

STATE OF IDAHO)
 : ss. Friday, February 3, 2023
County of Bingham)

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

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

CLAIMS

Claims were approved in the amount of \$339,654.53.

PAYROLL

Payroll was approved in the amount of \$781,019.90.

PERSONNEL ACTION FORMS

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

Employee Status Sheet: Deputy Clerk/Elections Assistant
 Deputy Clerk/Elections Assistant
 Building Specialist to Scale House Operator
New Employee Status Sheet: Deputy Court Clerk

COLLEGE OF SOUTHERN IDAHO

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

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

PRIOR APPROVAL- ROAD & BRIDGE

The Board met to discuss and make a decision regarding the submitted Prior Approval for Major Purchase of a Cone Liner, in the amount of \$8,096.89 and is to be paid from Fund 02-46-491-01- Road & Bridge-Crusher, Equipment Maintenance.

Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of a Cone Liner, in the amount of \$8,096.89 and is to be paid from Fund 02-46-491-01- Road & Bridge-Crusher, Equipment Maintenance. Commissioner Jackson seconded. All voted in favor. The motion carried.

APPROVAL OF PUBLIC DEFENDER CONTRACT FOR DREW PENDLEBURY

The Board met to approve the Public Defender Contract for Drew Pendlebury.

Decision: Commissioner Jackson moved to approve the Public Defender Contract for Drew Pendlebury. Commissioner Bair seconded. All voted in favor. The motion carried.

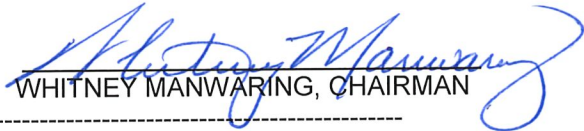
APPROVAL OF REASON & DECISION FOR POLSON ESTATES SUBDIVISION

The Board met to approve the Reason & Decision for the Polson Estates Subdivision.

Decision: Commissioner Bair moved to approve the Reason & Decision for the Polson Estates Subdivision. Commissioner Jackson seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL MONDAY, FEBRUARY 6, 2023


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Monday, February 6, 2023
County of Bingham)

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

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

STAFF MEETING

Present: Pam Eckhardt- County Clerk
 Laura Lora- Payroll/Indigent Services
 Donavan Harrington- County Assessor
 Angee Castaneda- Department of Motor Vehicles
 Dusty Whited- Public Works Director
 Jimmy Roberts- County Coroner
 Scott Reese- Emergency Services/Parks and Recreation
 Sheri Landon- Magistrate/District Court
 Laraine Pope- Human Resources Director
 Jason Marlow- Building Maintenance Director
 Tiffany Olsen- Planning & Development Director
 Shawn Hill- Probation Services
 Cody Lewis- Drug Court
 Paul Rogers- County Prosecuting Attorney
 Jeff Gardner- Bingham County Sheriff
 Tanna Beal- County Treasurer
 Julie Buck- Extension Office
 Scott Mensching- IT Director
 Danette Miller- Elections
 Gordon Croft- Blackfoot Police Chief
 Grahm Anderson- Blackfoot Treasurer

Excused: Marc Carroll- Blackfoot Mayor

The Commissioners met with department heads and Elected Officials for the February 2023 Staff Meeting. Commissioner Bair conducted the Staff Meeting.

Pledge of Allegiance: Commissioner Bair

Approval of Minutes for Staff Meeting held on January 9, 2023: No changes to be made and the Staff Meeting Minutes were approved as written.

Special Presentation: Laraine Pope explained that there will be a change to the policy regarding CDL/Safety Sensitive drug testing. Over the past few years, the county has stopped automatically testing all potential new employees and sending everyone over for a drug screening. This has been limited to CDL Drivers and those in safety sensitive positions, which also includes Law Enforcement because every position they are in is considered safety sensitive.

She has done further research regarding this matter and will be going back to doing a larger area of safety drug testing. This will include any employees who regularly drive public county vehicles, both for pre-employment and random drug testing. Once the policy has been changed and adopted, she will contact all department heads to be sure that proper employees are on the list.

Sheriff Gardner: Explained in the Sheriff's Office, they are required to be compliant with NCIC rules and anyone who may be working unescorted in the jail will need to have their fingerprints ran and are subject to a more extensive background check. This extensive background check will cover any criminal charges that have occurred in other states. The Board of County Commissioners have approved to require anyone hired to work for Bingham County, to have the extensive background check/fingerprints ran. This was done in order to have the background completed in the instance that an employee may change jobs into a position where that background is required.

Employee Years of Service Recognition: Donovan Harrington recognized Angee Castaneda for five years of service to Bingham County. Angee has a positive attitude, sets the tone in the office and is always more than willing to go above and beyond to help others on the office.

Commissioner Bair recognized Scott Reese for ten years of service to Bingham County and stated that Scott Reese is responsible for Parks and Recreation, along with Emergency Management. Commissioner Bair has had the opportunity to attend several conferences with Scott Reese and has made a lot of connections around the State of Idaho.

Chairman Manwaring: Stated that the Commission made a few changes in regards to which departments each Commissioner supervises and Lindsey Dalley, Commission Clerk, send out said assignments to the department heads. Since then one change has been made and Commissioner Bair is now over the Probation Department.

Chairman Manwaring would like to reiterate how much the Board appreciates each department head and their hard work.

Lastly, Chairman Manwaring stated there was a change in per diem reimbursement, wherein the updated reimbursement will be as follows:

Breakfast:	\$12.00
Lunch:	\$12.00
Dinner:	\$22.00
Mileage Reimbursement	\$.40

As far as vehicle usage, there are several county vehicles throughout the county that could be used when needed rather than an employee driving their own vehicle. If a vehicle is needed, please contact Lindsey Dalley at 208-782-3013, to make a reservation.

Commissioner Bair: Stated last week the Commissioners had the opportunity to attend the Idaho Association of Counties Conference in Boise. One of the main subjects for discussion was pertaining to Fentanyl, which is extremely scary. His biggest worry was that children are being targeted, not just junior high and high school students. It only takes a small dose of Fentanyl to overdose and is incredibly dangerous. Please be informed that the county will be receiving funding from the OPIOID Settlements and he has put a lot of thought into a few ways to use those funds on education, that will be discussed further at a later date.

Commissioner Jackson: Stated that he also had the opportunity to attend the Idaho Association of Counties Conference in Boise and it was an eye opener to see there were 44 counties around the State of Idaho represented. It was great to see all Elected Officials in the same place to receive training and collaborate to help each other govern the State of Idaho. Commissioner Jackson added that Bingham County is well prepared and that if there were an emergency situation, he couldn't think of a better place to be. Commissioner Jackson commended each department head for managing each department to function at its best.

Clerk Eckhardt: Stated while John Dewey was Legal Counsel, an Employee Language Proficiency Policy was approved but it was not explained thoroughly to the employees. Clerk Eckhardt read the following: "The County Commissioners approved to authorize a stipend of \$50.00 per month for employees who demonstrate ability and willingness to use their foreign language skills to assist in approving access to Bingham County services to non-English speakers. Employees who wish to be considered for such a stipend must complete an oral proficiency interview by computer at their own expense and if completed/passed, would be subject to reimbursement by Bingham County."

This interview is completed through the actfl.org, which is a worldwide testing center. At this time, the Board has only approved a stipend for the Spanish language. To schedule a test, the employee should inform their supervisor that they are interested in taking the test, which is \$150.00 to take the test in speaking with an actual individual and the other is \$100.00 to take with an automated system. In order to pass, an employee will need to score at an advanced low or above. If you are interested, please get in touch with your supervisor.

Next, Clerk Eckhardt referred to Idaho Code Section 74-101 and 74-127, in regards to public records, wherein the Commissioners attended a training and it was highly suggested to them that a Public Records Custodian be designated for the County. Bingham County has an unofficial process that is followed for public records but today the process will be discussed and a resolution will be adopted by the Board, designating the custodians for the County.

A general records request document is located on the Bingham County website, which is submitted to the County Clerk wherein it is dispersed to the proper department. Some bypass the Clerk and go directly to the department intended, wherein Clerk Eckhardt stated she is hopeful that each department knows that there is a 3-day response requirement. If additional time is needed, the department will need to contact the individual requesting the documentation to inform them of the same. There are Several departments that have their own record requests that go directly to them due to other requirements. Paul Rogers stated that he will draft a resolution to formally appoint the proper record custodian for each department per Idaho Code.

Clerk Eckhardt stated in 2021 the legislature passed legislation that required the State Controller to create a public website for the reporting of local government entities to include accounting, budgeting and financial data, in order to provide leaders, decision makers and citizens easy access to search and compare data across the state. The State Controller's Office worked with 8 counties to figure out what financial information is the same across all counties because all counties have different systems. After working diligently, all gathered information was placed onto a website, which has now gone live. In looking at the website, there is a large amount of information, which includes a history of Bingham County and financials. Lastly, she would like each employee to be aware that their name, salary and how long they have worked for the county is posted on the site. This information has always been public but not as easily accessible.

Lastly, Clerk Eckhardt gave a brief update on the new website, which is coming along nicely. The company working in the website took two weeks to make corrections and migrate information from the old site. The website should be accessible this week and each department will be able to view or make any changes that you may see.

Laura Lora: Had no updates at this time.

Donavan Harrington: Had no updates at this time.

Dusty Whited: Had no updates at this time.

Jimmy Roberts: Stated that the Coroner's Office handled 11 cases and 16 follow ups in the month of January. Below is a basic breakdown of cases and office activities:

6 investigations and 5 cremation authorizations

2 case requiring toxicology analysis

7 natural deaths

2 suicides

1 undetermined as of the date of this report

Mileage- 424 miles for investigations

Total of office hours: 197.75 hours

Scott Reese: Had no updates at this time.

Sheri Landon: Had no updates at this time.

Laraine Pope: No updates at this time.

Jason Marlow: Had no updates at this time.

Tiffany Olsen: Had no updates at this time.

Shawn Hill: Introduced the new part-time employee in the Probation Department, Jade Newlin.

Cody Lewis: Stated that Felony Drug Court Graduation is scheduled for February 28th at 4:00 p.m., and Misdemeanor Drug Court Graduation is scheduled for February 23rd at 4:00 p.m.

Paul Rogers: Reminded all department heads that it is important to document any employee that may change positions, promoting or being reprimanded. All documentation needs to go through Human Resources in order to keep any changes documented properly.

Sheriff Jeff Gardner: Stated there is a hearing Tuesday, wherein he would encourage all employees to reach out to Representative David Cannon and Representative Julian Young regarding trafficking weights with Fentanyl. They are not in support of this bill currently and currently an individual could have 10,000 Fentanyl pills, with no way to charge that individual with trafficking and it would be possession of a controlled substance. He would like everyone to express their support of this bill, other wise the two Representatives within our County are not in support and it will not move forward.

Tanna Beal: Had no updates at this time.

Julie Buck: Stated that there is a Food Preservation class in March, a Horse Showmanship clinic occurring this month, as well as Archery Club for the youth.

Scott Mensching: Gave a presentation on the threats of TikTok and stated that he worked with Legal Counsel to address the matter. After discussion with the Board of Commissioners, it was approved that TikTok should not be used on any phone connected to the County system or on any County computers. There will be a policy change sent out via email and this will be placed in the County Employee Handbook as well. If there are any questions, please let him know.

Danette Miller: Stated there will be a Supplemental Levy Election on March 14th, for Snake River School District and Blackfoot School District.

Chief Gordon Croft: Stated that Kim Arms will be the new Office Manager for the Blackfoot City Police and

Grahm Anderson: Introduced himself and stated that he is the City of Blackfoot Treasurer.

Commissioner Bair stated next Staff Meeting is scheduled for Monday, March 6, 2023 at 8:30 a.m.

Nothing further.

PROBATION DEPARTMENT

Present: Shawn Hill- Probation Department
Mark Gough- Juvenile Probation Department
Shane Boyle- Idaho Department of Juvenile Corrections
Paul Rogers- Prosecuting Attorney

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 explained the submitted request to approve a contract/agreement with a call phone tracking application called VCheck24, that will be utilized by the Probation Officers to help track probationers. There are zero startup costs and the only cost for utilizing the VCheck24 Application will be based on use per day and will be charged to the probationers. This app could be used for video check in and to send alerts to the probationers as well. There would be the ability to set both inclusion and exclusion zones, which are places they are allowed to be and not allowed to be.

