS

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

Salary Increase Form: Deputy Clerk- Treasurer's Office
 Emergency Communications Officer
 Detention Deputy
 Detention Deputy
 Patrol Deputy
Employee Status Sheet: Detention Deputy to Patrol Deputy
 911 Emergency Communication Officer to Lead ECO

COLLEGE OF EASTERN IDAHO

A Certificate of Residency was approved by the Board and sent to the College of Eastern Idaho for the following Bingham County student: Matthew W. Munoff.

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

APPROVAL OF BINGHAM COUNTY ORDINANCE 2022-15

The Board met to adopt Bingham County Ordinance 2022-15, an Ordinance amending the General Bingham County Zoning Ordinance and the accompanying Zoning Map by changing the zoning use district of real property from its present classification of "R" Residential to "C2" Heavy Commercial for the Mike Fresh Application.

Decision: Commissioner Bair moved to adopt Bingham County Ordinance 2022-15. Chairman Manwaring seconded. Both voted in favor. The motion carried and said Ordinance was adopted and recorded as follows:

Instrument # 750558

BINGHAM COUNTY

11-7-2022 01:46:09 PM No. of Pages: 2

Recorded for: BINGHAM COUNTY COMMISSIONERS

PAMELA W. ECKHARDT

Fee: 0.00

Ex-Officio Recorder Deputy

**BINGHAM COUNTY
ORDINANCE 2022-15**

AN ORDINANCE AMENDING THE GENERAL BINGHAM COUNTY ZONING ORDINANCE 2012-08 AND ACCOMPANYING ZONING MAP BY CHANGING THE ZONING USE DISTRICT OF THE BELOW-DESCRIBED REAL PROPERTY FROM ITS PRESENT CLASSIFICATION AS "R" RESIDENTIAL TO "C2" HEAVY COMMERCIAL.

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

Part of Block 4 of East Moreland Division No. 1 located in the S ½ of Section 24 , Township 2 South, Range 34 East B.M., Bingham County, Idaho described as:

Commencing at the SW corner of Section 24; Thence S 89° 33' 55" E 2482.01 feet along the South Line of said Section; Thence, N 00° 26' 17" E 40.01 feet to a point on the South line of Block 4 and Point of Beginning; Thence, N 00° 25' 04" E 531.29 feet to a point on the Southern right-of-way line of Highway 26; Thence, S 54° 16' 21" E along said Right of Way 919.66 feet to a point of intersection on Highway 26 and South Line of said Block 4; Thence, N 89° 33' 43" W along said Block 4, for a distance of 750.48 feet to the Point of Beginning.

Parcel contains 4.58 acres more or less and is subject to a County Right of Way along the Southeastern and Southern Boundaries.

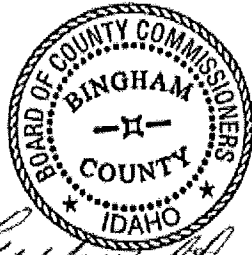
Section 2: This Ordinance shall become effective upon its publication in the manner required by law.

Passed and Approved by the Board of County Commissioners, County of Bingham, State of Idaho, at a Public Hearing held on the 4th day of October 2022.

Signed this 4 day of November 2022

BOARD OF COUNTY COMMISSIONERS
BINGHAM COUNTY, IDAHO

ATTEST:



Pamela Eckhardt

Pamela Eckhardt
Bingham County Clerk

Whitney Manwaring
Whitney Manwaring, Chairman

Mark R. Bair
Mark R. Bair, Commissioner

Jessica Lewis
Jessica Lewis, Commissioner

APPROVAL OF BINGHAM COUNTY CONFLICT PUBLIC DEFENDER CONTRACT FOR JEROMY W. PHARIS

The Board met to approve the Bingham County Conflict Public Defender Contract for Jeromy W. Pharis.

Decision: Commissioner Bair moved to approve the Bingham County Conflict Public Defender Contract for Jeromy W. Pharis. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF COMMISSIONER MINUTES FROM AUGUST 15-31, 2022

The Board met to approve Commissioner Minutes from August 15-21, 2022.

Decision: Commissioner Bair moved to approve Commissioner Minutes from August 15-31, 2022. Chairman Manwaring seconded. Both voted in favor. The motion carried.

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Bair moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Chairman Manwaring seconded. All voted in favor. The Board moved into Executive Session at 8:31 a.m. Commissioner Bair moved to go out of Executive Session. Chairman Manwaring seconded. All voted in favor. The Board moved out of Executive Session at 9:01 a.m.

Decision: No decision was made at this time.

THE MOTION PASSED TO DISMISS UNTIL MONDAY, NOVEMBER 7, 2022


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Monday, November 7, 2022
County of Bingham)

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

- Present: Chairman Manwaring
 Commissioner Bair
 Commissioner Lewis
 Lindsey Dalley- Commission Clerk

STAFF MEETING

- Present: Pamela Eckhardt- County Clerk
 Donavan Harrington- County Assessor
 Debbie Cunningham- Chief Deputy Assessor
 Laura Lora- Payroll/Veteran Services
 Scott Reese- Parks & Recreation/Emergency Management
 Shawn Hill- Probation Services Director
 Cody Lewis- Drug Court
 Paul Rogers- Prosecuting Attorney

Jeff Gardner- Bingham County Sheriff
Tanna Beal- County Treasurer
Julie Buck- Extension Office
Scott Mensching- IT Director
Danette Miller- Elections Director
Gordon Croft- City of Blackfoot Police Chief

Excused: Marc Carroll- City of Blackfoot Mayor
Jimmy Roberts- County Coroner
Dusty Whited- Public Works Director
Eric Jackson- Building Maintenance Director
Sheri Landon- Court Supervisor
Laraine Pope- Human Resources Director

Via Zoom: Tiffany Olsen- Planning & Development Director

The Commissioners met with Department Heads and Elected Officials for the November 2022 Staff Meeting. Commissioner Bair conducted the meeting.

Pledge of Allegiance: Commissioner Bair.

Approval of Minutes for October 2022 Staff Meeting: Commissioner Bair confirmed there were no changes to be made and the minutes were approved as written.

Special Presentation: Scott Mensching, IT Director, explained that the County domain email name would be changing to "binghamid.gov", as of November 21st. This change is required by CISA Security and will be more secure for the County. All employees will still be able to access their old email and any emails sent to the old email will be delivered into the new inbox. He would ask that each employee add a message at the end of their email signature to inform recipients that the email address will be changing. If there are any questions, please contact the IT Department.

Employee Years of Service Recognition: Paul Rogers recognized Jodi Allen for 15 years of service to Bingham County and stated the Prosecutors Office would crumble without her. She is a huge asset to his office and Bingham County. Sheriff Gardner added that Jodi Allen works on the mental health cases and is a huge help to the Sheriff's Office.

Sheriff Gardner stated last week he recognized Brett Vandyke for 5 years of service to Bingham County and stated he has since left the County to go work at the INL.

Sheriff Gardner recognized Kas Barnes (formerly Kas Aikele) for 15 years of service to Bingham County. She is currently working night shift and was unable to attend this morning. She is one of the most proficient dispatchers that Bingham County has and is a huge asset.

Donavan Harrington recognized Krystal Puentes for 10 years of service to Bingham County. She began working at the RTC, moved into Motor Vehicles and is now working in the Assessor's Office as a Deeds Clerk. She is a huge asset to Bingham County.

Chairman Manwaring: Had no updates at this time.

Commissioner Bair: Had no updates at this time.

Commissioner Lewis: Had no updates at this time.

Clerk Eckhardt: Had no updates at this time.

Laura Lora: Stated due to the Thanksgiving holiday the deadline to submit timesheets will be November 20th.

Donavan Harrington: Stated that he has hired a new Revaluation employee, Kelia Meskel.

Scott Reese: Had no updates at this time.

Tiffany Olsen: Stated that building permit numbers have not gone down and they have 19 inspections scheduled for today. Last month there were 15 new homes and things are still extremely busy in the Planning & Development Division.

Shawn Hill: Had no updates at this time.

Cody Lewis: Had no updates at this time.

Paul Rogers: Stated the current SAUSA Attorney will be leaving and that will leave a vacancy to be filled when the time comes. This position takes care of high profile cases for the local area.

Sheriff Jeff Gardner: Stated the Drivers License Department remodel will be commencing soon and therefore the department will be closed from November 18th through December 1st.

Tanna Beal: Had no updates at this time.

Julie Buck: Stated it is enrollment time for 4-H and scholarships are available as well. There are upcoming day camps on Fridays, beef school and a roping clinic. You can find any information on these classes on their Facebook page.

Scott Mensching: Had no updates at this time.

Danette Miller: Election Day is tomorrow and the polling locations will be open from 8:00 a.m., to 8:00 p.m. The public is welcome to watch the results, which will be presented after 8:00 p.m., in Commission Chambers.

Early voting was a success and there were 966 people who voted in the two weeks that early voting was available. There were 1,750 absentee ballots requested and approximately 76% of those have been returned as of Friday.

Danette Miller stated she would like to thank the Eric Jackson and Jason Marlow for their help in delivering equipment to the polling locations, as well as the Sheriff's Office for security checking of the vaults.

Chief Gordon Croft: Had no updates at this time.

Commissioner Bair confirmed there was nothing further for discussion and stated the next Staff Meeting is scheduled for Monday, December 5, 2022 at 8:30 a.m.

DISCUSSION & DECISION REGARDING RECLASSIFICATION FOR THE 4-H SECRETARY POSITION- REQUESTED BY JULIE BUCK

Present: Julie Buck- Extension Office
Laraine Pope- Human Resources

The Board met to discuss the reclassification request for the part time 4-H Secretary position submitted by Julie Buck. Chairman Manwaring welcomed all to the meeting and turned the time over to Ms. Buck.

Ms. Buck stated in review of the job descriptions and input from Ms. Pope, similar positions are at a higher rate of pay throughout the County. Ms. Pope concurred and stated the current rate is an N5 and her proposal would be an N10, which starts at \$14.98. With the level of job responsibility, Ms. Pope stated this position should be at an N10.

Decision: Commissioner Lewis moved to approve the reclassification request for the 4-H Secretary position from an N5 to an N10. Commissioner Bair seconded. All voted in favor. The motion carried.

APPROVAL OF THE AMENDED REASON & DECISION FOR THE RR JOHNSON REAL ESTATE LLC, ZONE CHANGE FROM "A" AGRICULTURE TO "R/A" RESIDENTIAL AGRICULTURE

The Board met to approve the Amended Reason & Decision for the RR Johnson Real Estate LLC Zone Change from "A" Agriculture to "R/A" Residential Agriculture.