Commissioner Bair asked what if a probationer leaves their phone or passes the phone off to another individual, wherein Mr. Hill stated that could lead to a potential violation of their probation.

Commissioner Jackson asked what would occur if the probationer does not have a phone. Mr. Hill explained that the program will send a cheap cell phone for them, which will be charged per day to have the phone.

Paul Rogers stated that he has reviewed with no major concerns other than the reminder to Mr. Hill that the payments should be made on time as there are major penalties.

Decision: Commissioner Jackson moved to approve the Agreement with VCheck24, a cell phone monitoring system to be used by the Probation Department. Commissioner Bair seconded. All voted in favor. The motion carried.

Next, Mr. Hill explained the submitted Prior Approval for Major Purchase for ballistic vests to be utilized by the Probation Officers. Said purchase is in the amount of \$4,822.00 and is to be paid for as follows:

06-54-678-0005- Adult Probation- Misc.	\$3,237.00
06-55-678-0005- Juvenile Probation- Misc.	\$1,585.00

Mr. Hill added that this purchase is to replace expired vests that are no longer able to be used.

Decision: Commissioner Bair moved to approval the Prior Approval for Major Purchase for ballistic vests to be utilized by the Probation Officers. Said purchase is in the amount of \$4,822.00 and is to be paid for as follows:

06-54-678-0005- Adult Probation- Misc.	\$3,237.00
06-55-678-0005- Juvenile Probation- Misc.	\$1,585.00

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

The Board received a quarterly update from Shane Boyle- Idaho Department of Juvenile Corrections.

BUILDING MAINTENANCE

Present: Jason Marlow- Building Maintenance Director

The Board met with Jason Marlow to discuss department updates.

APPROVAL OF FINAL PLAT FOR MOUNTAIN EDGE COMMERCIAL PARK SUBDIVISION

Present: Tiffany Olsen- Planning & Development Director
Paul Rogers- Prosecuting Attorney
Chris Street- HLE

The Board met to review, approve and sign the final plat for Mountain Edge Commercial Park Subdivision.

Decision: Commissioner Bair moved to approve and sign the final plat for Mountain Edge Commercial Park Subdivision. Commissioner Jackson seconded. All voted in favor. The motion carried.

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code Section 74-206(1)(c), to deliberate regarding an acquisition of interest in real property and Idaho Code Section 74-206(1)(e), to consider preliminary negotiations involving matters of trade or commerce in which this governing body is in competition with another governing body. Commissioner Jackson moved to go into Executive Session. Commissioner Bair seconded. All voted in favor. The Board moved into Executive Session at 11:30 a.m. Commissioner Jackson moved to go out of Executive Session. Commissioner Bair seconded. All voted in favor. The Board moved out of Executive Session at 12:13 p.m.

Decision: Commissioner Jackson moved to approve and sign the letter drafted by Tiffany Olsen, in regards to Bingham County's intention to prepare and send a Lease Agreement to Mr. Jorgensen. Commissioner Bair seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL TUESDAY, FEBRUARY 7, 2023


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Tuesday, February 7, 2023
County of Bingham)

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

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

MEETING TO RECEIVE THE PLANNING & ZONING COMMISSIONS RECOMMENDATION TO APPROVE THE SOUTH SAND CREEK ESTATES SUBDIVISION PRELIMINARY PLAT

Present: Tiffany Olsen- Planning & Development Director
 Chris Street- HLE

The Board met to receive the Planning & Zoning Commissions recommendation to approve the South Sand Creek Estates 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 for the record.

Commissioner Bair asked why this Preliminary Plat took so long to come before the Board for approval. Director Olsen stated for a period of time the landowner thought that he may sell and the new owner would develop. Since then he has decided to move forward with development.

Chairman Manwaring stated he has no major concerns regarding this Application and it is nice to see land remaining as agricultural land with lots larger than 5-acres. The subject property is surrounded mostly by ag land. The Comprehensive Plan identifies the area as an Agriculture area.

Commissioner Bair stated that he agrees that this Application meets all subdivision regulations as noted within the Staff Comments and therefore he has no concerns.

Commissioner Jackson concurred and stated he had nothing further to add.

Commissioner Bair moved to uphold the recommendation of the Planning & Zoning Commission to approve the request by Christensen Family Farms, LLC to develop a 10-lot Subdivision, to be known as South Sand Creek Estates, on approximately 76.78 acres, zoned "A" Agriculture located at approximately 774 E 700 N Firth. This decision is based off the record as presented and the discussion held today. Commissioner Jackson seconded. All voted in favor. The motion carried.

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

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

MEETING TO RECEIVE THE PLANNING & ZONING COMMISSIONS RECOMMENDATION TO APPROVE THE SAND DUNES AND DUCK PONDS SUBDIVISION PRELIMINARY PLAT

Present: Tiffany Olsen- Planning & Development Director
Chris Street- HLE

The Board held a meeting to receive the Planning & Zoning Commissions recommendation to approve the Sand Dunes and Duck Ponds Subdivision Preliminary Plat. Chairman Manwaring welcomed all to the meeting, introductions were held and the time was turned over to Tiffany Olsen, Planning & Development Director.

Director Olsen presented the Staff Report for the record.

Commissioner Bair asked Director Olsen if a 70-foot emergency turnaround was required, to which Director Olsen explained that a 60-foot emergency turnaround is required on this specific Application. A 70-foot turnaround is only required for a county road cul-de-sac.

Discussion was held in regards to irrigation water, to which Director Olsen stated the Applicant is working with the Eastern Idaho Canal Company to improve a ditch area as it has not been utilized for some time and is overgrown.

The Board reviewed the requirements within Bingham County Code Section 10-4-2 (C): Purposes of Zones- Residential/Agricultural "R/A": The purpose of the "R/A" zone is to permit the establishment of low-density single-family dwellings with lot sizes sufficient for individual sewer and water facilities they have:

1. Suitability of parcel for agricultural purposes: The Board had no concerns.
2. Proximity to existing areas of similar population density: The Board had no concerns.
3. Lot size compatible with existing lot sizes in the immediate area: The Board had no concerns.
4. Compatible with the existing uses in the immediate area: The Board had no concerns.
5. Protection from incompatible uses: The Board had no concerns.
6. Accessibility to adequate utilities: The Board had no concerns. Chairman Manwaring added that this should be addressed with the utility companies.
7. Adequate service by roadways: The Board had no concerns.

Decision: Commissioner Jackson moved to uphold the Planning & Zoning Commissions decision to approve the request by Scott and Linnea Chidester to develop a 2-Lot Subdivision, to be known as Sand Dunes and Duck Ponds, on approximately 9.9 acres, zoned Residential/Agriculture. The subject property is located at 52 E 75 S in Blackfoot and this decision is based on the record as presented 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

The Board met with Tiffany Olsen to discuss update within the Planning & Development Department.

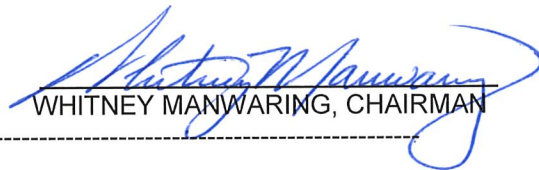
ROCKY MOUNTAIN POWER UPDATE

Present: Tim Solomon- Rocky Mountain Power
Tiffany Olsen- Planning & Development Director

The Board met with Tim Solomon to receive the quarterly update for Rocky Mountain Power.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY, FEBRUARY 8, 2023


PAMELA W. ECKHARDT, CLERK
Lindsey Dalley- Deputy Clerk


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Wednesday, February 8, 2023
County of Bingham)

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

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

CASH WARRANT

A Cash Warrant was approved in the amount of \$318.65.

COLLEGE OF EASTERN IDAHO

Certificate of Residency documents were approved and sent to the College of Eastern Idaho for the following Bingham County students: Shayley M. Stephenson and Aurelio T Chapa.

TAX MATTERS

The Board met to approve Tax Inquiry documents, which were as follows and for the following reasons:

MH0106200 Year 2022 Manufactured Home is no longer there

Decision: Commissioner Jackson moved to approve the Tax Inquiry as presented. Commissioner Bair seconded. All voted in favor. The motion carried.

ALCOHOL LICENSE TRANSFER

The Board met to approve Alcohol License Transfer documents, which were as follows:

Atomic Motor Raceway to BVL Farms LLC DBA Atomic Motor Raceway

Atomic City Bar & Store to BVL Farms, LLC DBA Atomic City Bar and Store

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

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Bair moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Jackson seconded. All voted in favor. The Board moved into Executive Session at 8:31 a.m. Commissioner Jackson moved to go out of Executive Session. Commissioner Bair seconded. All voted in favor. The Board moved out of Executive Session at 8:48 a.m.

Decision: Commissioner Jackson moved to terminate employment for the employee discussed during Executive Session, along with directing Dusty Whited, Laraine Pope and Paul Rogers to take care of the Central Transfer Station employee termination. Commissioner Bair seconded. All voted in favor. The motion carried.

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
 Terry Hubler- Idaho Asphalt
 Troy Lenhart- Road & Bridge Supervisor
 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.

Next, the Bid Opening was held for Asphalt and Spreading Services for the 2023 oiling season. Chairman Manwaring opened bids, which were submitted in a timely manner from the following:

Idaho Asphalt
Ergon Asphalt

There was no decision made at this time and both submitted bids would be reviewed by the Public Works Director and Legal Counsel, followed by being placed on the agenda for a final decision.

Next, Mr. Whited explained the submitted Solid Waste Credit Application for Durabuild, LLC, for the amount of \$500.00 per month. Mr. Whited stated that all references have been checked and he would propose approval of this Credit Application at this time.

Decision: Commissioner Bair moved to approve the Solid Waste Credit Application for Durabuild, LLC, for the amount of \$500.00 per month. Commissioner Jackson seconded. All voted in favor. The motion carried.

Next, Mr. Whited explained the submitted Solid Waste Credit Application for Hopkins Packing, for the amount of \$1,500.00 per month. Mr. Whited stated that all references have been checked and he would propose approval of this Credit Application at this time.

Decision: Commissioner Jackson moved to approve the Solid Waste Credit Application for Hopkins Packing, for the amount of \$1,500.00 per month. Commissioner Bair seconded. All voted in favor. The motion carried.

Next, Mr. Whited explained the submitted Prior Approval for Major Purchase for parts for the tire de-rimmer (slicer), in the amount of \$5,508.21 and will be paid from the Fund 23-70-491-01- Solid Waste-Equipment Maintenance.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase for parts for the tire de-rimmer (slicer), in the amount of \$5,508.21 and will be paid from the Fund 23-70-491-01- Solid Waste- Equipment Maintenance. Commissioner Bair seconded. All voted in favor. The motion carried.

Chairman Manwaring moved to appoint Commissioner Bair as Temporary Chairman for the afternoon meetings due to him not being able to attend. Commissioner Jackson seconded. All voted in favor. The motion carried.

SHERIFF'S OFFICE

Present: Jeff Gardner- Bingham County Sheriff
Paul Rogers- Prosecuting Attorney
Jordyn Nebeker- Bingham County Chief Deputy Sheriff

The Board met 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 Chief Deputy Jordyn Nebeker.

Chief Deputy Jordyn Nebeker explained the submitted Prior Approval for Major Purchase of barcode reader kits, which will furnish all patrol vehicles with updated equipment. Said purchase is in the amount of \$1,587.36 and is to be paid from Fund: 05-02-801-00- Justice Fund- Capital Vehicles.

Chief Deputy explained that Lt. Yancey was able to get a commitment from SWET (State Wide Electronic Ticketing) to grant a 75% match towards those items listed within the prior approval. Within the documentation is shows the breakdown of what the State is pledging and took what originally was over \$11,000.00 to approximately \$2,000.00.

Decision: Commissioner Jackson moved to approve the submitted Prior Approval for Major Purchase of barcode reader kits, which will furnish all patrol vehicles with updated equipment. Said purchase is in the amount of \$1,587.36 and is to be paid from Fund: 05-02-801-00- Justice Fund- Capital Vehicles. Commissioner Bair seconded. All voted in favor. The motion carried.

Next, Chief Deputy Jordyn Nebeker explained the submitted Prior Approval for Major Purchase of Statewide Electronic Ticketing Printers & Power Adapters for electronic ticketing. Said purchase is in the amount of \$7,975.00 and is to be paid from Fund: 05-02-801-00- Justice Fund- Capital Vehicles.

Decision: Commissioner Jackson moved to approve the submitted Prior Approval for Major Purchase of Statewide Electronic Ticketing Printers & Power Adapters for electronic ticketing. Said purchase is in the amount of \$7,975.00 and is to be paid from Fund: 05-02-801-00- Justice Fund- Capital Vehicles. Commissioner Bair seconded. All voted in favor. The motion carried.

A brief discussion was held in regards to possible fentanyl training in the schools throughout Bingham County.

HUMAN RESOURCES

Present: Laraine Pope- Human Resources
Paul Rogers- Prosecuting Attorney

The Board met with Laraine Pope to discuss department updates and other agenda items. Chairman Manwaring welcomed all to the meeting and turned the time over to Ms. Pope.

Ms. Pope gave an update on current recruitments, offers made to potential new hires and new hires.

Next, discussion was held in regards to the policy for random drug testing, wherein Ms. Pope stated that she is still working on the policy verbiage and she has not had a change to discuss "safety sensitive employees" with Legal Counsel.

CPR training was discussed, wherein Ms. Pope explained that Bruce Lloyd would charge \$45-\$50 per person and would be happy to train 15 people per class. This would be a combination of CPR and First Aid, which are two-year certifications. The Board gave Ms. Pope the latitude to speak further with Bruce Lloyd about teaching classes for the county.

Next, discussion was held in regards to the E-Benefits and a possible increase for the carryover amount. Ms. Pope stated that the county has been offered an increase in the election rate of \$3,075.00, which was previously \$2,750.00. There is also a small increase in the carryover amount allowed as well which has gone from \$500.00 to \$605.00.

Decision: Commissioner Jackson moved to approve the E-Benefits election rate to \$3,075.00 and the carryover amount of \$605.00. Commissioner Bair seconded. All voted in favor. The motion carried.

PUBLIC HEARING IN REGARDS TO THE CITY OF ABERDEEN'S REQUEST FOR VACATION OF A ROAD RIGHT-OF-WAY ON MOSER ROAD, FROM AIRPORT ROAD APPROXIMATELY 800' TO THE SOUTH, IN BINGHAM COUNTY, IDAHO, FOLLOWING PROCEDURES SET FORTH IN IDAHO CODE SECTION 40-203

Present: Nathan Covala- Project Manager/Ardurra
Larry Barrett- Mayor for Aberdeen
Ray Duffin- Farmer in Aberdeen
Ken Klassen- Farmer in Aberdeen
Daryl Klassen- Farmer in Aberdeen
Matthew Klassen- Farmer in Aberdeen
Tiffany Olsen- Planning & Development Director
John Burusco- Farmer in Aberdeen
Dusty Whited- Public Works Director
Gwen Inskeep- County Surveyor

The Board held a Public Hearing in regards to the request submitted by the City of Aberdeen for vacation of a road right-of-way on Moser Road, from Airport Road approximately 800' to the South, in Bingham County, Idaho, following procedures set forth in Idaho Code Section 40-203. Chairman Manwaring welcomed all to the meeting, introductions were held and the time was turned over to Mr. Whited.

Mr. Whited stated a request was submitted by the City of Aberdeen to vacate Moser Road, wherein he has reviewed said proposal and it meets all criteria required. Mr. Whited stated there was a traffic study completed in August and the average daily traffic was 33 cars per day, the week days average was 42 cars per day and the weekend average was 12 cars per day. Mr. Whited stated the 85th percentile for speed was 29.6 miles per hour.

Commissioner Bair asked if the Duffins were in grain harvest when the traffic study was completed, to which Mr. Duffin stated probably not in that specific area. It is hard to say because the number would increase if there were potato or sugar beet harvest occurring as well.

Mr. Whited stated his main concern is how the road terminates, maintenance wise and they are satisfied with the cul-de-sac and terminating at the other end. With the low average daily traffic from a Public Works standpoint, there are no issues with the proposed vacation.

Mayor Barrett stated this project has been ongoing for several years and the City of Aberdeen has purchased the 68 acres west of the airport for this project. He has completed research and has an affidavit from the school in regards to bussing routes and this project is not in a school route. At times the roads are not maintained in the winter time because there are no buildings and it is not a farm to market road. In his opinion, it is a road that is not used that much. He feels as though it will be an asset to the City of Aberdeen, as well as the farmers. The crop duster and his plane are to the capacity of the runway as it currently stands. He is hopeful if this project is completed therefore may be additional funding available to maintain the airport runway.

Commissioner Bair asked Mayor Barrett if there is an expansion, wherein it was stated in order to expand and complete upgrades, they need to be in compliance to receive funding. The existing runway is considered to be in poor condition and because of the existing position close to the road, it is not eligible for federal funding. The proposal is to relocate the runway to the south, rebuild at 75 feet wide and approximately 5500 feet in length. Mayor Barrett mentioned the aircraft that currently operate on the runway and since the study began, there aircrafts using the runway that need longer runway lengths. Extending the runway would be sure that it meets FAA standards.

Commissioner Jackson asked if the current runway would be abandoned, to which Mr. Covala stated that has not been decided yet but it would need to be changed so it no longer resembles a runway.

Chairman Manwaring stated testimony in favor of the proposed road vacation would be heard at this time.

Mr. Darrell Clawson stated that he is the one who sold the 68 acres of ground to the City of Aberdeen. This proposed vacation would affect them the worst, along with one other farmer but to him it is important to complete this project. He has come to the realization of the city not being able to receive maintenance funding for the runway and airport due to non-compliance. He stated this changed his opinion and he could also guarantee there are planes not coming into the airport currently due to the condition of the runway and in fact he owns one of those planes and is unable to use the runway. It would be devastating to the community, it is critical to move forward with the project and he is in favor.

Mr. Matthew Clawson stated the Aberdeen Airport expansion would be a well representation of Aberdeen, if expanded. There are several people who would use the runway to land that currently cannot do so. It would be devastating if FAA Funding were not available to keep up with maintenance and the runway was not able to be utilized.

There was no further testimony in favor.

Chairman Manwaring asked if there was testimony in neutral. There was none.

Chairman Manwaring asked if there was testimony in opposition, which was as follows.

Ray Duffin, a farmer in the Aberdeen area, stated he received notice regarding this Public Hearing and was not sure why but knows of 5 other farmers that did not receive notice. Therefore, he is concerned there is not enough notice and individuals do not know about this meeting. Chairman Manwaring responded and explained per Idaho Code, the board is only required to send notice to individuals within so many feet of the subject property. Chairman Manwaring stated this notice was published in the designated Bingham County newspaper, the Bingham News Chronicle, as well as the Aberdeen Times, which was not required but done as a courtesy.

Mr. Duffin stated the road is used by farmers significantly in the summertime. His dad has flown off of the runway for years and owns several planes having no issues. Mr. Duffin stated he believes there are grants available to assist in resurfacing the existing runway. He explained that he is also concerned with the amount of work that has been done, including purchase of the 68 acres without knowing if the road could be closed. He was not aware that the City of Aberdeen had purchased the 68 acres, nor was there a meeting held to discuss the property being purchased. This road has been there and is important. When it is harvest time, that road is needed and going an alternative route would take additional times, fuel and wear and tear on equipment. There should have been a speed study and traffic study completed during harvest time to show how much it is actually used. This road is well traveled and he is strongly against having the road closed.

Mr. John Burusco stated he farms in the area and the road has in fact been plowed during the winter. It acts as a good road and services the airport but the Homestead Cemetery. During harvest, that road is the access point to several fields and is used during sugar beets, potato, and grain harvest. Therefore, closing this road will take away service on the road and he is against the proposal.

Chairman Manwaring turned the time over to Mayor Barrett for a rebuttal statement.

Mayor Barrett stated if you head either direction on Moser Road, it is not a complete through road. The people that have farm right off of Airport Road to the West have cellars. All three roads are paved and most of the trucks will drive paved road if possible. From the East Boat Dock Road to Desert Road to Airport Road to Funk Road, to Homestead Road, was never maintained in the wintertime. There are no visible homes or buildings on Moser Road where the closure is proposed. As far as access from the cul-de-sac, there could be a gate on the property for emergency situations. The amount of maintenance it takes to keep the runway manageable is high, the budget for the airport is spent and cannot be used for maintenance as it exists. If relocated and meets standards, funding is available for ongoing maintenance. There are runway safety areas, runway protection zones and runway object free areas, which do not meet standards on the existing runway and because of that reason the FAA will not fund pavement that does not meet standards. Until the runway is relocated, there is not funding available for maintenance and it will need to be relocated and widened. The runway is to the point where is no longer needs minor maintenance, it needs major rehabilitation.

Chairman Manwaring closed any testimony and rebuttal statements at this time.

Chairman Manwaring stated this is a hard decision but the biggest thing that stood out to him in testimony was Mr. Duffin stating there have not been enough people notified of this Public Hearing. Although, the county follows what is required by code but there always seems to be a number of individuals that aren't receiving notice when they probably should. In the past, Public Hearings have ben postponed in order to extend that boundary line for notice to be sure everyone who may be affected is receiving notice.

Commissioner Jackson stated that he can see both sides of the issue. It is a tough decision one way or the other but in his mind, it looks like the runway has lived its lifespan. It would be a good expense to repair and update in order to meet requirements. It would be a shame to lose the entire runway as an airport is something that the city needs to expand and grow.

Commissioner Bair stated the decision needs to be made in the best interest of the public and he believes that the best interest for the public and community would be to relocate the runway and update in order to receive funding.

Commissioner Jackson this seems to have been an issue that has been going on for some time and he feels that he has sufficient evidence to make a decision today.

Chairman Manwaring stated he would like this matter to be postponed to send out additional notice to others who may be impacted.

Commissioner Jackson confirmed that all requirements required in Idaho Code have been met, to which was confirmed.

Planning & Development Director, Tiffany Olsen, stated she was not aware of the location of the runway was to be by the information provided by the City of Aberdeen in their packet. Now that the location has been brought to her attention, in looking at the parcel map and note that the subject land is zoned Agriculture and the current airport is zoned Heavy Commercial. There is likely to be a Zoning Modification in order to allow the functionality and use of an airport on that property.

Director Olsen explained that the City of Aberdeen could be required to follow Land Use Regulations regardless of the owner, whether it is a municipality or the county. The county often times has to do the same Conditional Use Permitting or other items like that in order to comply.

Director Olsen explained that the City of Aberdeen would need to apply for a Conditional Use Permit and it could be considered for the City of Aberdeen to annex the subject property into the city. That is one of the only exemptions in Idaho Code for non-contiguous land in a county. In all likely hood, the subject property is probably classified as a non-conforming use in county code, so it was in existence in that functionality prior to Bingham County adopting a zoning district and land use chart. The code provides that any non-conforming use can continue to exist in its same function and operation, so long as it is not expanded. Otherwise, it is required to meet the current regulations, wherein this would be the trigger.

Director Olsen recommended a decision not be made today and instruct her to confer with the City of Aberdeen to determine if an annexation proceeding is the appropriate route, wherein at that time, the county is not involved or if a Conditional Use Permit is required. It seems if the Conditional Use Permit is applied for and approved, it would be prudent to discuss the road.

Commissioner Bair asked Director Olsen how the City of Aberdeen could annex the subject property unless they own property. Director Olsen stated there is a section in Idaho Code that states that a city can own property that is not surrounded on any side by the city, if it is used for a municipal airport.

Commissioner Bair asked Legal Counsel what his recommendation would be, wherein Legal Counsel stated he would recommend that this matter be tabled at a later date in order to go through publication and mailing requirements. When notice is mailed, the boundary will be extended to notice property owners up to one mile.

Decision: Commissioner Bair moved to table this decision to vacate the proposed section of Moser Road for at least 60 days from today's date in order to meet all requirements in Idaho Code and additional information. Commissioner Jackson seconded. Chairman Manwaring amended the motion to add that notice will be sent to all property owners within 1-mile of the subject property. All voted in favor. The motion carried.

DISCUSSION & DECISION ON REQUEST TO REVIEW TAXES ASSESSED AS RESIDENTIAL INSTEAD OF AGRICULTURE LAND- REQUESTED BY SETH PRATT AND GARY PRATT

Present: Paul Rogers- Prosecuting Attorney
Debbie Cunningham- Chief Deputy Assessor
Lori Faler- Assessor's Office
Lauri Camphouse- Assessor's Office
Seth & Gary Pratt- Land Owners

The Board met to hold discussion and make a decision regarding the request submitted by Seth & Gary Pratt in regards to taxes assessed as Residential instead of Agriculture Land. Chairman Manwaring welcomed all to the meeting and explained the neighboring farm sold in March of 2022, well and pump were discovered to be on Gary Pratt's land. He traded land, wherein the deed was received late May of 2022. Tax Notice was received December 2022 and Mr. Pratt would be in favor of paying the farm tax rate but zoning had been changed to residential. Chairman Manwaring turned the time over to Ms. Cunningham.