Decision: Commissioner Bair moved to approve the Amended Reason & Decision for the RR Johnson Real Estate LLC Zone Change as presented. Commissioner Lewis seconded. All voted in favor. The motion carried.

PROBATION DEPARTMENT

Present: Shawn Hill- Probation Department
Mark Gough- Probation Department
Shane Boyle- Idaho Department of Corrections
Ollie Wimbish- Prosecutors Office
Pamela Eckhardt- County Clerk

The Board met with Shawn Hill to discuss department updates and other agenda items. Chairman Manwaring welcomed all to the meeting and turned the time over to Mr. Hill.

Mr. Hill presented the Contract with Health and Welfare to conduct UA testing

Decision: Commissioner Lewis moved to approve and sign the UA Testing Contract for the Health and Welfare Child Protection Division. Commissioner Bair seconded. All voted in favor. The motion carried.

Next, Mr. Hill explained the submitted Prior Approval for Major Purchase for body armor for seven probation officers to replace the current body armor, which is outdated. Said purchase is in the amount of \$3,600.00, to be paid from two Funds, 06-54-0678-0005 and 06-55-0678-0005.

Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of body armor to replaced outdated equipment. Said purchase it in the amount of \$3,600.00 and is to be paid from Funds 06-54-0678-0005 and 06-55-0678-0005. Commissioner Lewis seconded. All voted in favor. The motion carried.

Mr. Boyle reviewed the County Annual Juvenile Justin Report at this time.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY, NOVEMBER 9, 2022


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Wednesday, November 9, 2022
County of Bingham)

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

Present: Chairman Manwaring
Commissioner Bair
Commissioner Lewis
Lindsey Dalley- Commission Clerk

TAX INQUIRIES

The Board met to approve submitted Tax Inquiries, which were as follows:

RP0290103	Year 2022	Building was put on the wrong parcel
RP8253500	Year 2022	Homeowner signed up for Homeowners Exemption
RP7016905	Year 2023	Homeowner signed up for Homeowners Exemption
RP2168190	Year 2022	Homeowner signed up for Homeowners Exemption
RP2168240	Year 2022	Homeowner signed up for Homeowners Exemption
RP2168260	Year 2022	Homeowner signed up for Homeowners Exemption
RP2080754	Year 2022	Homeowner signed up for Homeowners Exemption
RP8040310	Year 2022	Homeowner signed up for Homeowners Exemption
RP2098301	Year 2022	Homeowner signed up for Homeowners Exemption
RP1119500	Year 2022	Homeowner signed up for Homeowners Exemption
RP8270720	Year 2022	Homeowner signed up for Homeowners Exemption
RP8271020	Year 2022	Homeowner signed up for Homeowners Exemption
RP8270620	Year 2022	Homeowner signed up for Homeowners Exemption
RP7058607	Year 2022	Homeowner signed up for Homeowners Exemption
RP1399302	Year 2022	Homeowner signed up for Homeowners Exemption
RP1209400	Year 2022	Homeowner signed up for Homeowners Exemption
RP0363018	Year 2022	Homeowner signed up for Homeowners Exemption
MH352534PW037A	Year 2022	Homeowner signed up for Homeowners Exemption
RP0541302	Year 2022	Homeowner signed up for Homeowners Exemption

Decision: Commissioner Lewis moved to approve Tax Inquiries as submitted by the County Assessor. Commissioner Bair seconded. All voted in favor. The motion carried.

CLAIMS

Claims were approved in the amount of \$183,664.73

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 students: Kayleigh J. Adams and Samantha K. Jackson.

COLLEGE OF EASTERN IDAHO

Certificate of Residency documents were approved by the Board and sent to the College of Eastern Idaho for the following Bingham County students: Colton R. Croft and Carlos M. Pagan.

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

SHERIFF'S OFFICE

Present: Jeff Gardner- County Sheriff
Paul Rogers- Prosecuting Attorney

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

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
Troy Lenhart- Road & Bridge Supervisor
Tiffany Olsen- Planning & Development Director
Paul Rogers- Prosecuting Attorney

The Board met with Dusty Whited to discuss department updates and other agenda items. Chairman Manwaring welcomed all to the meeting and turned the time over to Mr. Whited.

Mr. Whited referred to the submitted Prior Approval for Major Purchase of a crusher screen in the amount of \$7,598.25, to be paid from Fund 02-46-491-01. Said purchase is to replace inventory and was within budget planning.

Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase for a crusher screen in the amount of \$7,598.25, to be paid from Fund 02-46-491-01. Commissioner Lewis seconded. All voted in favor. The motion carried.

Next, Mr. Whited explained the submitted Prior Approval for Major Purchase of cutting edges for the road graders. Said purchase is in the amount of \$19,902.00, to be paid from Fund 02-47-499-01. This purchase is also to replace inventory.

Decision: Commissioner Lewis moved to approve the Prior Approval for Major Purchase of cutting edges for the road graders. Said purchase is in the amount of \$19,902.00, to be paid from Fund 02-47-499-01. Commissioner Bair seconded. All voted in favor. The motion carried.

Mr. Whited explained the submitted Credit Application for Bingham Co-Op, who has shown interest in being a part of the fuel bid. This is simply to update the County Credit Application that they have in their files.

Decision: There were no concerns from the Board and Chairman Manwaring signed the Credit Application at this time.

Lastly, discussion was held in regards to the reclassification of Worthen Road. Mr. Whited stated this was before the Board approximately one month ago, wherein there were a few concerns expressed. One of them being that Director Olsen would clarify that the Planning & Zoning Commission was informed of this request, to which was completed and the second concern was the process in which this reclassification would be solidified. Mr. Rogers explained this would be done by either an Order or Resolution but a Resolution would be preferable. Per County Code, this should be amended on the official County map.

Mr. Whited stated this came up to discussion when he was informed of a Planned Unit Development Application being submitted by Black Rock, which would add an additional 440 doors on Worthen Road. This initiated a traffic and speed study and in doing so realized that the road was severely under classified as a Local Road. According to FHWA, should increase to 400 Average Daily Traffic and Worthen Road is currently at 1,350 Average Daily Traffic. In the documentation provided to the Board, Mr. Whited explained that he has highlighted the proposed functional classification of Major Collector, which is 300-2,600 Average Daily Traffic. Even with the additional Planned Unit Development were approved, this would be an adequate classification for a long period of time.

Mr. Whited stated this would affect how much frontage is required to be Right-of-Way with future developments along that road in order to add turn lanes or wider roads in the future.

Mr. Rogers referred to Bingham County Ordinance 7-3-3(b), which gives the Board authority to change the functional classification of a road.

A separate meeting will be scheduled in order to adopt a Resolution and amend the official County Map for final approval of change in functional classification.

MEETING WITH BLAINE HILLMAN TO DISCUSS CURRENT LEASE OF BINGHAM COUNTY PROPERTY- REQUESTED BY TIFFANY OLSEN, PLANNING & DEVELOPMENT DIRECTOR

Present: Tiffany Olsen- Planning & Development Director
Blaine Hillman- Current Lessee of Bingham County property
Paul Rogers- Prosecuting Attorney
Addie Jo Harris- Assistant Planning & Development Director
Scott Reese- Parks & Recreation
Gwen Inseep- County Surveyor
Dusty Whited- Public Works Director
Via Zoom: Teresa McKnight- REDI

The Board met with Blaine Hillman to discuss the current lease of Bingham County Property. Chairman Manwaring welcomed all to the meeting and turned the time over to Director Olsen.

Director Olsen explained she spoke with Mr. Hillman in regards to the company that has approached Bingham County through REDI for a proposed business opportunity. Bingham County has been working with this prospective company for several months and were finally able to be in a position where there is enough information to come before the Board, which was held in Executive Session as there are both financial information and details exchanged during those meetings. The intent of the proposed business is locate near a substation for their vertical growing operation, which will require a large amount of power. They have been working with Rocky Mountain Power, who has the Goshen Substation just to the west, in negotiating a special power rate for the large draw of power to make their business work.

In looking at the land surrounding the substation, the particular property being discussed today that the County owns was extremely attractive to this company. Idaho Code allows the County to lease property, which this property is currently under Lease to Mr. Hillman and the lease is set to terminate on March 31, 2024. Idaho Code states that County Commissioners can lease property without having to go out to bid or auction for an appropriate or measurable rate but for no more than five years.

Director Olsen explained when the presentation before the Board during Executive Session was completed, the Board moved out of Executive Session and made the decision to direct her to work with Mr. Hillman and look if there was a section of five acres close to the Goshen Substation that would be least intrusive to his operation but knowing that it needs to be in this section for the company. Director Olsen stated there has been a lot of back and forth on telephone calls and have not been able to connect, which brings the matter before the Board today for further discussion and to see what location would work best for this project, along with how the project would proceed.

Discussion was held in regards to property close to the subject property, wherein Mr. Hillman stated that Dusty Whited has discussed with him previously. Mr. Hillman added if trading the two properties were a possibility, he would like to do so. If that trade may occur, he would not want it encumbered by any other projects. Chairman Manwaring stated that the possibility of trading properties to lease has not come before the Board. Mr. Whited stated the other piece of property mentioned by Mr. Hillman would be more advantageous for a gravel pit. It is contiguous to the existing piece of property but there are several things that would have to occur in order for this to happen. A trade would be contingent on approval of a Conditional Use Permit for the gravel mine because the current property being leased has been through

that process. The other property is smaller than the current property being leased but would be close to equal in value. Therefore, there would have to be monetary adjustment involved in the trade.

Discussion was held in regards to a document showing easements and transition lines that were provided by the County Surveyor. Director Olsen stated in looking at the parcel that was created and has a residence, there are transmission lines that run through the property. Therefore, no buildings or structures would be able to locate within that area, which is why she believes the upper corner is more appealing to the company.

Mr. Hillman asked how quick the project would proceed, wherein Director Olsen stated with the current snowfall there would be no earth moving work until spring but they would expect to become operational next summer.

Chairman Manwaring stated after hearing the presentation of the prospective company, the Board is excited to see the growth and benefit that would come to Bingham County.

Director Olsen gave a brief explanation of the prospective company and the benefit it would bring.

Discussion was held in regards to water usage and Director Olsen stated the prospective business would use less water because the water would be recycled within the system. Mr. Hillman asked if this would curtail the amount of water he is able to use, which Director Olsen explained this is something they are researching in detail but she is not sure at this time.

Director Olsen stated if there is not viability with the County water rights, they have looked at the opportunity of a well that would be dedicated for the use.