Ms. Cunningham explained that Mr. Pratt had contacted the Assessor's Office questioning why the value was what it was, which she did give to him. Mr. Pratt confirmed and stated the other individuals in the office assisted them in fixing the issue for 2023 so that this issue would not occur again.

Seth Pratt stated all staff has been more than helpful and it was simply swapping one pasture for another and not being involved in land development. They wanted as few houses as possible in the area and that is not something they want to be involved in. This has been a learning curve for him and his family. Chairman Manwaring confirmed which pastures were traded.

Ms. Cunningham explained the subject property is a buildable piece and it has a division right, which is how it was assessed. Ms. Cunningham stated the Pratt's own the ground directly across the street and if it were in the same name, they could have valued it in connection and given it farm value because at that point it would be over five acres. It can only be priced in connection if the property owner names are exactly the same and in this case, they were not. The Assessor's Office was unaware that there was a trade made or any of the circumstances. An Assessment Notice followed on the property and the split was done with value on it. The time to protest said value was in June during the Board of Equalization, which has passed.

Ms. Cunningham stated if an individual does not receive a tax notice, they are still responsible for paying the amount owed. Although, there were some unforeseen circumstances in this instance, it does need to be paid. The main issue is that the incorrect address was placed on the deed by the title company.

Commissioner Bair asked if the Board could do anything, as the Board of Equalization has passed, to which it was confirmed they cannot. Ms. Cunningham stated the issue has been corrected and therefore, will be corrected for 2023.

Ms. Cunningham read Idaho State Statute, Title 63 Chapter 63-64, which states when the area if land is five contiguous acres or less, such land shall be presumed to be non-agricultural land. That is how the property in discussion was categorized.

Paul Rogers, Legal Counsel, explained the recourse for the landowner is to go to the title company first after they have paid the amount of taxes but recover those costs from the title company or there could be a stay put on the payment until this is resolved but that may actually harm the property owner because if it is stayed, they would not be able to go after the title company.

Chairman Manwaring stated he would propose to get with the original property owner and the title company, split the cost for this year, as the Pratt's were late in receiving the notice. If there is nothing done with that attempt, the county could possibly waive a portion of the taxes.

Commissioner Bair stated that he would be in favor of cutting the tax bill in half.

Chairman Manwaring reiterated that the Pratt's should meet with the title company and the previous owner's first to see if it could be taken care of. If not, the Pratt's have the ability to come before the Board, wherein a portion of the taxes could be waived.

Mr. Rogers stated that he would be happy to assist the Pratts in drafting a letter to the title company, to inform them of the issue. The county is not at fault at all, neither are the Pratts. A letter from the county stating this is a fault on behalf of the title company would be beneficial to see what their response may be. The Pratt's will schedule a time with Mr. Rogers to discuss this letter further.

Decision: There was no decision made at this time. Mr. Pratt was directed to meet with the title company and advise them of the issue. If nothing is solved, the Pratts shall come before the Board for possible waiver of a portion of the taxes due to the error.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY, FEBRUARY 10, 2023


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Friday, February 10, 2023
County of Bingham)

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

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

CLAIMS

Claims were approved in the amount of \$229,759.86.

CASH WARRANT

A Cash Warrant was approved in the amount of \$145.96.

PERSONNEL ACTION FORMS

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

Salary Increase Forms: Motor Vehicle Specialist
 Deputy Clerk/Jury Commission/Recorder
 Administrative Assistant/Commissioners

New Employee Status Sheet: Drivers License Examiner
 Drug Testing Tech
 Crusher
 Drivers License Examiner

Decision: Commissioner Bair moved to approve Cash Warrants, Claims, Administrative Documents and Personnel Action Forms for February 10, 2023. Commissioner Jackson seconded. All voted in favor. The motion carried.

RESOLUTION 2023-09

The Board met to approve Bingham County Resolution 2023-09, a formal resolution declaring certain Bingham County property not necessary for use in Bingham County, Idaho, specifically for the Clerk's Office.

Decision: Commissioner Jackson moved to approve Bingham County Resolution 2023-09. Commissioner Bair seconded. All voted in favor. The motion carried.

TAX INQUIRIES

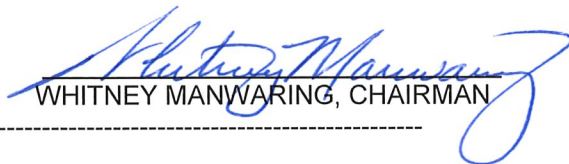
The Board met to approve Tax Inquiries submitted by the County Assessor, which were as follows and for the following reasons:

RP0373401	Year 2022	Value change per Idaho State Board of Equalization
RP0373902	Year 2022	Value change per Idaho State Board of Equalization

Decision: Commissioner Bair moved to approve the Tax Inquiries as presented. Commissioner Jackson seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL MONDAY, FEBRUARY 13, 2023


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


 WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Monday, February 13, 2023
 County of Bingham)

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

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

MEETING TO RECEIVE THE PLANNING & ZONING COMMISSIONS RECOMMENDATION TO APPROVE THE EAST VIEW SUBDIVISION PRELIMINARY PLAT

Present: Tiffany Olsen- Planning & Development Director
 Addie Jo Harris- Assistant Planning & Development Director
 Chris Street- HLE
 Paul Rogers- Prosecuting Attorney
 Betty Walker- Family member of the Applicant

The Board held a meeting to receive the Planning & Zoning Commissions recommendation to approve the East View Subdivision Preliminary Plat. Chairman Manwaring welcomed all to the meeting, introductions were held and the time was turned over to Ms. Harris.

Ms. Harris presented the Staff Report for the record at this time.

Chairman Manwaring stated the subject property is outside of the City Area of Impact and the flood plain, but is in the high nitrate area. The Applications will need to be aware of that.

Discussion was held in regards to a "gang mailbox", wherein Dusty Whited, Bingham County Public Works Director, stated in submitted testimony that, "The proposed gang mailbox and turnout location should be inside a private easement". The Blackfoot Postmaster has provided written confirmation that a gang mailbox would not be required for this subdivision.

Commissioner Bair added that all subdivision recommendations have been met and he agreed with all staff comments provided within the Staff Report.

Commissioner Bair added that all subdivision recommendations have been met and he agreed with all staff comments provided within the Staff Report.

The Board reviewed the requirements within Bingham County Code Section 10-4-2 (B): Purposes of Zones-Agricultural (A): The purpose of the "A" Zone is to preserve and protect the decreasing supply of agricultural land. This zone also is established to control the infiltration of urban development into agricultural areas which will adversely affect agricultural operations in order to and deliberation was held as follows:

1. Allow productive agricultural land areas to be protected: The Board had no concerns.
2. To promote the public health, safety, and welfare by encouraging the protection of viable farm land, in accordance with the Comprehensive Plan, to encourage urban density development inside cities and in areas of city impact; and to protect fish wildlife, and recreation resources, consistent with the purposes of the Local Land Use Planning Act, Idaho Code Section 67-6501 et seq., as amended: The Board had no concerns.
3. Protect agricultural and range land uses and wildlife management areas from unreasonable adverse impacts from adjacent development: The Board had no concerns.

Decision: Commissioner Jackson moved to uphold the decision of the Planning & Zoning Commission to approve the East View Subdivision, requested by William and Lisa Wells, for a 2-Lot Subdivision to be known as the East View Subdivision Commissioner Jackson's motion was based upon the record as presented and the Reason & Decision of the Planning & Zoning Commission. Commissioner Bair seconded. All voted in favor. The motion carried.

TREASURER DEPARTMENT

Present: Tanna Beal- Treasurer
Paul Rogers- Prosecuting Attorney

The Board met with Tanna Beal to discuss updates with the Treasurer's Department.

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Bair moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Jackson seconded. All voted in favor. The Board moved into Executive Session at 2:21 P.m. Commissioner Bair moved to go out of Executive Session. Commissioner Jackson seconded. All voted in favor. The Board moved out of Executive Session at 2:59 p.m.

Decision: Commissioner Bair moved to offer the second Applicant for Building Maintenance Specialist an N13, Step 4 (\$18.36) but give the authorization to go to N13, Step 6 (\$19.48), if needed. Commissioner Jackson seconded. All voted in favor. The motion carried.

TAX EXEMPTION APPLICATIONS

Present: Pamela Eckhardt- County Clerk
Donavan Harrington- County Assessor
Audrey Barzee- Assessor's Office

The Board met to discuss and approve/deny the submitted Tax Exemption Application's. Chairman Manwaring welcomed all to the meeting and turned the time over to Mr. Harrington.

South Bingham Soil Conservation District
RP3046200 Building 58 W. Washington Avenue, Aberdeen
RP0040900 Leases property to USDA Plant Materials Center
RP0047901 Leases property to USDA Plant Materials Center

Decision: Commissioner Jackson moved to approve the Tax Exemption Applications pursuant to Idaho Code Section 63-602A, as presented. Commissioner Bair seconded. All voted in favor. The motion carried.

Next, Mr. Harrington presented the Tax Exemptions Applications pursuant to Idaho Code Section 63-602B, Religious limited liability companies, corporations or societies, which were as follows:

Methodist Church/Jason Lee Memorial United

RP1237000 190 Benton, Blackfoot
House is used for housing for the pastor.

Jason Lee Memorial

RP1025100 136 S. University (grass lot)
RP1025200 Church

International Church of the Foursquare Gospel

RP0324703 Groveland west of Basic American Cellars

First Street Meeting Room

RP3082201 652 S 2nd W, Aberdeen

Calvary Community Church of Aberdeen

RP3079500 552 S 2nd W, Aberdeen

Protestant Episcopal Church

RP1002200 72 N Shilling, Blackfoot

Faith Baptist Church

c/o Joe and Lela Copley DBA
RP7004500 Fort Hall 2 Lots are together with church
Joe Copley
RP7004600 Fort Hall

Church of Christ

RP1000100 30 N Shilling, Blackfoot

First Baptist Church

RP1182500 2650 Rose St, Blackfoot

Assembly of God Inc. Firth Tabernacle

RP4010704 235 W Center St, Firth
RP4013000 201 E. Center St, Firth- Parsonage

Jehovah's Witnesses Blackfoot Congregation

RP1322001 1535 Highland, Blackfoot

Roman Catholic Diocese of Boise

RP1051801 Building next to church leased to SEICCA at \$1,000/month
RP1066104 Parrish pavilion and grounds
RP1066106 grounds behind church
RP1052300 St. Bernard's Church and education center campus

RP1066104	Parrish pavilion and grounds
RP1066106	grounds behind church
RP1052300	St. Bernard's Church and education center campus
RP1052700	Parrish office and meeting rooms (former extension office)
RP3082100	Church in Aberdeen
RP3080000	Church grounds in Aberdeen
RP7001500	Church in Fort Hall
RP0139401	Church in Pingree

Decision: Commissioner Bair moved to approve Tax Exemption Applications pursuant to Idaho Code Section 63-602B, as presented. Commissioner Jackson seconded. All voted in favor.

Next, Mr. Harrington presented Tax Exemption Application's pursuant to Idaho Code Section 63-602C, Fraternal, Benevolent or charitable, which were as follows:

Dawn Enterprises, Inc.

RP1319100	420 Cedar, Blackfoot
RP1089300	

Eastern Idaho Community Action Partnership, Inc.

RP1016800	
Head Start Building Across from Southeastern Idaho Public Health	

American Legion Post No 59- Aberdeen

RP3055500	180 S. Main St. Aberdeen
-----------	--------------------------

Decision: Commissioner Jackson moved to approve the Tax Exemption Applications pursuant to Idaho Code Section 63-602C, Fraternal, Benevolent or Charitable, as presented. Commissioner Bair seconded. All voted in favor. The motion carried.

Next, Mr. Harrington presented Tax Exemption Application's pursuant to Idaho Code Section 63-602D, Certain Hospitals, which were as follows:

Bingham Memorial Hospital

RP1403000	340 N Meridian, Blackfoot
Land across from maternity center	

RP1403100	330 N Meridian, Blackfoot
Land across from maternity center	

RP1402900	350 N Meridian, Blackfoot
Grove Creek Medical Center- maternity center	

RP1402800	360 N. Meridian, Blackfoot
Land next to maternity center	

RP1287901	167 Poplar, Blackfoot	59% exempt
BMH- Physicians Clinic- BMH is 58.72% owner		

RP1289200	326 Poplar, Blackfoot
Bingham Specialty Plaza- Medical Offices	

RP1289100	344 N Poplar, Blackfoot
Poplar House- office space for hospital staff	

RP1287500	150 Parsons, Blackfoot
-----------	------------------------

Ground

RP1287400 Ground	170 Parsons, Blackfoot	
RP1325400 College of Massage Therapy and Office Space for Staff	1600 Highland, Blackfoot	30% Exempt
RP1107400 Parking Lot	53 Poplar, Blackfoot	
RP1107000 Providers stay at this house while on call	194 N. Spruce, Blackfoot	
RP1105900 Vacant House	490 N Spruce, Blackfoot	
RP1045900 Clinical Research Office	358 W Idaho Street, Blackfoot	
RP1045600 Pediatric Therapy Center	124 N Oak, Blackfoot	
RP2024600 1 st Choice Urgent Care	275 W Locust St., Shelley	
RP1107200 Vacant House to be demolished	152 N Spruce, Blackfoot	

Decision: Commissioner Bair moved to approve Tax Exemption Applications pursuant to Idaho Code Section 63-602D, as presented. Commissioner Jackson seconded. All voted in favor. The motion carried.

Next, Mr. Harrington presented Tax Exemption Applications pursuant to Idaho Code Section 63-602E, property used for school or educational purposes including charter schools, which were as follows:

Blackfoot Charter Community Learning Center

RP1394100	Hunters Loop Complex Blackfoot
RP1394200	Hunters Loop Complex Blackfoot
RP1394300	Hunters Loop Complex Blackfoot
RP1394401	Hunters Loop Complex Blackfoot
RP1394402	Hunters Loop Complex Blackfoot
RP1394600	Hunters Loop Complex Blackfoot
RP0344804	92 N 415 W Blackfoot

Idaho Science & Technology Charter School

RP8266780	21 N 550 W Blackfoot
RP8266790	21 N 550 W Blackfoot
RP8266800	21 N 550 W Blackfoot

Idaho Plumbers-Pipefitters

RP1272700	Wilson St Blackfoot
-----------	---------------------

Decision: Commissioner Jackson moved to approve Tax Exemption Applications pursuant to Idaho Code Section 63-602E, as presented. Commissioner Bair seconded. All voted in favor. The motion carried.

Next, Mr. Harrington presented Tax Exemption Applications pursuant to Idaho Code Section 63-602N, Irrigation Districts, which were as follows:

New Sweden Irrigation District

RP0385700 housing IC63-602N(3)(a)
RP0381703
RP0382101

Snake River Valley Irrigation

RP0530900 shop
RP5008100 well
RP5003102 land

Groveland Water and Sewer

RP0323805 well site
RP0360101 well site

Country Havens Utilities Association

RP0239100 park
RP8005800 well # 2
RP8005100 well lot

People's Canal and Irrigation Co

RP0178000
RP0178203
RP0187704
RP0187800
RP0400300

Greenfield Acres Water and Sewer

RP8015700 land and structures
RP0552502 land and structures
RP8019902 land and structures
RP8026101 land

Martel Lee Smith II

RP2119901 Irrigation ditch or system
Shelley behind October Cove. Mr. Martel
Still owns the land

Decision: Commissioner Bair moved to approve Tax Exemption Applications pursuant to Idaho Code Section 63-602N, as presented. Commissioner Jackson seconded. All voted in favor. The motion carried.

Lastly, Mr. Harrington presented Tax Exemption Applications pursuant to Idaho Code Section 63-602GG, Low-income housing owned by nonprofit organizations

Eastern Idaho Special Services Agency Inc.

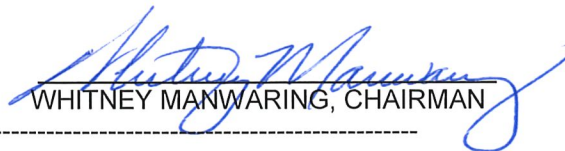
RP1082000 1560 Camas
RP1139802 1420 Camas

Fairview Family Estates

Decision: Commissioner Jackson moved to approve Tax Exemption Application's pursuant to Idaho Code section 63-602GG, as presented. Commissioner Bair seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY, FEBRUARY 17, 2023


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Friday, February 17, 2023
County of Bingham)

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

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

Commissioner Jackson moved to appoint Commissioner Bair as Temporary Chairman due to the absence of Commissioner Manwaring. Commissioner Bair seconded. Both voted in favor. The motion carried.

CASH WARRANTS

Cash Warrants were approved in the amount of \$474,182.14, \$102,231.93 and \$148,635.08, for a total of \$725,049.15.

CLAIMS

Claims were approved in the amount of \$254,638.11.

PERSONNEL ACTION FORMS

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

Salary Increase Form: Patrol Sergeant
 Detention Corporal
 Detention Deputy
 Patrol Sergeant
Employee Status Sheet: Patrol Deputy to Detention Deputy

COLLEGE OF WESTERN IDAHO

A Certificate of Residency was approved by the Board and sent to the College of Western Idaho for the following Bingham County student: Adriana T. Ortiz.

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

TAX INQUIRIES

The Board met to approve one Tax Inquiry document for the following reasons:

MH344S36FA005A Year 2022 Owner has Solid Waste Service with Ft. Hall
Transfer Station

Decision: Commission Jackson moved to approve the submitted Tax Inquiry as presented. Commissioner Bair seconded. Both voted in favor. The motion carried.

PRIOR APPROVAL FOR MAJOR PURCHASE- COMMISSIONERS

The Board met to review and make a decision in regards to the Prior Approval for Major Purchases submitted by Lindsey Dalley, Commission Clerk, for the purchase of a podium to place in Commission Chambers. The Commissioners requested Ms. Dalley to do so in order to assist with keeping meetings formal and not have individuals speaking over one another. Said purchase is for the amount of \$1,574.00, to be purchased from Idaho Correctional Industries and to be paid from Fund 01-18-559-00- General Fund- Other Miscellaneous.

Ms. Dalley worked with Clerk Eckhardt and collected three separate bids with the proposed bid being the lowest. Commissioner Bair and Commissioner Jackson had no concerns.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase submitted by Lindsey Dalley, Commission Clerk, for the purchase of a podium to place in Commission Chambers. The Commissioners requested Ms. Dalley to do so in order to assist with keeping meetings formal and not have individuals speaking over one another. Said purchase is for the amount of \$1,574.00, to be purchased from Idaho Correctional Industries and to be paid from Fund 01-18-559-00- General Fund- Other Miscellaneous. Commissioner Bair seconded. Both voted in favor. The motion carried.

PRIOR APPROVAL FOR MAJOR PURCHASE- PUBLIC WORKS

The Board met to review and make a decision in regards to the Prior Approval for Major Purchase submitted by Dusty Whited, Public Works Director, for the purchase of a V-Plow in the amount of \$7,899.00 and is to be paid from Fund 02-40-803-00- Road & Bridge- Capital Heavy Equipment.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchases submitted by Dusty Whited, Public Works Director, for the purchase of a V-Plow in the amount of \$7,899.00 and is to be paid from Fund 02-40-803-00- Road & Bridge- Capital Heavy Equipment. Commissioner Bair seconded. Both voted in favor. The motion carried.

PRIOR APPROVAL FOR MAJOR PURCHASE – BUILDING MAINTENANCE

The Board met to review and make a decision in regards to the Prior Approval for Major Purchase submitted by Jason Marlow, Building Maintenance Director, for the purchase and approval of the Harris Maintenance Agreement Contract. Said contract is in the amount of \$8,180.00 and is to be paid from Fund 01-10-494-00- Building & Grounds- Building & Fixtures.

Decision: Commissioner Jackson moved to approve the Prior Approval for the Harris Maintenance Agreement Contract in the amount of \$8,180.00 and is to be paid from Fund 01-10-494-00- Building & Grounds- Building & Fixtures. Commissioner Bair seconded. Both voted in favor. The motion carried.

RESOLUTION 2023-6

The Board met to approve Bingham County Resolution 2023-06, a resolution for destruction of records, specifically for the Clerk's Office and the Department of Motor Vehicles.

Decision: Commissioner Jackson moved to approve Bingham County Resolution 2023-06, for the destruction of records, specifically for the Clerk's Office and the Department of Motor Vehicles. Commissioner Bair seconded. Both voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL TUESDAY, FEBRUARY 21, 2023



PAMELA W. ECKHARDT, CLERK

Lindsey Dalley- Deputy Clerk-----



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Tuesday, February 21, 2023
County of Bingham)

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

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

APPROVAL OF FINAL PLAT FOR GREGORY’S SUBDIVISION DIVISION 2

Present: Dusty Whited- Public Works Director
Tiffany Olsen- Planning & Development Director
Addie Jo Harris- Assistant Planning & Development Director
Gwen Inskeep- County Surveyor
Paul Rogers- Prosecuting Attorney

The Board met to approve the Final Plat for Gregory's Subdivision Division 2.

Decision: Commissioner Bair moved to approve and sign the Final Plat for Gregory’s Subdivision Division 2. Commissioner Jackson seconded. All voted in favor. The motion carried.

APPROVAL & SIGNING OF REASON & DECISION FOR ROSE RIVER ESTATES SUBDIVISION

The Board met to approve and sign the Reason & Decision for Rose River Estates Subdivision.

Decision: Commissioner Bair moved to approve and sign the Reason & Decision for Rose River Estates Subdivision. Commissioner Jackson seconded. All voted in favor. The motion carried.

APPROVAL & SIGNING OF REASON & DECISION FOR SOUTH SAND CREEK ESTATES SUBDIVISION

The Board met to approve and sign the Reason & Decision for South Sand Creek Estates.

Decision: Commissioner Jackson moved to approve and sign the Reason & Decision for South Sand Creek Estates Subdivision. Commissioner Bair seconded. All voted in favor. The motion carried.

APPROVAL & SIGNING OF REASON & DECISION FOR SAND DUNES & DUCK PONDS SUBDIVISION

The Board met to approve and sign the Reason & Decision for the Sand Dunes & Duck Ponds Subdivision.

Decision: Commissioner Bair moved to approve and sign the Reason & Decision for the Sand Dunes & Duck Ponds Subdivision. Commissioner Jackson seconded. All voted in favor. The motion carried.

PLANNING & DEVELOPMENT

Present: Tiffany Olsen- Planning & Development Director
Paul Rogers- Prosecuting Attorney
Dusty Whited- Public Works Director
Gwen Inskeep- County Surveyor
Jordyn Nebeker- Bingham County Chief Deputy Sheriff
Jeff Gardner- Bingham County Sheriff

Ryan Jolley- Chief Deputy Prosecuting Attorney
Pamela Eckhardt- County Clerk

The Board met with Tiffany Olsen to discuss department updates and other agenda items. Chairman Manwaring welcomed all to the meeting and turned the time over to Director Olsen.

Director Olsen explained that a citizen of Bingham County, Mr. Dave Sonnenberg, has reached out to Commissioner Jackson in regards to concerns he has pertaining to hazardous materials. Commissioner Jackson explained that Mr. Sonnenberg had contacted him and he reviewed a list of complaints. After speaking with several other individuals, it appears that this has been an ongoing issue for several years but he has made a list explaining those concerns.

Paul Rogers stated in the future he would ask that Mr. Sonnenberg be directed to him in order to discuss these issues as he has done in the past. Mr. Rogers stated within the complaint, Abby French and Tiffany Olsen were mentioned, wherein those issues have been cured some time ago. Mr. Rogers explained there were ongoing complaints through the Sheriff's Office on several issues with Mr. Blake Lyle. He was charged with several charges and it appears there is an eternal feud between the two individuals. Ms. French took all complaints and made a Plea Agreement for Mr. Lyle, wherein he plead guilty. Mr. Lyle was on probation for sometime but he may have recently been discharged. Mr. Sonnenberg is still stating that nothing has been done but that is due to his lack of contact to check on the status of charges. If there are any concerns dated from June of 2022 to current, Mr. Rogers stated those have not been resolved but any concerns prior to that date have in fact been resolved. Since Mr. Lyle was placed on Probation, there has not been concerns addressed or submitted to the Prosecutor's Office or the Sheriff's Office.