Mr. Whited stated there has been discussion of jointly using the well currently used in the front to water trees and fill the water trucks for county purposes. To his recollection, there has not been discussion of them using the Hillmans well because the County owns the water rights but the well is on the Hillman property.

Director Olsen stated there are a number of steps in moving forward with this project. If an area can be identified, that area would be dedicated for this project use. The County Surveyor would perform the survey to create an updated legal description, water rights would be reviewed or the opportunity for a culinary well, and the Company would sign their Agreement with Rocky Mountain Power after the lease agreement is signed with the County.

Mr. Hillman explained when he sold the property to the County; there was a 50-foot easement, which has to stay. If this project proceeds, he would like a buffer area because if it is too congested as they are hauling hay and other items, it could cause issues. Chairman Manwaring stated it would be important for Mr. Hillman to meet with Director Olsen and a member of the proposed company to get a better understanding of what is going on and what will occur in the future.

Mr. Rogers stated it would be most effective to schedule a meeting to meet on the subject property with all individuals to clarify what Mr. Hillman means when requesting a buffer area. In the meantime, Director Olsen will get information on water usage to have available to the Board when they meet on the subject property.

Director Olsen added that she would begin working with the County Surveyor to account for the 50-foot easement, draw out what they would lie within the 100-foot buffer, locate the well and work with the Idaho Department of Water Resources to see what the option would be for water.

A meeting with scheduled for November 15, 2022 at 1:00 p.m., to be held at the subject property.

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Lewis moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Chairman Manwaring seconded. All voted in favor. The Board moved into Executive Session at 10:34 a.m. Commissioner Lewis moved to go out of Executive Session. Chairman Manwaring seconded. All voted in favor. The Board moved out of Executive Session at 10:54 a.m.

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

DISCUSSION & POSSIBLE DECISION REGARDING CURRENT OWNERSHIP OF A PORTION OF THE SPRINGFIELD ABERDEEN CANAL SPECIFICALLY "THE RAPIDS" AND POSSIBLE INTEREST IN CONVEYING THIS PORTION TO THE CANAL COMPANY- REQUESTED BY GWEN INSKEEP, COUNTY SURVEYOR

Present: Gwen Inskeep- County Surveyor
Paul Rogers- Prosecuting Attorney

The Board met to hold discussion and make a possible decision regarding the current ownership of a portion of the Springfield-Aberdeen Canal, specifically "the rapids" and the possibility of conveying this portion to the canal company. Chairman Manwaring welcomed all to the meeting and turned the time over to Ms. Inskeep.

Ms. Inskeep stated in doing the record of survey, it came to her attention that the County owns the parcel south of where the access is to the McDonaldville property, that shows it is the Springfield-Aberdeen Canal. That is also where the rapids are that kids sometimes float. Therefore, it is showing incorrect on the map and Ms. Inskeep stated it has not been fixed as she wanted to discuss it with the Board to inquire their interest in conveying this to the Springfield Aberdeen Canal. Mr. Rogers interjected and stated if the County decided to do so, the canal company would need to accept it.

Ms. Inskeep stated there is a parcel that is South and West is also in the name of the County but would take time and effort as it will need to be surveyed, along with a new legal description written.

The Board was in favor of having Ms. Inskeep speaking with the canal company to see if they would accept this proposal.

Decision: Commissioner Lewis moved to direct Gwen Inskeep to work with the Springfield Aberdeen Canal to see if they are interested in the two parcels currently owned by the County, specifically the parcel where the rapids are and the other is a southwest parcel. If they accept, the rapids would be done immediately and the Surveyor would work on the other parcel at a future date. Chairman Manwaring seconded. Both voted in favor. The motion carried.

DISCUSSION & POSSIBLE DECISION REGARDING GRANT OF EASEMENT FOR THE MCDONALDVILLE PROPERTY SOLD AT AUCTION- REQUESTED BY GWEN INSKEEP- COUNTY SURVEYOR

Present: Gwen Inskeep- County Surveyor
Paul Rogers- Prosecuting Attorney

The Board met to hold discussion and make a possible decision regarding the grant of easement for the McDonaldville Property sold at auction in August. Chairman Manwaring welcomed all to the meeting and turned the time over to Ms. Inskeep.

Ms. Inskeep this matter was discussed previously and she was directed to move forward with documentation to complete the grant of easement but there was not a motion made on the record regarding the same. Therefore, she wanted to be sure that it was on the record correctly.

Chairman Manwaring stated he did not see the need to place a motion on the record as the Board gave Ms. Inskeep the permission to move forward with drafting proper documentation. Commission Clerk, Lindsey Dalley, confirmed that full funding has been received and the Deed of County Property has been recorded. Therefore, the Grant of Easement should be the last documentation to be completed.

THE MOTION PASSED TO DISMISS UNTIL MONDAY, NOVEMBER 14, 2022



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Monday, November 14, 2022
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 Lewis

PRIOR APPROVAL FOR MAJOR PURCHASE OF DRAWER & ROLLOUT DECK FOR THE CORONERS OFFICE VEHICLE- REQUESTED BY JIMMY ROBERTS- CORONER

- Present: Jimmy Roberts- County Coroner
- Paul Rogers- Prosecuting Attorney

The Board met to discuss and make a decision regarding the submitted Prior Approval for Major Purchase of a drawer and rollout deck for the Coroners Office vehicle. Chairman Manwaring welcomed all to the meeting and stated that Commissioner Bair had spoken with Mr. Roberts in regards to any purchases over the amount of \$1,000.00 and the requirement for approval by the Board of County Commissioners. Chairman Manwaring turned the time over to Mr. Roberts.

Mr. Roberts explained this is a two-drawer roll out deck to be installed on the Coroners Office vehicle.

Clerk Eckhardt stated this amount was a mistake and it should have been a total of \$9,000.00 for Fund 01-06-802-00. If needed, the budget could be opened at a later date.

Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of a two-drawer and roll out deck system for the Coroners Office vehicle, in the amount of \$3,668.00 and is to be paid out of Fund 01-06-802-00. Chairman Manwaring seconded. Both voted in favor. The motion carried.

TREASURER'S OFFICE

- Present: Tanna Beal- County Treasurer

The Board met with Tanna Beal to discuss department update pursuant to Idaho Code Section 31-2113, which requires the Treasurer to provide the Commissioners with a quarterly report.

APPROVAL OF CANVASS FOR THE NOVEMBER 8, 2022 GENERAL ELECTION

- Present: Danette Miller- Election Department
- Kelli Robbins- Election Department
- Megan Kearsley- Election Department
- Paul Rogers- Prosecuting Attorney
- Pamela Eckhardt- County Clerk

The Board met to approve the Canvass for the November 8, 2022 General Election. Chairman Manwaring welcomed all to the meeting and turned the time over to Ms. Miller.

Ms. Miller presented the Canvass for the November 8, 2022 General Election and the Board had no questions or concerns.

Decision: Commissioner Bair moved to approve the Canvass for the November 8, 2022 General Election. Chairman Manwaring seconded. Both voted in favor. The motion carried. Commissioner Bair amended his motion to add approval of the Canvass for the North End Recreation District Election. Chairman Manwaring seconded. Both voted in favor. The motion carried.

REVIEW & EXECUTION OF THE ORDER ORGANIZING THE NORTH END RECREATION DISTRICT

Present: Pamela Eckhardt- County Clerk
Danette Miller- Election Department
Kelli Robbins- Election Department
Megan Kearsley- Election Department
Paul Rogers- Prosecuting Attorney

The Board met to review and execute the Order Organizing the North End Recreation District. Chairman Manwaring welcomed all to the meeting and turned the time over to Ms. Miller.

Ms. Miller explained that the North End Recreation District passed during the November 8, 2022 Election and the next step is to have the Board sign the Order.

Legal Counsel stated he had no issues with the Order prepared.

Decision: Commissioner Bair moved to approve and sign the Order Organizing the North End Recreation District. Chairman Manwaring seconded. Both voted in favor. The motion carried and Chairman Manwaring signed the Order.

REQUEST TO ALLOW ONE EMPLOYEE TO DONATE HOURS TO ANOTHER EMPLOYEE HAVING HEALTH ISSUES IN WHICH WOULD BE MORE THAN THE EMPLOYEE HANDBOOK OF "AN EMPLOYEE MAY DONATE A MAXIMUM OF TWENTY (20) HOURS OF PTO, AND/OR LTB PER EMPLOYEE THAT HAS REQUESTED A DONATION OF LEAVE- REQUESTED BY SHERI LANDON

Present: Sheri Landon- Court Supervisor
Pamela Eckhardt- County Clerk
Paul Rogers- Prosecuting Attorney

The Board met to discuss and make a decision regarding the request to allow one employee to donate hours outside of the amount allowed within the Employee Handbook Policy. Chairman Manwaring welcomed all to the meeting and turned the time over to Ms. Landon.

Ms. Landon explained there is a Court Clerk that has 480 hours of PTO, along with time in leave bank. This employee would like to donate 80 hours to the individual in need.

Mr. Rogers stated policy reads that unless the employee has used all of their own PTO time, they are not eligible to receive donation unless waived by the Board. Ms. Landon confirmed that the employee has used all of her PTO at this time.

Decision: Commissioner Bair moved to allow one Court employee to donate 80 hours to the individual needed. Chairman Manwaring seconded. Both voted in favor. The motion carried.

REQUEST TO ALLOW A FULL TIME BAILIFF WHO IS RETIRING TO COME BACK PART TIME AFTER THE PERSI 90 DAY NO WORK RESTRICTION HAS LAPSED- REQUESTED BY SHERI LANDON

Present: Sheri Landon- Court Supervisor
Pamela Eckhardt- County Clerk
Paul Rogers- Prosecuting Attorney

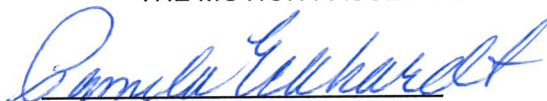
The Board met to discuss and make a decision to allow a full time Court Bailiff to return to part time after the PERSI 90 days no work restriction has lapsed. Chairman Manwaring welcomed all to the meeting and turned the time over to Ms. Landon.

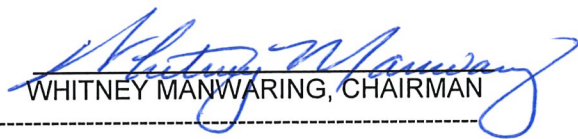
Ms. Landon explained that Carlos Mercado would be retiring December 31, 2022. During discussion, he had requested if he could come back to work part time as a bailiff. She stated that she has talked to both bailiffs and they would like to try having just two part time bailiffs. If it works, this would save County funds. For the three months that Carlos is unable to come back, it may be challenging but can be worked through.