Director Olsen explained that she has provided the Board with a Memorandum in regards to violations pertaining to Mr. Blake Lyle. As she sees, there are two situations currently that concern Planning & Development and Solid Waste, which is managed under Public Works. The first complaint was a vehicle wrecking yard, wherein Director Olsen stated the racetrack itself is a non-conforming use and was in existence prior to Bingham County Code. Therefore, being known as dilapidated vehicles that may or may not be operational and may or may not be licensed. In April of 2020, Mr. Lyle was cited and plead guilty to Violation of Bingham County Land use Chart (Section 10-5-3), for the operation of a vehicle wrecking yard in an Agricultural Zoning District, where that operation is not allowed. Director Olsen stated she was on cite several times after that guilty plea and she did not find that the cite was in the same disorderly manner as it had previously been. Director Olsen stated that she spoke with Mr. Lyle's attorney in regards to a possible zoning modification to the proper zone where the vehicle wrecking yard would be permitted but she has not yet seen an application. Although the area had been maintained, Mr. Sonnenberg was persistent in his complaints against Mr. Lyle, which prompted her to meet with Ms. French, previous Deputy Prosecuting Attorney, to determine if there was enough evidence since his previous guilty plea to charge a Misdemeanor, to which there was not.

Director Olsen referred to the illegal dumping of material, she did receive a complaint from Mr. Sonnenberg on July 29, 2020, advising of the potential illegal dumping, which Mr. Sonnenberg stated was from an ITD related project. Not long after that, Chase Hendricks, former County Legal Counsel, Dusty Whited and herself met to determine that the material fell underneath the Solid Waste Code regulated by Bingham County Code Title 4, Chapter, Section 2, which refer to two sections of Idaho Code, regarding Construction/demolition waste and inert waste. Commissioner Jackson asked Director Olsen if Mr. Lyle benefited from the material dumping, to which Director Olsen stated yes, he did as he was using it for fill on his site, which is allowable in County Code. There were emails with Bruce Olenick, with the Department of Environmental Quality dated August 19, 2020, regarding the definition of "inert" material as Bingham County Code does not further provide a definition. The Department of Environmental Quality advised that IDAPA does not regulate material as long as it is free from waste. Essentially, the dirt can be placed anywhere that doesn't interfere with runoff or create a wind-blown dust hazard.

On August 21, 2020, a meeting was held with the Board of County Commissioners, wherein the Board directed Director Olsen and Dusty Whited to contact the Department of Environmental Quality and determine if a sample of the material should be taken to determine if hazardous wastes are present.

During August-September 2020, Director Olsen contacted Mr. Olenick, who advised her that unless hazardous materials are present in a sample, they would not engage investigation or further action. There were telephone communications with James Orner, Idaho Transportation Department Engineer, and reviewed the ITD Permit to Knife River for the project and the approval to deliver material to the race track site.

September 23, 2020, Director Olsen and Addie Jo Harris, Assistant Director, met with the Idaho transportation Department and the contractor, Knife River, on the race track site (with civil standby provided by the Bingham County Sheriff's Office). Knife River advised they were unaware the County regulated solid waste and apologized for the oversight. Upon review of the material by the team present, concrete and metal materials within the next few days and would advise when completed.

On September 28, 2020 Director Olsen was notified by Chris Boniface, Project Manager with Knife River, that the material had been sifted and all non-approved substance were removed. Therefore, Director Olsen believes the timeframe from Mr. Sonnenberg's notification of dumping, the county handled the investigation and provided resolution in a timely manner. Since that instance, Planning & Development has not heard further from Mr. Sonnenberg nor anyone else in the area, regarding complaints of dumping at the race track site.

Chairman Manwaring asked Director Olsen what the zoning designation is for the location of the race track, to which Director Olsen stated it is within an Agriculture zone. Director Olsen stated where the race track is a legal non-conforming use, it would be a Conditional Use Permit. Chairman Manwaring asked if it would need to be approved with the new owner, wherein Director Olsen stated where it is a non-conforming use, it was not permitted in the county system as it existed prior to the code. Therefore, those uses could change owners but cannot expand boundaries.

In moving forward, Director Olsen suggested that the former Atomic City boundaries be reviewed and look at the zoning according to the functional use or present land uses.

Mr. Whited stated he has not received any further complaints to the Public Works Department either. The Idaho Transportation and Knife River were responsive to be sure that the compliance issues, were cured immediately.

Chairman Manwaring asked Sheriff Gardner if the Sheriff's Office has received noise complaints pertaining to the race track, to which Sheriff Gardner stated occasionally there have been a few noise complaints but that has been several years ago.

Chairman Manwaring asked Director Olsen what is allowed within a race track what county residents are allowed to have on their property, specifically pertaining to number of vehicles and if they are operable or not. Director Olsen stated the code does not define the number of vehicles allowed. Chairman Manwaring stated other race tracks may safe some vehicles to use solely for parts that could be utilized and suggested there may need to be a requirement to have fencing placed to hide the vehicles.

Director Olsen stated she has spoke with Legal Counsel about this to potentially place into the upcoming ordinance modifications.

Commissioner Jackson asked Director Olsen if there is any reason to believe that the stored vehicles would contaminate the well in the area, wherein she stated there could be concern there and any individuals could address said concern with the Department of Environmental Quality. It is required in code to designate an area where the vehicles may be dismantled and that any potential liquids would be contained in the area, to help address that concern.

Chairman Manwaring reiterated that any complaints pertaining to the former atomic city area, will be directed to Paul Rogers, Legal Counsel.

Director Olsen stated again that Mr. Sonnenberg has not contacted the Planning & Development Department since the end of 2020. Therefore, without information or complaints, she assumed things were good.

Lastly, Director Olsen gave an update for the Planning & Development Department.

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Bair moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Jackson seconded. All voted in favor. The Board moved into Executive Session at 3:00 p.m. Commissioner Bair moved to go out of Executive Session. Commissioner Jackson seconded. All voted in favor. The Board moved out of Executive Session at 3:50 p.m.

Decision: No decision was made at this time.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY, FEBRUARY 22, 2023


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Wednesday, February 22, 2023
County of Bingham)

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

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

TAX INQUIRY

The Board approved Tax Inquiry documents, which were as follows:

RP0255111 Year 2022 Reduce Value per Idaho Board of Tax Appeals for 2022

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

PRIOR APPROVAL- IT DEPARTMENT

Present: Scott Mensching- IT Director
 Tiffany Olsen- Planning & Development Director

The Board met to discuss and make a decision regarding several Prior Approval for Major Purchase documents submitted by Scott Mensching- IT Director. Chairman Manwaring welcomed all to the meeting and turned the time over to Mr. Mensching.

Mr. Mensching explained the submitted Prior Approval for Major Purchase of the OpenGov mobile access, to gain remote access to OpenGov on mobile devices for the Planning & Development Department. Said

purchase is in the amount of \$1,500.00 and is to be paid from Fund 01-14-524-0020- Planning & Zoning Software. This is a pro-rated amount for February 28, 2023 through August 30, 2023, when the amount will increase to \$3,000.00 per year.

Tiffany Olsen stated this app is new and will give the ability to access the OpenGov software when internet is not available. The cost is normally \$6,000.00 per year but Tiffany Olsen was able to negotiate for the amount of \$3,000.00 per year. This will be a flat fee no matter how many users will be using the app.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of OpenGov mobile access in the amount of \$1,500.00, to be paid from Fund 01-14-524-0020-Planning & Zoning Software. Commissioner Bair seconded. All voted in favor. The motion carried.

Next, Mr. Mensching explained the submitted Prior Approval for Major Purchase of CIS Services CrowdStrike MDR Spotlight, which is a vulnerability scanning add-on and is an antivirus software. Said purchase is in the amount of \$2,124.00 and is to be paid from Fund 01-14-492-00- Repairs/Maint-Office Equipment. Mr. Mensching stated this software was not budgeted for but there are funds within the IT budget to cover the purchase.

Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of CIS Services CrowdStrike MDR Spotlight, in the amount of \$2,124.00 and will be paid from Fund 01-14-492-00- Repairs/Maint-Office Equipment. Commissioner Jackson seconded. All voted in favor. The motion carried.

Next, Mr. Mensching explained the submitted Prior Approval for Major Purchase of Enghouse Software Maintenance and Support, which is the yearly renewal fee for the phone system throughout the courthouse. Said purchase is in the amount of \$6,361.92 and will be paid from Fund 01-14-524-01- Software-Renewals.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of Enghouse Software Maintenance and Support, which is the yearly renewal fee for the phone system throughout the courthouse. Said purchase is in the amount of \$6,361.92 and will be paid from Fund 01-14-524-01- Software-Renewals.

Lastly, Mr. Mensching explained the submitted Prior Approval for Major Purchase of Adobe Acrobat Standard DC, which is a yearly renewal fee. Said purchase is in the amount of \$4,007.75 and will be paid out of Fund 01-14-524-000- Software-Renewals.

Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of Adobe Acrobat Standard DC, which is a yearly renewal fee. Said purchase is in the amount of \$4,007.75 and will be paid out of Fund 01-14-524-000-Software-Renewals. Commissioner Jackson seconded. All voted in favor. The motion carried.

RESOLUTION 2023-10

The Board met to approve Bingham County Resolution 2023-10, a formal resolution declaring certain Bingham County Property not necessary for use in Bingham County, Idaho, specifically for the IT Department.

Decision: Commissioner Jackson moved to approve Bingham County Resolution 2023-10, a formal resolution declaring certain Bingham County Property not necessary for use in Bingham County, Idaho, specifically for the IT Department. Commissioner Bair seconded. All voted in favor. The motion carried.

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Bair moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Jackson seconded. All voted in favor. The Board moved into Executive Session at 9:03 a.m. Commissioner Bair moved to go out of Executive Session. Commissioner Jackson seconded. All voted in favor. The Board moved out of Executive Session at 9:17 a.m.

Decision: Commissioner Jackson moved to approve a \$500.00 merit pay to each of the two employees within the Court Clerk's Office for workload compensation, pursuant to discussion held in Executive Session. Chairman Manwaring added that the taxes and other deductions will be added to the \$500.00 amount. Commissioner Bair seconded. All voted in favor. The motion carried.

SHERIFF'S OFFICE

Present: Jeff Gardner- Bingham County Sheriff
Jordyn Nebeker- Bingham County Chief Deputy Sheriff
Erin Hidalgo- 911 Dispatch Supervisor
Paul Rogers- Prosecuting Attorney

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

Sheriff Gardner stated he brought Ms. Hidalgo to present information pertaining to Kari's Law or the Ray Baum Act. Ms. Hidalgo stated this is a multi-line phone system and she would like to discuss potential solutions that would be affordable to the county to become compliant.

Ms. Hidalgo stated this law was passed due to Ray Baum's daughter, Kari, who was an adult with a child of her own was murdered in a hotel room by her estranged husband. The child was in the hotel with her mother and tried to call 911 four times but because it was required to press 9, then 911, she did not escape. Whether that would have stopped the incident, she does not know, but because of that her father worked to be sure when someone calls 911 regardless of where they are at, the call will go through directly and it will state the specific location. Currently, when 911 is called from any office within the courthouse, it shows 501 North Maple, and the officers are left going from office to office to see where the emergency is. There have been a couple of instances within county offices where that has proven to be detrimental.

This is a better solution than nothing but the proposed solution previously was an entire new phone system which was extremely expensive. At a meeting, Ms. Hidalgo mentioned there is a solution and she has done investigating into this solution, which is Private Switch/Automatic Location Information (PS/ALI). This would take some work on her part but she is hoping if this is passed, the Board of County Commissioners will mandate that each county employee will report to her the exact location of their office, including the name of the office and what floor the office is on. Ms. Hidalgo would then build that information into the system and she is willing to do the work to get this system into place.

There would be a one-time charge for system setup in the amount of \$2,042.00, with a monthly fee of \$43.80.

Chairman Manwaring stated there was conversation held with the IT Director, wherein it was proposed to replace the telephone system throughout the Courthouse and other County offices. If replacing the entire system is not an option, this program would be the best solution to become compliant with this law.

The Board will discuss this further and it will be placed on the agenda at a later date for decision.

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(d), to consider Records that are exempt from public disclosure. Commissioner Jackson moved to go into Executive Session pursuant to Idaho Code §74-206(1)(d), to consider records that are exempt from public disclosure. Chairman Manwaring seconded. All voted in favor. The Board moved into Executive Session at 10:02 a.m. The Board moved out of Executive Session at 10:15 a.m.

Decision: Commissioner Jackson moved to send approval of settlement and Release of Lien for 2009-112 and submit to the CAT Board. Chairman Manwaring seconded. Both voted in favor. The motion carried.

DISCUSSION & DECISION REGARDING REQUEST FOR INCREASE OF JUROR PER DIEM AND ELECTION WORKER COMPENSATION. IF APPROVED, SIGNING OF RESOLUTION 2023-12 AND 2023-13- REQUESTED BY PAMELA ECKHARDT COUNTY CLERK

Present: Pamela Eckhardt- County Clerk
Danette Miller- Elections
Rhonda Wixom- Jury Commissioner
Paul Rogers- Prosecuting Attorney

The Board met to hold discussion and make a decision regarding request for increase of juror per diem and election worker compensation. Chairman Manwaring welcomed all to the meeting and turned the time over to Clerk Eckhardt.

Clerk Eckhardt stated the request is to consider increasing juror per diem and election worker compensation. First, she referred to the juror per diem, which is currently a half-day rate of \$10.00 and a full-day rate of \$20.00, along with .50 per mile based off Bingham County Resolution 2013-03 and 2013-20. Clerk Eckhardt explained that Idaho Code Section 2-215 authorizes jurors to be paid mileage along with a half-day rate of \$5.00 up to \$25.00 and a full-day rate of \$10.00 up to \$50.00, which is determined by the Board of County Commissioners.

Clerk Eckhardt is requesting to increase the pay to the maximum amount allowed by code of \$25.00 for half-day and \$50.00 for a full-day, to better offer compensation for time off work, especially those who are self-employed, and the rescheduled activities of the summoned juror. The .50 per mile would remain in effect. Clerk Eckhardt stated there is a specific line item within the District Court Budget in the amount of \$20,000.00 for jury and witnesses. This is an estimated amount as it is unsure which jury trials will proceed and which ones will not proceed. Currently this year there has been \$3,000.00 paid from that fund.

All Commissioners were in favor of the proposal.

Decision: Commissioner Bair moved to increase the juror per diem to half-day rate of \$25.00 and full-day rate of \$50.00 via Bingham County Resolution 2023-12. Commissioner Jackson seconded. All voted in favor. The motion carried.

Next, discussion was held in regards to compensation for election workers, which is currently \$10.00 per hour and mileage at .35 per mile. Danette Miller stated is has been several years since an increase was completed and would like to increase to \$12.00 per hour and .40 per mile to help with retention and compensation for time and commitment. Ms. Miller stated per Idaho Code Section 64-303(2), the compensation for election workers at the polling location shall be determined by the Board of County Commissioners.

All Commissioners were in favor of the proposal.

Decision: Commissioner Jackson moved to increase the election worker salary to \$12.00 per hour and mileage to .40 per mile via Bingham County Resolution 2023-13. Commissioner Bair seconded. All voted in favor. The motion carried.

HUMAN RESOURCES

Present: Laraine Pope- Human Resources Director
Paul Rogers- Prosecuting Attorney

The Board met to discuss department updates for the Human Resources Department and other agenda items. Chairman Manwaring welcomed all to the meeting and turned the time over to Ms. Pope.

Ms. Pope gave an update regarding job vacancies and recruitment in the county.

Discussion was held in regards to the Bereavement Policy, wherein Ms. Pope stated the proposed verbiage was sent to the Personnel Board. It is only coming before the Board again to advise of the comments that were received. There were several of the members who stated they agreed, one member of the Board asked for additional days to be added to the leave and one member who thought that one group of people within the family should have extra days added. Ms. Pope stated she would propose to approve the verbiage as she has drafted with the new family members added and leave the 3 day leave. This will be added to the agenda for final approval.

Next, discussion was held in regards to hiring Bruce Lloyd to teach CPR/First Aid course for any employees who may be interested.

Decision: Commissioner Jackson moved to approve to hire Bruce Lloyd to each CPR/First Aid Training for up to \$50.00 per employee, which will include the manual and CPR Certification Card. Commissioner Bair seconded. All voted in favor. The motion carried.

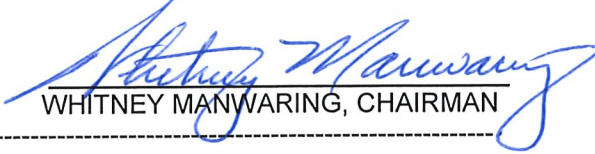
MEETING WITH THE IDAHO TRANSPORTATION DEPARTMENT REGARDING THE 1-15, US-26/BLACKFOOT INTERCHANGE PROJECT AT EXIT 93

Present: Tiffany Olsen- Planning & Development Director
Addie Jo Harris- Planning & Development Assistant Director
Paul Rogers- Prosecuting Attorney
Brandon Coates- RBCI- Public Involvement
Malcolm Tencate- Idaho Transportation Department- Project Manager
Cortney Gibbs- David, Evans and Associates
Lauren O'Connor- RBCI- Public Involvement

The Board met with the Idaho Transportation Department regarding the I-15, US-26/Blackfoot Interchange Project at Exit 93.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY, FEBRUARY 24, 2023


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Friday, February 24, 2023
County of Bingham)

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

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

CLAIMS

Claims were approved in the amount of \$225,719.88.

JAIL MEDICAL

Jail Medical was approved in the amount of \$2,795.89.

PERSONNEL ACTION FORMS

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

New Employee Status Sheet Maintenance Specialist

Decision: Commissioner Bair moved to approve and sign Cash Warrants, Claims, Administrative Documents and Personnel Action Forms as presented for February 24, 2023. Commissioner Jackson seconded. All voted in favor. The motion carried.

DISCUSSION & PRIOR APPROVAL FOR DEBTBOOK- PRESENTED BY CLERK ECKHARDT

Present: Pamela Eckhardt- County Clerk
Gina Perschon- Chief Deputy Clerk
Scott Mensching- IT Director

The Board met to hold discussion and make a decision regarding DebtBook. Chairman Manwaring welcomed all to the meeting and turned the time over to Clerk Eckhardt.

Clerk Eckhardt explained DebtBook and explained the program would enable the Clerk's Office to proficiently manage and track our leases to be compliant with GASB 87 and manage and track out subscription based IT arrangements (SBITAs) for GASB 96.

GASB stands for Governmental Accounting Standards Board. Compliance with GASB 87 for the county audit will be enforced this year. Compliance with GASB 96 will be required next year but the county is currently being trained.

Requirements for GASB 87 are:

1. Identify contracts that are or include leases. Bingham County has 62 Bancorp Leases, 6-10 Summit Bank Leases, and property and building leases in which Bingham County is the Lessor.
2. Determine the lease terms.
3. Classify Leases as short-term, other than short-term and lease-to-own.
4. Calculate lease liabilities and lease assets (for Lessees), and lease receivable and deferred inflows or resources.

- 5. Prepare journal entry submissions
- 6. Have copies of all contracts or agreements for review.

Clerk Eckhardt stated that WIPFLI, outside Auditor, charged Bingham County an additional \$4,000.00 for the review and additional work they had to do on the Leases in place by the County.

Requirements for GASB 96 are:

- 1. Identify all Subscription-Based IT Arrangements (SBITAs) used by the County.
- 2. Determine length of the subscription term, including extension options and termination options.
- 3. Subscription payment amounts.
- 4. Payments made, or incentives received at commencement for inclusion in the subscription asset.
- 5. Have copies of all contracts or agreements for review.

Clerk Eckhardt stated it would take approximately 6-8 weeks to get information placed into the program.

Clerk Eckhardt stated that GASB 87 portion needs to be done as soon as possible. It would be beneficial for the Clerk's Office and explained that there is \$5,000.00 in the Auditor's Trust that can go towards the annual fee. Next, she would like the consideration to fund the remaining \$10-\$17,000.00 from the Atomic City Trust in payment to the Clerk's Office for administration fees from November 2020 to March 2023.

Commissioner Jackson stated he believes this would be a great software to save time and benefit the Clerk's Office.

Clerk Eckhardt explained that she had reviewed one other company but they only offered a limited amount of what is needed. Therefore, she would prefer approval of DebtBook.

Decision: Commissioner Jackson moved to give Pamela Eckhardt permission to move forward with getting a quote from DebtBook. Commissioner Bair seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL MONDAY, FEBRUARY 27, 2023


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


 WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Monday, February 27, 2023
 County of Bingham)

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

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

REQUEST TO DISCUSS OPTIONS REGARDING ENCROACHMENT OF ROADWAY AND UTILITIES RELATED TO COOK ESTATES, ON SOUTHERLY BOUNDARY OF NORTH BINGHAM PARK- REQUESTED BY GWEN INSKEEP- COUNTY SURVEYOR

Present: Tiffany Olsen- Planning & Development Director
Gwen Inskeep- County Surveyor
Paul Rogers- Prosecuting Attorney
Jim Cook- Property Owner
Caitlin Cook- Property Owner
Chris Street- HLE

The Board met to hear the request filed by Gwen Inskeep to discuss options regarding encroachment of roadway and utilities related to Cook Estates, on southerly boundary of North Bingham Park. Chairman Manwaring welcomed all to the meeting, introductions were held and the time was turned over to Gwen Inskeep.

Ms. Inskeep explained that while completing the survey of North Bingham Park, on the south property line of the park, she found that there is an encroachment of half of a roadway and a few transformers. She thought it may be advantageous to take advantage of the survey and cure this matter.

Ms. Inskeep gave a brief background on the property and stated in 1992 Mr. Jim Cook purchased the property from Mr. Price. The deed matches what was recorded as Cook Estates Subdivision in 2017. In speaking with Mrs. Caitlin Cook, Jim Cook's daughter-in-law, it seems like there may have been a misunderstanding when they purchased the property. There was a fence line and some features that they assumed was the property line and when Chris Street platted the property in 2017, he sent documentation showing that actual property line went down the center of the private drive. The transformers encroach by approximately 14 feet but Ms. Inskeep explained that she is proposing, if there is an adjustment, that it be to the center of the berm, which would give the Cook's plenty of room for their fence line.

Ms. Inskeep stated this would be approved via Resolution and declared as an odd lot and Mr. Rogers confirmed that a Resolution is the only way to cure this issue. After the Resolution is signed, a letter will be sent to the adjoining property owners wherein they would have thirty days to object.

The Board was in favor of moving forward with the odd lot approval process. Once the documentation is drafted, it will be placed on the agenda for approval.

REQUEST TO DECLARE CERTAIN PARCELS OF REAL PROPERTY, VIA RESOLUTION, AS ODD-LOT PROPERTY, ALL OR PORTIONS OF WHICH ARE NOT NEED FOR PUBLIC PURPOSES AND AREA EXCESS TO THE NEEDS OF THE COUNTY. SAID PARCEL IS DESCRIBED IN WARRANTY DEED 70326- REQUESTED BY GWEN INSKEEP- COUNTY SURVEYOR

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

The Board met to hear the request to declare certain parcels of real property, via resolution, as odd-lot property, all or portions of which are not needed for public purposes and area excess to the needs of the county. Said parcel is described in warranty deed 70326- requested by Gwen Inskeep.

Ms. Inskeep explained this is another odd lot situation that was worked on by previous Legal Counsel, Chase Hendricks, wherein all of the necessary work has been done but it needs to be declared as an odd lot via Resolution. This used to be a repeater tower that the county purchased in order to have access. Safelink has since stopped using the tower, it is worn down and will not be used again. The county had interest in getting rid of this property.

Chairman Manwaring asked if the road right of way equals one acre, to which Ms. Inskeep stated the tower is on one acre of land and would be split between the adjoining property owners. The southerly approximate 1,000 feet has been fenced by Mr. Jones and is used for his elk and she explained the structure on the property has been damaged, deteriorating and needs to be removed from the property.

Gwen Inskeep stated if this is approved, the county should relinquish the easement, as there is no interest for the county.

The Board had no issues with proceeding with the odd lot process via resolution. Once the documentation is drafted, it will be placed on the agenda for approval.

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Bair moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Jackson seconded. All voted in favor. The Board moved into Executive Session at 10:03 a.m. Commissioner Bair moved to go out of Executive Session. Commissioner Jackson seconded. All voted in favor. The Board moved out of Executive Session at 11:24 a.m.

Decision: Commissioner Jackson moved to increase the salary for three Deputy Prosecuting Attorneys from \$66,300.00 to \$79,000.00, effective this upcoming pay period. Commissioner Bair seconded. All voted in favor. The motion carried.