Chairman Manwaring has no issue with this suggestion. Commissioner Bair concurred.

Decision: Commissioner Bair moved to allow a full time Court Bailiff to return to part time after the PERSI 90 day no work restriction has lapsed. Chairman Manwaring seconded. Both voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY, NOVEMBER 16, 2022


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Wednesday, November 16, 2022
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 Lewis

COLLEGE OF EASTERN IDAHO

Certificate of Residency documents were approved by the Board and sent to the College of Eastern Idaho for the following Bingham County students: Caitlyn P. Keelin, Nicole A. Johnson and Taylor G. Ker.

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

APPROVAL OF COMMISSIONER MINUTES FOR SEPTEMBER 1-20, 2022

The Board met to approve Commissioner Minutes for September 1-20, 2022.

Decision: Commissioner Bair moved to approve Commissioner Minutes for September 1-20, 2022. Chairman Manwaring seconded. Both voted in favor. The motion carried.
NOMINATION OF AT-LARGE GEM BOARD MEMBER

The Board met to nominate an At-Large Gem Plan Board Member.

Decision: Chairman Manwaring moved to retain Commissioner Bair as the At-Large Gem Plan Board Member. Commissioner Bair seconded. Both voted in favor. The motion carried.

TAX INQUIRIES

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

RP0174618	Year 2022	Homeowner signed up for the Homeowners Exemption
RP8266682	Year 2022	Homeowner signed up for the Homeowners Exemption
RP8016300	Year 2022	Homeowner signed up for the Homeowners Exemption
RP0520819	Year 2022	Homeowner signed up for the Homeowners Exemption
RP0511600	Year 2022	Homeowner signed up for the Homeowners Exemption
MH352S34PW086A	Year 2022	Homeowner signed up for the Homeowners Exemption
RP0451901	Year 2022	Homeowner signed up for the Homeowners Exemption
RP7039700	Year 2022	Homeowner signed up for the Homeowners Exemption
MH8044400A	Year 2022	Homeowner signed up for the Homeowners Exemption
RP1319430	Year 2022	Homeowner signed up for the Homeowners Exemption

Decision: Commissioner Bair moved to approve Tax Inquiries as presented. Chairman Manwaring seconded. Both voted in favor. The motion carried.

SHERIFF'S OFFICE

Present: Jeff Gardner- County Sheriff
Jordyn Nebeker- Sheriff's Office
Laraine Pope- Human Resources
Pamela Eckhardt- County Clerk
Paul Rogers- Prosecuting Attorney

The Board met with Sheriff Gardner to discuss updates within the Sheriff's Office and other agenda items. Chairman Manwaring welcomed all to the meeting and turned the time over to Sheriff Gardner.

Sheriff Gardner stated that he would formally like to announce his new Chief Deputy, Jordyn Nebeker, effective December 1, 2022.

Jail population is currently 104 inmates.

Next, Sheriff Gardner explained the submitted Prior Approval for Major Purchase of three sets of spike strips needed to equip new patrol vehicles. Said purchase is in the amount of \$2,004.00, to be paid from Fund: 05-02-802-50.

Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of three sets of spike strips in the amount of \$2,004.00, to be paid from Fund: 05-02-802-50. Chairman Manwaring seconded. Both voted in favor. The motion carried.

A brief discussion was held in regards to wages for the Chief Deputy Sheriff, wherein Laraine Pope stated that she did not have a structure for the employees who work non-exempt and this has come up when she approached Sheriff Gardner in regards to the starting wage for the Chief Deputy and if it would be the prior wage plus 2% cost of living. It was discovered that there was a structure that Payroll and Human

Resources had not received. The way it is understood is that the Sheriff would not make much more than his Chief Deputy and there is very little difference.

Ms. Pope explained that the Chief Deputy wage is in the correct place but the wage for the Sheriff is not. When the previous Sheriff was in place, he knew that he would be retiring and stated to keep his wages the same until next budget year or when a new Sheriff was appointed.

Commissioner Bair stated anytime there is a change in wages for an Elected Officials, that would need to be decided by all Elected Officials. He stated that he would be in favor of scheduling a meeting to fix this issue.

Clerk Eckhardt explained when the Sheriff's Office did their salary restructure, the Sheriff's wage was supposed to increase to \$95,000.00 but Sheriff Rowland advised her to leave wages the same. If things had moved forward as normal, it would have increased but it did not. She stated there are sufficient salary savings to cover this increase if approved.

A meeting would be scheduled with Elected Officials at a later date.

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
 John Fairchild- Sharlyn Park Subdivision
 Courtney Howell- Citizen
 Casey Howell- Citizen
 Tiffany Olsen- Planning & Development Director

The Board met with Dusty Whited to discuss updates within the Public Works Department and other agenda items. Chairman Manwaring welcomed all to the meeting and turned the time over to Mr. Whited.

Mr. Whited stated that he would like to address the acceptance of roads within Sharlyn Park Division 3 Subdivision. Mr. Whited stated that all testing and site visits have been completed and his recommendation would be to accept the roads within Sharlyn Park Division 3.

Tiffany Olsen, Planning & Development Director, added that the irrigation on this particular Development Agreement required verification that Division 1 and Division 2 also had irrigation. She had heard from a gentleman that he did not have irrigation, which was contingent in the Development Agreement. With the season now, that is not something that can be obtained. They did receive notice from HLE that the irrigation for Division 3 was installed and is operational but are working with the Developers and HLE, to verify that irrigation functions are operating for all landowners. Therefore, she added that it is simply the roads that are being accepted and nothing from the Development Agreement will be released at this time.

Decision: Commissioner Bair moved to approve Bingham County Resolution 2022-36, a Resolution accepting the roads within Sharlyn Park Division 3 Subdivision. Chairman Manwaring seconded. Both voted in favor. The motion carried and said Resolution was approved as follows:

**BINGHAM COUNTY
RESOLUTION NO. 2022-36**

**A RESOLUTION AUTHORIZING ACCEPTANCE OF OFFER OF DEDICATION OF
ROAD RIGHTS-OF-WAY SHOWN ON THE SHARLYN PARK SUBDIVISION NO. 3
BINGHAM COUNTY, IDAHO**

WHEREAS, The Bingham County Commissioners have the authority to accept and confirm the dedication of a road right-of-way to be open for public travel, (Idaho Code § 50-1313);

WHEREAS, The Bingham County Commissioners accepted the Final Plat for Sharlyn Park Subdivision No. 3, at an open meeting held and signed for on September 22, 2021; and

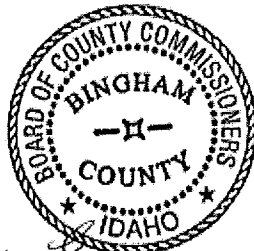
WHEREAS, The Final Plat for Sharlyn Park Subdivision No. 3, was recorded in the Bingham County Clerk's Office as Instrument Number 737395 and is attached as Exhibit "A"; and

WHEREAS, The Bingham County Public Works Director has acknowledged that Bingham County Road Standards have been met and recommends that 260 N (Shayla Lane), 450 W (Randal Lane) & 270 N (Shelby Lane) be accepted; and

THEREFORE BE IT HEREBY RESOLVED, at a Public Meeting held on November 16, 2022, the Board of County Commissioners, Bingham County, Idaho that it is in the public's interest and accepted 260 N (Shayla Lane), 450 W (Randal Lane) & 270 N (Shelby Lane).

SIGNED this 16th day of November 2022.

BINGHAM COUNTY COMMISSION



ATTEST:

Pamela W. Eckhardt

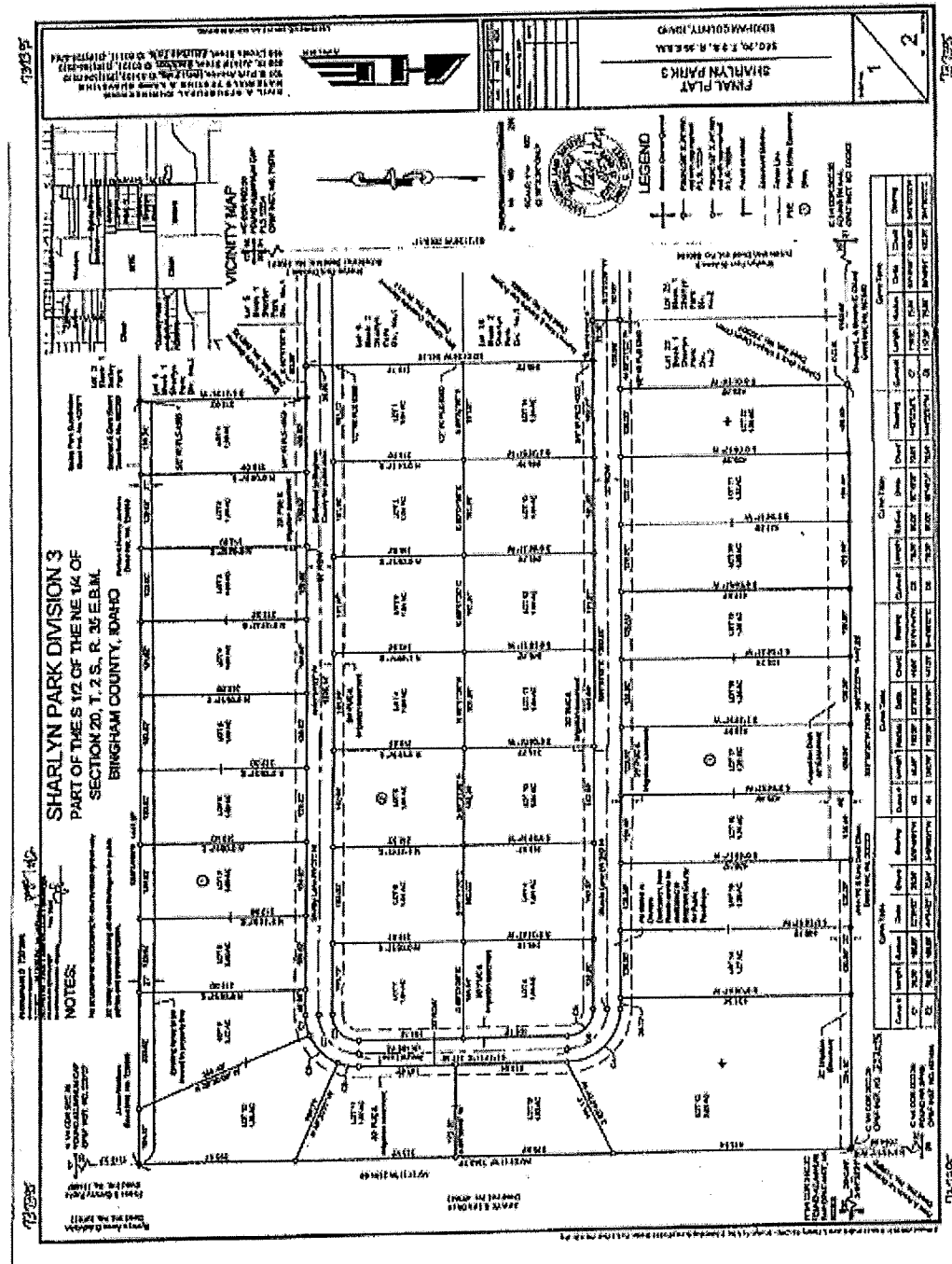
Pamela W. Eckhardt
Bingham County Clerk

Whitney Marwaring
Whitney Marwaring, Chairman

Mark R. Bair
Mark R. Bair, Commissioner

Jessica Lewis, Commissioner

"EXHIBIT A"



Next, discussion was held in regards to the compliance with Bingham County Code 7-3-6 (permit for new Approaches; Requirements for Courtney and Casey Howell). Mr. Whited explained this was scheduled for a progress update, wherein the deadline of November 30th was set in order for the Howell's to either have a petition filed in order to request change of the ordinance or become compliant with the ordinance by removing their driveway.

Legal Counsel confirmed that a Public Hearing would be held in order to follow proper procedure to change the ordinance but it is up to the Applicant to provide wording as to how they would like the ordinance to read and why.

Mr. Howell stated if this is laid out in the ordinance, it should either be in compliance or not. He knows of several individuals that have been given the opportunity to sign a waiver stating if there is damage to any County equipment, they will be responsible, while others were not given that opportunity and have been told they need to remove their driveway to be compliant. Mr. Howell stated he spoke with an individual from the Idaho Falls Road and Bridge Department, wherein he was informed that they have policies in place but he stated that as long as it is not raised above the asphalt or an issue, the property owner would not be cited.

Commissioner Bair stated several years ago, a homeowner was required to remove their driveway and lay asphalt, which should be the same for all homeowners.

Ms. Howell stated she contacted the Road and Bridge Shop, prior to pouring the concrete, and was informed that so long as it is feathered down and does not cause damage to the snowplow, it will not be an issue. She was informed that there are a large amount that are not in compliance and therefore, they are not enforced.

Tiffany Olsen explained that it is challenging to Public Works and Planning & Development, as there are ordinances and laws that are required to be follow and they do not have the discretion do decide which ones will be cited and which will not. She knows that Public Works has cited several individuals with Misdemeanors and the Howell's should be cited as they are not in compliance with County Ordinance. Just because the individuals came to a meeting and asked for a change in the ordinance does not mean that they are not still out of compliance and that is the way that County Code works. Understanding that the Howell's submit a petition, there is a process to be follow and cost associated with that process that the Howell's will be responsible for, which are the publication cost and mailing cost that are incurred in the proposed ordinance change. It was also her understanding, with the petition that there would be proposed language as well, which is subject to review by Legal Counsel and public comment.

Commissioner Bair asked Legal Counsel if the ordinance allows the Public Works Director or the Board of Commissioners, to make exceptions for situations such as this, to which Mr. Rogers stated he could not find anything stating that is allowed. Commissioner Bair further stated the law is the law and the only thing that the Howell's can do is to go through the required process to amend the ordinance or become compliant.

Director Olsen stated she believes that a Petition should be submitted, proposed verbiage, the associated cost be paid by the Howells for an ordinance change, set a Public Hearing date and publish within the newspaper. During the Public Hearing, testimony will be received and the Board of County Commissioners will make a final decision at the conclusion of the Public Hearing, to either take the proposed verbiage and adopt it or modify it based upon the testimony and Legal Counsels input.

Mr. Whited stated once proposed verbiage is submitted, he will have the opportunity to review it with Legal Counsel.

Ms. Howell interjected by stating that she believes having to pay a fee is ridiculous, wherein Director Olsen referred to Legal Counsel and stated she is not sure how the County could not follow their Fee Resolution. Commissioner Bair stated the only way that the Howell's would not be responsible for paying the fee is if the proposed Ordinance change was County initiated, to which Legal Counsel confirmed.

Mr. Rogers stated at this time, the Howells have submitted a Petition, but under code, they were given 30 days to correct the issue and has been postponed until this can be corrected. This matter could be stayed as long as necessary in order for the Board to make a decision. If the evidence were produced and they were informed by the County, he would not hold them to the violation as he does not believe that this case could be proved beyond a reasonable doubt. At this time, he would recommend that the Board stay the code violation until the ordinance process is completed, if decided to change. He suggested that the Howell's contact surrounding counties to see how they handle situations such as this.

Commissioner Bair asked Legal Counsel if the Board could grant an extension in order to give all parties the necessary time to look at verbiage and decide if there should be a code change.

Chairman Manwaring stated he believes that the Board should meet with Legal Counsel and Dusty Whited to discuss this matter further, have the Howell's come up with their proposed verbiage and then have a final meeting to discuss further with all parties. At this time, the fee of filing a petition will not be discussed at this time. After further discussion, it was decided that this matter would be placed on hold, along with the code violation, until January 3, 2023. Mr. Whited added if the Howell's provide him with proposed verbiage, he would be happy to review with Legal Counsel for his review prior to the next meeting.

Lastly, Mr. Whited explained the submitted Prior Approval for Major Purchase of a 2023 Caterpillar 420 XE Backhoe Loader in the amount of \$149,543.30, to be paid from Fund 02-40-803-00. This purchase was within the budget process and the funding is there.

Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of a 2023 Caterpillar 420 XE Backhoe Loader in the amount of \$149,543.30, to be paid from Fund 02-40-803-00. Chairman Manwaring seconded. Both 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 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. Both voted in favor. The Board moved into Executive Session at 10:23 a.m. Commissioner Bair moved to go out of Executive Session. Chairman Manwaring seconded. Both voted in favor. The Board moved out of Executive Session at 10:24 a.m.

Decision: Commissioner Bair moved to approve Cremation Application for case number 2022-28 in the amount of \$2,000.00 to Hawker Funeral Home. Chairman Manwaring seconded. Both voted in favor. The motion carried.

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Bair moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Chairman Manwaring seconded. Both voted in favor. The Board moved into Executive Session at 10:35 a.m. Commissioner Bair moved to go out of Executive Session. Chairman Manwaring seconded. Both voted in favor. The Board moved out of Executive Session at 10:40 a.m.

Decision: Commissioner Bair moved to give the Public Works Director permission to rehire a previous Truck Driver employee at N14, Step 5. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Commissioner Bair moved to amend his motion to give the Public Works Director permission to rehire a previous Truck Driver employee at N15, Step 5. Chairman Manwaring seconded. Both voted in favor. The motion carried.

DISCUSSION & DECISION REGARDING THE REQUEST FOR POSSIBLE AGREEMENT WITH NALDER FUNERAL HOME FOR AUTOPSY TRANSPORT- REQUESTED BY CRAIG GEARY

Present: Craig Geary- Nalder Funeral Home
Jimmy Roberts- County Coroner
Laura Lora- Indigent Services Director
Paul Rogers- Prosecuting Attorney
Pamela Eckhardt- County Clerk

The Board met to discuss and make a decision regarding the submitted request for Agreement with Nalder Funeral Home for Autopsy Transport. Chairman Manwaring welcomed all to the meeting and turned the time over to Mr. Geary.

Mr. Geary explained that he is before the Board today to request the same opportunity that Hawker Funeral Home has in regard to autopsy transports to Boise.

Decision: Commissioner Bair moved to approve an Agreement with Nalder Funeral Home, for \$700.00 per autopsy transport. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF REASON & DECISION FOR THE 6TH AMENDED BINGHAM INDUSTRIAL SUBDIVISION & BASALT BAR SUBDIVISION

The Board met to approve the Reason & Decision for both the 6th Amended Bingham Industrial Subdivision and Basalt Bar Subdivision.

Decision: Commissioner Bair moved to approve the Reason & Decision for the 6th Amended Bingham Industrial Subdivision. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Commissioner Bair moved to approve the Reason & Decision for Basalt Bar Subdivision. Chairman Manwaring seconded. Both voted in favor. The motion carried.

DISCUSSION & POSSIBLE DECISION REGARDING FUNDING FOR THE SHELLEY-FIRTH QRU- REQUESTED BY SCOTT SEARLE

Present: Erin Hidalgo- Bingham County 911
Paul Rogers- Prosecuting Attorney
Jeff Gardner- Bingham County Sheriff
Lyle Barney- Shelley-Firth QRU Chief
Ben Porter- Shelley-Firth QRU Assistant Chief
Scott Searle- Shelley-Firth Fire Commissioner
Christopher Likes- Shelley-Firth Fire Commissioner
Ken Johnson- Shelley-Firth Fire Commissioner
Brandon Jolley- Shelley-Firth Fire Secretary

The Board met to discuss and make a decision regarding possible funding for the Shelley-Firth QRU. Chairman Manwaring welcomed all to the meeting, introductions were held and the time was turned over to Mr. Barney.

Mr. Barney stated that he would like to welcome Erin Hidalgo to join him to share the supporting information and documents that she has put together. Ms. Hidalgo explained that there are just as many calls in the North end of the County as all other smaller stations put together. The numbers are higher in the North end of the County, except for central area, which has the most ambulances calls. Currently

ambulance service is received from Idaho Falls from 800 North and North of that location, which is a large amount of calls. She stated that she understands the amount of money but it would be beneficial to spend this funding in our own County rather than contracting through Idaho Falls. The patient care aspect is that currently to get an Idaho Falls call for anyone who lives North of 800 North, Bonneville County Dispatch is contacted. That means that Bingham County is not able to dispatch the ambulance themselves and the call is put on hold in order to contact Bonneville County Dispatch, those calls are not always answered immediately. For years, the phone would ring and ring, leaving the dispatcher to have to hang up and call again. They now have a new phone system where they have a call que, wherein the call is answered relatively quickly but then they are placed in a que, where they wait until one of their communication officers is able to pick up the line. At that time, the ambulance is requested and the concern she has with this process is sometimes seconds and minutes are making a difference on rather people are living or the quality of life after the incident occurs. Those minutes and seconds are extremely crucial that the individual could be saved if Bingham County were able to dispatch its own ambulance.

Commissioner Bair asked Mr. Barney for clarification and that when this was discussed previously, they were to include Shelley-Fire and Ambulance in order to be on the same page. Decisions such as this and terminating the contract with Idaho Falls is large. Mr. Barney explained there has been conversations and as to how the contract could be terminated, which requires 90 day written notice to the other party. Commissioner Bair asked Mr. Barney why they are not present for the meeting occurring now, as everything is within the taxing district and the decision should be made with all of the proper parties being present. Mr. Barney stated that the Fire Chief for the City of Shelley was supposed to be present today. Commissioner Bair states his concern is that the Board has no idea how he would feel in regards to this request.

Chairman Manwaring stated that it was disappointing to him that there were no individuals from the public at their meeting held before the City of Shelley City Council as having input from the citizens is extremely important to him. He understands that there is a delay in response time, which is why he was hoping for more input from the citizens. Mr. Barney stated that he was disappointed in the turnout as well.

Commissioner Bair asked Mr. Barney if he is before the Board today to request more funding than is already given to the taxing districts. Mr. Barney stated that is correct and asked the Board if the County supports Blackfoot Fire and Ambulance services. Chairman Manwaring explained as a County, ambulance service is required to be provided, which is the reasoning for the contract with the City of Blackfoot.

Clerk Eckhardt explained the whole ambulance district is divided into three districts: Blackfoot Snake River Fire, Shelley-Firth Fire and Aberdeen Fire. Bingham County contracts with the City of Blackfoot for the Blackfoot Snake River Fire. Clerk Eckhardt asked Brandon Jolley if all funding received for the ambulance district distribution goes to the City QRU, after which the contract is paid to the City of Idaho Falls for their ambulance service. Mr. Jolley stated that was correct.

Mr. Jolley stated that the QRU is running lean enough that the Fire District is having to subsidize a lot of administration and expenses in order to function. The Fire District is providing the fire station with units in it, wherein housing is occurring, the ambulance district is not covering any of the funds for that and it is all coming out of the Fire District. Mr. Barney does a lot of fundraising and without that fundraising, right now the QRU would not be able to stay in operation.

Mr. Barney stated he understands the questions on how the ambulance service would be funded and operate but he would like to reiterate that this is life threatening and when people pass away due to delayed responses, that is an issue for him. Chairman Manwaring concurred and stated being able to administer services is beneficial due to the time it takes to transport when on a call that is either in the mountains or further away. This is another reason that previous Fire Chief Gray combined fire and ambulance, in being able to administer cardiac services needed, was because of the time it would take to transport. Chairman Manwaring asked Mr. Barney if they have ambulance services available with the QRU, to which Mr. Barney stated they do but are not able to administer any substances if needed because they are not licensed at that level. Mr. Porter interjected and stated if they went to a transporting agency, they would

be certified and could do so. There are several medics that currently run on their unit and have the stated they would pick up shifts as a paramedic on the ambulance, along with individuals from other entities, such as the INL. Chairman Manwaring stated that firefighters are union and if it is another union, they do not allow that.

Chairman Manwaring asked how the ambulance and employees would be housed, to which Mr. Barney stated he spoke with Chief Adams and there is room to house two ambulances and a Quick Response Unit. The only thing that would change is that there is funding in the budget to pay \$1,000.00 for usage of that section of the building. Mr. Jolley stated since the accident with the Firth Fire Station, they are currently renting an old potato warehouse in Firth and paying \$2,000.00 per month for that building.

Discussion was held in regards to the possibility to purchase a use ambulance, wherein there is one available in Star Valley. Mr. Porter stated there is a 2013 ambulance with 63,000 miles on it and the engine idle hours were 615 for a total of 1,468 hours. It has brand new tires on it and they are willing to throw in some equipment with it.

Mr. Barney stated that grants are available but only for those entities that have a transport license, which cannot be done until they have an ambulance. Mr. Barney stated that it would be approximately \$100,000.00 in order to purchase the used ambulance, equipment and have it wrapped.

Chairman Manwaring asked Mr. Barney if the one ambulance is purchased, that Idaho Falls would back up with a second ambulance, wherein Mr. Barney stated he spoke with Chief Day regarding that instance and stated the cost would be approximately \$500.00 per call, if not under a contract.

Commissioner Bair stated his concern is that all taxing districts are short on funding. Mr. Jolley stated one area there could be opportunity is that there is an allocation that the Commissioners have made to provide support to various taxing districts. Population growth is occurring heavily in the North area and that allocation has not changed for several years but possibly could. Clerk Eckhardt explained that was taken into account this year and it ends up taking funding away from the City of Aberdeen to give to Shelley. Commissioner Bair stated this would need to be a discussion between all taxing districts as that would not be fair to City of Aberdeen to just take a portion of the allocation away. Chairman Manwaring concurred and stated that all parties should be to possibly adjust the numbers.

Commissioner Bair explained that his concern is not purchasing an ambulance but what would happen to the negative funding. He understands that grants are available but if not, there will be a problem. Mr. Barney stated they would also be approaching the City of Shelley to discuss the possibility of them contributing to the services.

The current amount paid to the City of Idaho Falls for the contract is approximately \$102,000.00, wherein Mr. Rogers asked Mr. Barney if that were to go away, is that offsetting what is being asked to be paid by the County. Mr. Barney stated it would not be offset and he is asking for an additional amount. If this amount is not paid to Idaho Falls, it is available to be used in funding of the ambulance service.

Mr. Jolley explained right now a portion for the Shelley-Firth area goes to Blackfoot Fire to cover up until the response line. If approved, it would make sense that those funds would not go to Blackfoot. The allocation meeting should be held in order to discuss the response map showing where the line would be.

Ms. Hidalgo stated, if approved, she would suggest looking at the response map and if the boundary line is changed, the allocation of funds should be changed as well. The boundary lines should reflect which Ambulance would be the quickest response time.

Lastly, after deliberation, it was decided that a meeting with Chief Howell will be held to discuss possible further funding and Clerk Eckhardt will work with Ms. Hidalgo on the boundary line in order to amend the allocation percentage and amounts if approved. Chairman Manwaring reiterated that he is not comfortable making a decision until all parties know what is going on and are able to give their input.

PRIOR APPROVAL FOR ORACLE JAVA SUBSCRIPTION- REQUESTED BY SCOTT MENSCHING

Present: Scott Mensching- IT Director

The Board met to make a decision regarding the submitted Prior Approval for Major Purchase for Oracle Java Subscription, in the amount of \$8,100.00 and is to be paid from Fund 01-14-524-01.

Mr. Mensching explained that this is a yearly renewal cost, which is budgeted.

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

THE MOTION PASSED TO DISMISS UNTIL FRIDAY, NOVEMBER 18, 2022

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

WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Friday, November 18, 2022
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 Lewis

JAIL MEDICAL

Jail Medical was approved in the amount of \$2,784.87.

CLAIMS

Claims were approved for \$20,287.05 and \$84,143.68.

PERSONNEL ACTION FORMS

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

New Employee Status Sheet:	Detention Deputy Detention Deputy Patrol Deputy
Salary Increase Form:	Appraiser Prosecutor's Office Manager Legal Assistant/Victim Witness Coordinator

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

APPROVAL OF COMMISSIONER MINUTES FOR SEPTEMBER 21-30, 2022

The Board met to approve Commissioner Minutes from September 21-30, 2022.

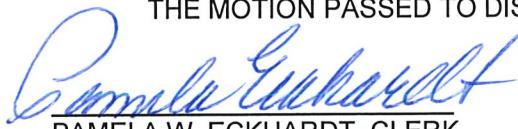
Decision: Commissioner Bair moved to approve Commissioner Minutes from September 21-30, 2022. Chairman Manwaring seconded. Both voted in favor. The motion carried.

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider Personnel matters. Commissioner Bair moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Chairman Manwaring seconded. Both voted in favor. The Board moved into Executive Session at 8:32 a.m. Commissioner Bair moved to go out of Executive Session. Chairman Manwaring seconded. Both voted in favor. The Board moved out of Executive Session at 8:43 a.m.

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

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY, NOVEMBER 23, 2022



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Wednesday, November 23, 2022
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 Lewis

CASH WARRANTS

Cash Warrants were approved in the amount of \$5,413.45.

CLAIMS

Claims were approved in the amount of \$310,257.14.

PERSONNEL ACTION FORMS

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

- New Employee Status Sheet: Deputy Coroner
- Trainee Appraiser
- Employee Status Sheet: Patrol Sergeant to Chief Deputy Sheriff
- Patrol Corporal to Patrol Sergeant

COLLEGE OF SOUTHERN IDAHO

A Certificate of Residency document was approved by the Board and sent to the College of Southern Idaho for the following Bingham County student: Elyssa S. Smith.

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: Dona S. Freeborn.

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

ALCOHOL LICENSE

The Board met to approve an Alcohol License, which is for the following:

American Legion Post #23 License No.53

Decision: Commissioner Bair moved to approve the Alcohol License for the American Legion Post #23. Chairman Manwaring seconded. Both voted in favor. The motion carried.

TAX INQUIRIES

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

RP0227206	Year 2022	Homeowner signed up for the Homeowners Exemption
RP2045000	Year 2022	Homeowner signed up for the Homeowners Exemption
RP2168160	Year 2022	Homeowner signed up for the Homeowners Exemption
RP2168150	Year 2022	Homeowner signed up for the Homeowners Exemption
RP0241700	Year 2022	Homeowner signed up for the Homeowners Exemption

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

THE MOTION PASSED TO DISMISS UNTIL MONDAY, NOVEMBER 28, 2022

PAMELA W. ECKHARDT, CLERK

Lindsey Dalley- Commission Clerk-----

WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Monday, November 28, 2022
County of Bingham)

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

Present: Chairman Manwaring
Commissioner Bair
Commissioner Lewis
Lindsey Dalley- Commission Clerk

WIPFLI AUDIT PRESENTATION- REQUESTED BY CLERK ECKHARDT

Present: Pamela Eckhardt- County Clerk
Gina Perschon- Chief Deputy Clerk/Auditor
Fred Goodworth- WIPFLI
Theresa Flannery-WIPFLI
Paul Rogers- Prosecuting Attorney

The Board met to receive the audit presentation from WIPFLI.

APPROVAL OF UPDATED COUNTY SOCIAL MEDIA POLICY- REQUESTED BY CLERK ECKHARDT


Present: Pamela Eckhardt- County Clerk
Paul Rogers- Prosecuting Attorney

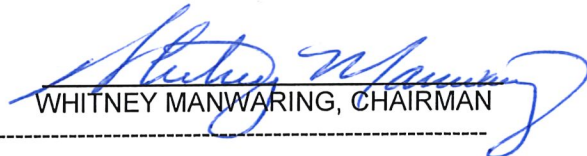
The Board met to discuss and make a decision in regards to the proposed updated County Social Media Policy. Chairman Manwaring welcomed all to the meeting and turned the time over to Clerk Eckhardt.

Clerk Eckhardt explained that she has been considering an amendment to the policy since the audit video issue occurred within the Courthouse. She met with Ryan Jolley, Chief Deputy Prosecuting Attorney and Sheriff Gardner to compare social media policies, wherein Mr. Jolley suggested that the County should update the policy to closely mirror what the Sheriff's Office has done. This would give Clerk Eckhardt the ability to restrict comments on the County Facebook page to a certain extent.

Decision: Commissioner Bair moved to approve the updated social media policy presented by Clerk Eckhardt. Commissioner Lewis seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL TUESDAY, NOVEMBER 29, 2022


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Tuesday, November 29, 2022
County of Bingham)

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

Present: Chairman Manwaring
 Commissioner Bair
 Commissioner Lewis
 Lindsey Dalley- Commission Clerk

PUBLIC HEARING TO RECEIVE RECOMMENDATION OF THE PLANNING & ZONING COMMISSION TO APPROVE THE ZONING AMENDMENT FROM "R" RESIDENTIAL TO "C2" HEAVY COMMERCIAL FOR JOSE MARTINEZ AT 523 HIGHWAY 39, BLACKFOOT, IDAHO, RP0361520 AND BOARD DECISION

Present: Tiffany Olsen- Planning & Development Director
 Jose Luis Martinez- Applicant's Son
 Jose Martinez Paramo-Applicant
 Eric Jackson- Bingham County

The Board met to hold a Public Hearing to receive the recommendation of the Planning & Zoning Commission to approve the Zoning Amendment from "R" Residential to "C2" Heavy Commercial for Jose Martinez at 523 Highway 39, Blackfoot, Idaho, RP0361520 and Board Decision. Chairman Manwaring welcomed all to the meeting, introductions were held and the time was turned over to Tiffany Olsen.

Director Olsen presented Staff Report at this time.

Jose Luis Martinez, Applicant's Son, residing at 785 S. 800 W., Blackfoot, Idaho, stated his father is wanting to take advantage of the growth that Blackfoot is having and increase property value. It would be beneficial to change the designation of this land to Heavy Commercial, to be used by themselves or to be sold for future use. Lastly, Mr. Martinez confirmed that all concerns previously mentioned have been discussed and cured at this time.

Chairman Manwaring confirmed that there was no testimony in favor, in opposition, nor in neutral. At this time, testimony was closed and the Board moved into deliberation.

Discussion was held in regards to easement and legal access, wherein Director Olsen stated that the Applicant has deeded commercial access and if approved, the Applicant would move forward with discussions with the Idaho Transportation Department to do an approach permit depending on what the future land use would be.

Chairman Manwaring asked for confirmation that the subject property is currently flood irrigated, to which Mr. Martinez stated was correct with water shares from the Trego Canal. He added that all requirements have been met and he has no concerns in regards to this Application.

Commissioner Bair stated that the Application meets all requirements and when the multi-use corridors were created, the Board was wanting to allow applications such as this to occur in the corridor along the highway.

Commissioner Lewis asked the Applicant if there were any buildings or structures on the subject property, which was confirmed there was not. The subject property is only pasture. Commissioner Lewis stated there is access to highways for commercial uses, which is important. In Mr. Pharis's testimony, he explained that previously the Application did not fit what the Ordinance required but with the update of the

Comprehensive Plan, a turning lane being added and multiple commercial properties surrounding the subject property, this Application meets all requirements and she has no concerns.

Further, the Board had no further comments or concerns and Chairman Manwaring entertained a motion.

Decision: Commissioner Lewis moved to uphold the Planning & Zoning Commissions recommendation to approve the Zone Change of approximately 4.01 acres from "R" Residential to "C2" Heavy Commercial, located South of Highway 39, West of 500 West Thomas Road and East of 600 West Clark Road in Blackfoot, Idaho. The property is owned by Jose Martinez. This decision is based upon the information within the record, testimony provided today and the Reason & Decision of the Planning & Zoning Commission. Commissioner Bair seconded. All voted in favor. The motion carried.

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

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

PLANNING & DEVELOPMENT

Present: Tiffany Olsen- Planning & Development Director
Eric Jackson- Bingham County

The Board met with Tiffany Olsen to discuss department updates.

APPROVAL OF BINGHAM COUNTY ORDINANCE 2022-16

The Board met to approve Bingham County Ordinance 2022-16, an Ordinance amending the General Bingham County Zoning Ordinance 2012-08 and accompanying Zoning Map by changing the zoning use district of real property from its present classification as "A" Agriculture to "R/A" Residential/Agriculture, for RR Johnson Real Estate, LLC.

Decision: Commissioner Bair moved to approve Bingham County Ordinance 2022-16, for the RR Johnson Real Estate, LLC Zoning Amendment. Commissioner Lewis seconded. All voted in favor. The motion carried.

DISCUSSION & DECISION REGARDING SALARY INCREASE FOR BUILDING MAINTENANCE POSITION- REQUESTED BY ERIC JACKSON

Present: Eric Jackson- Building Maintenance
Jason Marlow- Building Maintenance
Laraine Pope- Human Resources Director

The Board met to discuss and make a decision regarding the request for salary increase for the Building Maintenance Specialist position. Chairman Manwaring welcomed all to the meeting and turned the time over to Mr. Jackson.

Mr. Jackson stated that this position has been vacant and published for five weeks, with only two applicants. One applicant was not considerable. The other was interviewed and would be viable but

stated that he would like a higher salary. Mr. Jackson explained that he is worried about getting this position filled before his transition into the Commission seat.

Chairman Manwaring stated this was discussed during budget time and it was stated when the transition occurs, if they thought they would need the third position. This position is currently advertised at an N13 and starts at \$16.33.

Discussion was held in regards to other options such as contracting with a plumbing and electric company for when those instances occur and have only two Building Maintenance employees. Mr. Jackson stated that is something they could look into and see if that is an option. He stated his concern is if there are only two employees and one is gone on vacation or has to take time off, it makes it hard to keep up. Mr. Marlow added that he and Eric are barely keeping up and he has been putting in heavy hours.

Ms. Pope explained when you take into account the health benefits that are paid by the County, that is a significant amount added onto the salary that most individuals do not take into consideration.

The Board discussed negotiating with the individual who interviewed and come up with an agreeable salary. It was suggested that an N13, Step 6 be offered and if that is not acceptable, give Human Resources the authorization to offer a Step 7, along with explain the health benefits that are available through the County.

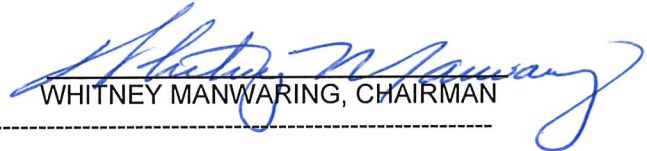
Decision: The Board advised Human Resources to offer the following option to the Building Maintenance Specialist Applicant:

- Plan A: Offer N13, Step 6 or 7 and explain the health benefits.**
- Plan B: If not, will re-advertise the position at a Step 6**

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY NOVEMBER 30, 2022



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. **Wednesday, November 30, 2022**
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 Lewis

CASH WARRANTS

Cash Warrants were approved in the amount of \$14,672.91.

PAYROLL

Payroll was approved in the amount of \$717,212.61.

INDIGENT MATTER

Recorded: A Release of Financial Assistance Lien was approved by the Board and recorded as Instrument No. 751006.

MEDICAL INDIGENCY REIMBURSEMENT AGREEMENT

The Board approved a Medical Indigency Reimbursement Agreement for Indigent Case Number 2022-1.

COLLEGE OF EASTERN IDAHO

Certificate of Residency documents were approved by the Board and sent to the College of Eastern Idaho for the following Bingham County students: Megan D. Orton, Stephanie M. Miranda-Flores, Emrey D. Guthrie, Danica L. Valdez, Harrison G. Kelley and Cody M. Bowman.

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

APPROVAL OF COMMISSIONERS MINUTES FOR OCTOBER 1-14, 2022

The Board met to approve Commissioner Minutes for October 1-14, 2022.

Decision: Commissioner Bair moved to approve Commissioner Minutes for October 1-14, 2022. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF BINGHAM COUNTY CONFLICT PUBLIC DEFENDER CONTRACT- BRIANNA ROSIER

The Board met to approve the Bingham County Conflict Public Defender Contract for Brianna Rosier.

Decision: Commissioner Bair moved to approve the Bingham County Conflict Public Defender Contract for Brianna Rosier. Chairman Manwaring seconded. Both voted in favor. The motion carried.

PRIOR APPROVAL- HISTORICAL MUSEUM

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

The Board met to discuss the submitted Prior Approval for Major Purchase of roofing for the Historical Museum. Chairman Manwaring welcomed all to the meeting and turned over to Clerk Eckhardt.

Clerk Eckhardt explained that the Historical Society has applied and received a grant in the amount of \$13,000.00 to be placed towards the cost to replace the roof at the Historical Museum. During that process, there were specific things that were requested to be done by the Architect, which were water and ice shield, ridge vents rather than metal vents and be sure that four chimneys have counter flashing to stop leaking.

Mr. Jackson explained that he had received three bids. One from Rudy's Roofing in the amount of approximately \$37,000.00, Two State Roofing, in the amount of \$29,500.00 and Ashco Roofing in the amount of \$25,580.00.

The bids given do not include the items requested by the Architect and therefore, Mr. Jackson would contact each company for updated quotes to be sure that the project specifics match on all quotes.

Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of roofing for the Historical Museum, in the estimated amount of \$30,000.00 to \$40,000.00, to be paid out of Fund 12-00-494-00 and will receive \$13,000.00 from an Idaho Heritage Trust Grant. Chairman Manwaring seconded. Both voted in favor. The motion carried.

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
 Paul Rogers- Prosecuting Attorney
 Tiffany Olsen- Planning & Development Director

The Board met with Dusty Whited to discuss department updates and other agenda items. Chairman Manwaring welcomed all to the meeting and turned the time over to Mr. Whited.

Mr. Whited stated that he would like to discuss the Worthen Road Reclassification from Manwaring Drive to Porterville. The official map prepared by the GIS Department will be signed and updated as well.

Mr. Whited gave a brief review of the request and stated that the classification should be a major collector per the average daily traffic amount.

This was discussed previously but was placed on hold in order for Legal Counsel to draft a resolution.

Decision: Commissioner Bair moved to approve Bingham County Resolution 2022-37, a Resolution to reclassify Worthen Road and amend the Official County Map accordingly. Chairman Manwaring seconded. Both voted in favor. The motion carried and said Resolution was approved as follows:

**BINGHAM COUNTY
RESOLUTION 2022-37**

**A RESOLUTION BY THE BINGHAM COUNTY BOARD OF COMMISSIONERS TO
RECLASSIFY WORTHEN ROAD AND AMEND THE OFFICIAL COUNTY MAP
ACCORDINGLY.**

WHEREAS, the Board of Commissioners of Bingham County has jurisdiction over all of the county highways and roadways within the boundaries of Bingham County.

WHEREAS, the Bingham County Road and Bridge has performed several traffic impact studies and identified concerns about the current classification of Worthen Road not being in the correct classification based on the increase in the amount of traffic using the road.

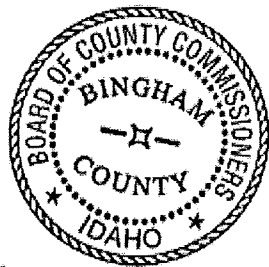
WHEREAS, Worthen Road is currently classified as a "local road" and the results from the traffic study yield a result that shows use well within the range of a "major collector" classification.

WHEREAS, pursuant to Bingham County Ordinance 7-3-3(B) the official classification and status of the County roadways is contained on the Official County Map.

WHEREAS, Worthen Road is not on the State Official Inventory Map, and the decision and authority to reclassify a roadway sits with the Bingham County Commissioners.

NOW, THEREFORE BE IT RESOLVED BY THE BINGHAM COUNTY BOARD OF COUNTY COMMISSIONERS, that pursuant to Bingham County Ordinance 7-3-3(B) and being in the public interest that Bingham County Board of County Commissioners update the Official County Map, specifically Worthen Road, to be updated and amended to reclassify Worthen Road up to a Major Collector.

DATED this 30 day of November 2022.



ATTEST:

Pamela Eckhardt
Pamela Eckhardt
Bingham County Clerk

BINGHAM COUNTY COMMISSION

Whitney Manwaring
Whitney Manwaring, Chairman

Mark R. Bair
Mark R. Bair, Commissioner

Jessica Lewis, Commissioner

Next, Mr. Whited discussed the proposed speed limit change for Tressel Road between 300 and 400 West. The recommendation is to change the speed to 45 mph. There is no speed limit posted on Tressel Road on the East Side of Groveland Road and this would be just extending the speed limit. Mr. Whited stated this request came from Dorothy Winje due to increased development and growth over the years, as well as allowing a safe stopping sight distance.

The Board suggested posting the 45 mph speed limit for the remaining duration of the road. In order to do so, Mr. Whited will need to speak with Sheriff Gardner to receive his recommendation as well. There was no decision made and this matter was placed on hold at this time.

Next, a speed limit change was discussed for Woodville Road, wherein Mr. Whited explained coming off New Sweden Road and is unposted until three properties down the road, where it drops to 35 mph going into the Woodville Townsite. Rather than putting up a "reduced speed limit" sign, this speed limit change would benefit the properties and would place a 45 mph sign so that it is gradually reducing the speed going into the townsite.

Ms. Olsen asked why the County would not consider changing the entire section to the west of New Sweden Road. With potential future residential development, it may be a good suggestion to move forward with changing this. The Board concurred and stated it should be lowered the entire way to New Sweden Road.

Mr. Whited stated the Board should keep in mind that our responsibility of a transportation system is allowing people to get places within a reasonable amount of time and when speed limits are constantly reduced and get into a pattern of doing so; this could affect the transportation system.

Decision: Commissioner Bair moved to approve the speed limit change for Woodville Road from 74 East to 800 East, from 50 mph to 45 mph. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Next, Mr. Whited discussed the McDonaldville Agreement and stated both he and Lindsey Dalley have not been able to get hold of Mr. Harper to review and sign the updated agreement. The Board directed Mr. Whited to get in touch with Tayler Harper to see if he has an updated number to Brent Harper in order to get the agreement signed. This matter was placed on hold at this time.

Lastly, Mr. Whited stated he would ask that the Board approve the proposed 2023 Holiday Schedule for Public Works in regards to holiday and required maintenance schedules.

Decision: Commissioner Bair moved to approve the 2023 Holiday and Required Maintenance Schedule for Solid Waste. Chairman Manwaring seconded. Both voted in favor. The motion carried.

PRIOR APPROVAL- SHERIFF'S OFFICE

Present: Jordan Nebeker- Sheriff's Office

The Board met to hold discussion and make a decision regarding the submitted Prior Approval documents for the Sheriff's Office.

First is the Prior Approval for Major Purchase to pay the Maintenance Contract for Motorola which is paid yearly in the amount of \$82,848.88, to be paid from Fund 28-00-500-00.

Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase to pay the Maintenance Contract for Motorola which is paid yearly in the amount of \$82,848.88, to be paid from Fund 28-00-500-00. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Next is the Prior Approval for Major Purchase for portable mics and mobile radios in order to update equipment for supporting agencies due to growth. Said purchase is in the amount of \$407,902.75 and is to be paid with ARPA Funds.

Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase for portable mics and mobile radios in order to update equipment for supporting agencies due to growth. Said purchase is in the amount of \$407,902.75 and is to be paid with ARPA Funds. Chairman Manwaring seconded. Both voted in favor. The motion carried.

FURTHER DISCUSSION & POSSIBLE DECISION REGARDING AMBULANCE SERVICES IN BINGHAM COUNTY

Present: Lyle Barney- Shelley Firth QRU
Patrick Park- Blackfoot Fire Department
David Lewis- Blackfoot Fire Department
Steve Stuart- Blackfoot Fire Department
Paul Rogers- Bingham County Prosecuting Attorney
Ken Johnson- Shelley Firth Fire Commissioner
Scott Searle- Shelley Firth Fire Commissioner
Ben Porter- Shelley Firth QRU
Randy Adams- Shelley Fire Chief
Pamela Eckhardt- County Clerk
Erin Hidalgo- 911 Supervisor

The Board met to hold further discussion and make a possible decision regarding ambulance services in Bingham County. Chairman Manwaring welcomed all to the meeting, introductions were held and he explained that there have been several meetings held in regards to ambulance services in Bingham County. Chairman Manwaring reiterated that the County is not against the proposal but need to be sure it is done correct. One of the issues is the funding, wherein Clerk Eckhardt has provided documentation with amount of funding to the taxing districts.

Ms. Hidalgo stated in a twelve-month period, Blackfoot Fire responded to 171 calls within the Shelley-Fire Ambulance District and Idaho Falls responded to 637 calls within that district. Ms. Hidalgo stated that Aberdeen averages between 100-200 calls per year at the most for the past 20 years and has not changed much.

Discussion was held in regards to the Ambulance District Budget, wherein Clerk Eckhardt stated that values and percentages should have been trended and changed in 2014. All three entities need to meet in order to see how the apportionment will affect them, if the county approves to assist in moving forward.

Further discussion was held in regards to the boundaries between the Blackfoot and Shelley-Firth Fire, the number of calls what are or are not covered by Medicare, and cost that are billed. Mr. Barney stated if they are able to get a transport license and have an ambulance, they could move forward with covering the growth with some sort of revenue. Chief Adams stated that the QRU is current going on several calls and are not being paid for nothing. They have got to find a way to start billing citizens in the area because its being done at no cost but they are turning around to pay Idaho Falls \$103,000.00 for an agreement.

Scott Searle stated there is a plan to put living quarters in the new station what will be built in Firth, which will accommodate ambulance.

Commissioner Bair stated it is a balancing act between the funding and getting the response time figured out. He would like to know what is being paid to Idaho Falls, compared with the cost it would be to provide our own ambulance service and in order to make a proper decision, the Board should have those numbers to review.

Chief Adams stated Shelley Fire currently has room to hold two ambulances currently but the issue will come in the future and the possibility may occur that the fire department will need to be a full time fire department also and will need to be housed at the station themselves. At that time, it could be worked out to where the firefighters and paramedics could be combined.

Commissioner Bair mentioned the apportionment decision should be changed at some point and should have been done several years ago. Clerk Eckhardt stated this should be reviewed routinely but the last four years have been challenging due to changes in values and suggested reviewing every 5 years. Commissioner Bair stated that all parties should be in the same meeting in order to properly discuss the apportionment and how it will effect each district.

Further discussion was held in regards to moving the boundary line to 600 North, wherein Mr. Barney stated that would be their suggestion as well.

A brief discussion was held in regards to the equipment that would need to be purchased to go with the ambulance, which would be a total of approximately \$100,000.00. Once they are able to transport, they have the ability to apply for grant funding. The current ambulance being looked at has been placed on hold through today in order to see what if the Board would approve to assist in funding. Mr. Barney stated they would have the ability to pay for 1/2 of the proposed amount.


A meeting will be scheduled for after the first of the year to address the apportionment numbers with the Cities of Aberdeen, Shelley and Blackfoot.

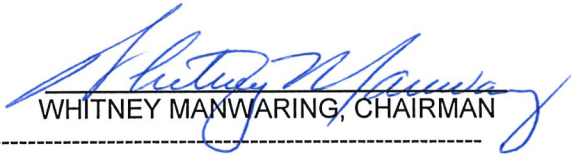
Decision: Commissioner Bair moved to approve that Bingham County provide 50% of funding to assist the Shelley-Firth QRU in becoming transport certified. Chairman Manwaring seconded and added that there will need to hold a meeting with City of Aberdeen, City of Blackfoot and City of Shelley to review apportionment numbers. Both voted in favor. The motion carried.

CLAIMS FOR THE PREVIOUS MONTH WERE APPROVED AS FOLLOWS:

Current Expenses	\$492,694.09	Tort.....	\$204,346.23
Road & Bridge	\$126,915.36	Veterans Memorial.....	\$300.00
Airport.....	\$27.73	Weeds.....	\$6,452.13
Justice Fund	\$398,686.90	Emergency Communication....	\$29,469.89
District Court.....	\$119,812.94	Road & Bridge Special	
Preventative Health.....	\$159,681.75	Projects.....	\$5.16
Parks & Recreation	\$26,020.91	Waterways	\$1,012.97
Revaluation.....	\$22,838.48	ARPA Funds.....	\$54,511.78
Solid Waste	\$40,254.94	Drug Court Fund.....	\$3,541.61
		Consolidated Elections.....	\$18,047.78

THE MOTION PASSED TO DISMISS UNTIL FRIDAY DECEMBER 2, 2022


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


WHITNEY MANWARING, CHAIRMAN