Commissioner Bair moved to approve the request from Paul Rogers, Prosecuting Attorney, to increase the salary for the Chief Deputy Prosecuting Attorney from \$79,000.00 to \$90,000.00. Commissioner Jackson seconded. All voted in favor. The motion carried.

Commissioner Jackson moved to approve posting of the job opening for Deputy Prosecuting Attorney with the range of \$75,000.00 to \$79,000.00. Commissioner Bair seconded. All voted in favor. The motion carried.

PRIOR APPROVAL- CLERK'S OFFICE

The Board met to review the submitted Prior Approval for Major Purchase of the DebtBook Software, to be utilized within the Clerk's Office for tracking of all leases. Said purchase is in the amount of 23,000.00, of which \$5,000.00 is to be paid from the Auditor's Trust and the remaining \$18,000.00 to be paid from Administration Fee from the Atomic City Trust Account.

Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of the Debtbook Software, to be utilized within the Clerk's Office for tracking of all leases. Said purchase is in the amount of 23,000.00, of which \$5,000.00 is to be paid from the Auditor's Trust and the remaining \$18,000.00 to be paid from Administration Fee from the Atomic City Trust Account. Commissioner Jackson seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL TUESDAY, FEBRUARY 28, 2023



PAMELA W. ECKHARDT, CLERK

Lindsey Dalley- Commission Clerk-----



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Tuesday, February 28, 2023
County of Bingham)

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

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

FURTHER DISCUSSION & DECISION REGARDING THE PROPOSED CHANGE OF BINGHAM COUNTY ORDINANCE PERTAINING TO RIBBON CURBING- REQUESTED BY ROD ALBERTSON & GALE LIM

Present: Dusty Whited- Public Works Director
Tiffany Olsen- Planning & Development Director
Gwen Inskeep- County Surveyor
Luke Jolley- HLE
Chris Street- HLE
Chad VanOrden- Rose River Estates
Jim Mullen- Keller Associates
Chris Nelson- Deer Meadows Development
Scott Briscoe- Scott Briscoe Construction
Darrin Dance- Gale Lim Construction
Aaron Redd- Gale Lim Construction
John Fairchild- Fairchild Construction

The Board met to hold further discussion and make a possible decision regarding the proposed change of Bingham County Ordinance Pertaining to Ribbon Curbing. Chairman Manwaring welcomed all to the meeting, introductions were held and the time was turned over to Chris Street.

Mr. Street explained that three options were submitted to the Board several weeks ago. As asked, the three options were drafted, which are similar to what other communities are using for their ordinance. The options were proposed as follows:

Option #1 "21. All local roads within a Bingham County Subdivision that is located in the following zones: R, C1, C2, M1, and M2, shall be required to have ribbon curbing in accordance with the Bingham County Ribbon Curb diagram, other ISPWC curbing approved by Bingham County Road and Bridge, or curbing per the City of Shelley or Blackfoot "Areas of Impact Agreements". Refer to Bingham County Road Standards Ribbon Curb Diagram (Figure 7 page 24)."

Mr. Street stated that would be the best option and the lot sizes in other zones are more conducive to having curbing.

Option #2 "21. All local roads within a Bingham County Subdivision within 1 mile of an incorporated City within Bingham County shall be required to have ribbon curbing in accordance with the Bingham County Ribbon Curb diagram, other ISPWC curbing approved by Bingham County Road and Bridge or curbing per the City of Shelley or Blackfoot "Areas of Impact Agreements". Refer to Bingham County Road Standards Ribbon Curb Diagram (Figure 7 page 24)."

Mr. Street explained this is option is similar to the Bannock County Ordinance. Anything within one-mile radius of an incorporated city is required to have ribbon curbing. There are pros and cons with this option but it is self-explanatory. It does not take the zoning designation into count or different types of subdivisions.

Option #3 "21. All local roads within a Bingham County Subdivision with an average lot size of less than 1.0 acre, shall be required to have ribbon curbing in accordance with the Bingham County Ribbon Curb diagram, other ISPWC curbing approved by Bingham County Road and Bridge or curbing per the City of Shelley or Blackfoot "Areas of Impact Agreements". Refer to Bingham County Road Standards Ribbon Curb Diagram (Figure 7 page 24)."

Mr. Street explained this option is based upon the acreage or the average lot size within the subdivision. Again, with the larger lots it will give more of the country feel and ribbon curbing may not be needed. Currently the City of Blackfoot Area of Impact Agreement verbiage is vague but believes it is being worked on and there will be clarification.

Mr. Whited stated that it does not seem as though there will be very many opportunities for ribbon curbing to come into play in either of the options.

Director Olsen presented a list of subdivisions that have been required to have ribbon curbing and stated there was a variance granted to Silver Leaf Division 4 in 2021, allowing them not to place ribbon curbing with their county road for the reason that the first three divisions of the development did not have ribbon curbing. There were concerns about consistency and there were cost questions. There are twelve subdivisions that have been approved at preliminary plat with ribbon curbing and a county road. Mr. Lim and Mr. Albertsons development is one of those subdivisions, as well as Rose River. Director Olsen stated there are six that have been built out with ribbon curbing. Further, Director Olsen stated that she has submitted, to the Board, a summary for each option and the minutes from the meeting held on February 27th meeting for reference.

Chairman Manwaring asked if either Planning & Development or the Public Works Department have been out to inspect ribbon curbing as it is being installed. Mr. Whited stated yes that is done as it is part of the road inspection process. It is required to be tested on the gravel underneath the ribbon curbing before it is placed, along with testing of the concrete being placed and visual inspections. The same level of testing is completed with ribbon curbing as is done in the roadway itself.

Mr. Whited stated after seeing the three options presented by Mr. Street, it seems as though discussion is making things unclear with the options when the main decision today is rather or not the county would like ribbon curbing. Regardless of the area is rural or not, structural benefits to ribbon curbing on asphalt does not change. There is no other way to protect the edge of the road the way that ribbon curbing does. Maintenance is reduced in the future and it is important in a subdivision environment.

Mr. Whited added that the Idaho Standard for Public Works Construction (ISPW) are followed and either will require compaction testing or core samples. Mr. Street added construction staking and testing is done on projects. Compaction testing is done under the curb, concrete samples are taken and the data is compiled then submitted to Mr. Whited. Mr. Whited then comes out and completes the visual inspection to be sure the proper width is completed and that is when the roads are accepted. All of this is documented as well.

Chris Nelson, Deer Meadows Development, stated over the past four years he has completed six phases of subdivisions, specifically Wildflower Division 1 and 2, Deer Meadows Development 1 and 2, and Cedar Estates Division 1, 2 and currently working on division 3. He stated that he would like to thank the Board of County Commissioners and staff for the hard work, help and cooperation in working together. According to option 1 and 3, in Wildflower, and Deer Meadows, curbing would have been required. Those were approved prior to this ordinance, therefore, ribbon curbing was not required. With Cedar Estates, there is ribbon curbing and are one acre lots. Depending on where you are developing, it does make sense, to have ribbon curbing but in Rural neighborhoods it would be nice to have the option. Adding ribbon curbing can be extremely expensive and Mr. Nelson stated in the last phase of Cedar Estates, the cost was \$99,382.00 for curbing, for the 6-inch minus it was \$79,000.00, for crushed aggregate was \$42,000.00 and the plant mix was \$128,000.00, for a total of approximately \$350,000.00 for the road.

Chairman Manwaring asked Mr. Nelson if he has had individuals specifically request ribbon curbing, to which Mr. Nelson stated that he has not had anyone ask specifically for ribbon curbing.

John Fairchild, Fairchild Construction, stated that the road within Sharlynn Park Division 3, a subdivision he developed, was recently approved with ribbon curbing. The previous Divisions 1 & 2 within Sharlynn Park Division do not have ribbon curbing. Mr. Fairchild stated that he is a fan of the ribbon curbing and is not sure how the ribbon curbing will hold up through the freeze/thaw affect occurring, with the snow plow possibly damaging the edge, making it need to be torn up at some point. Mr. Fairchild stated that he has not had any individuals specifically ask for ribbon curbing.

Darrin Dance, Gale Lim Construction, stated that ribbon curbing will increase the initial cost up front and Bingham County would be liable for cost of any ribbon curbing that may fail. Mr. Dance referred to a photograph submitted by Dusty Whited where you can see cracks in the ribbon curbing and there will be maintenance issues on the edge of the roadway. Mr. Dance added that he believes this would increase the risk to Bingham County.

Jim Mullen, Keller Associates, stated that he provided a letter to the Board of County Commissioners regarding the structural benefits of ribbon curbing. Without curbing, moisture and plants migrate into asphalt and degrades overtime, costing more to replace in the future. If you are not putting in ribbon curbing, the cost is going to the County to fix at a later date. Those who do not have ribbon curbing would be replacing their driveway sooner than they would if they had ribbon curbing.

Mr. Street stated if you look at neighboring counties, ribbon curbing is a rarity to see in a county subdivision. There are no other counties that require ribbon curbing. There is currently no flexibility in the current ordinance and it needs to be determined that the criteria would be to require ribbon curbing or not.

Tiffany Olsen stated any road that services lots with five parcels or more is required to have ribbon curbing per County Ordinance, regarding of its zoning designation.

Chairman Manwaring stated when this ordinance was put in place, there was not a lot of building and now that building is exploding it is an issue and needs to be addressed. Chairman stated that he was not in favor of ribbon curbing in the first place and believes that it is creating more work for the county having to go out and do testing of ribbon curbing. Therefore, Chairman stated he would be in favor of giving the Developer the option to install ribbon curbing.

Commissioner Bair stated after the previous meeting, he committed to go out in the county and look at subdivisions that do and subdivisions that do not, which he did. Commissioner Bair referred to option #1, wherein there are 37 subdivisions in a residential agriculture zone that would be excluded from this option, 8 in a residential but only had 3 with county roads and 4 in an agriculture zone. Commissioner Bair stated to him it does not make sense because it would not affect very many.

Next, Commissioner Bair referred to option #2 and stated the it is a struggle with the Area of Impact Agreement. There is such a huge difference between the City of Shelley and the City of Blackfoot. The county has been working on the Area of Impact Agreement for several years and are now back to square one with the City of Blackfoot. There is legislation that may help with that but he is not in favor of option #2.

Next, Commissioner Bair referred to option #3 and stated in his mind that is limited to a residential zone because the average lot size is less than one acre, which excludes all lots in a residential agriculture zone. He stated the change need to change fully or not change at all as he would like to see consistency. Commissioner Bair stated as Commissioners, it is their job to weigh what it would cost the citizens up front against what it would cost for maintenance in the future. His preference would be to find an option more in the middle and not the options that were provided. Lastly, Commissioner Bair stated he would like to have ribbon curbing required as he likes the look of ribbon curbing and believes it is beneficial per the input from experts.

Chairman Manwaring stated that ribbon curbing may look better but it is a lot of cost to the county to maintain in the future.

Commissioner Jackson stated he relies on the experts as well and in the statement from Jim Mullen, which states, "I would encourage the County to just examine older areas with curbing and those without. Generally, you will find better road conditions and fewer maintenance concerns where curbing is involved".

After further discussion, the Board was in favor of tabling this matter in order to allow time for additional input to be submitted from each commissioner.

Decision: Commissioner Bair moved to table this discussion for two weeks and allow time for additional input from each Commissioner to be submitted to Dusty Whited, Tiffany Olsen and Paul Rogers. Commissioner Jackson seconded. All voted in favor. The motion carried.

CONTINUED FROM EXECUTIVE SESSION DISCUSSION HELD ON FEBRUARY 27, 2023- DECISION REGARDING SALARY FOR ROAD & BRIDGE POSITION

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

The Board met to complete the continued decision from Executive Session discussion held on February 27, 2023.

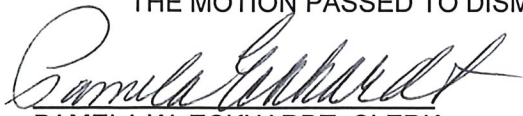
Chairman Manwaring stated the Board came out of Executive Session on February 27th and there was no decision made. Therefore, Chairman explained discussion was held with Dusty Whited in regards to a Senior Mechanic position, wherein the request was to approve Grade 20, Step 6 (\$23.86) with the following: required to obtain CDL within 120 days through Sage Trucking which has a modified trucking class in the amount of \$1,379.00 that Bingham County will pay for. The wages for the driving part, which is twelve hours and the individual will be responsible for time spent online training in the amount of 20 hours at home and the individual would be required to repay the full amount of \$1,379.00 if employment is terminated with Bingham County prior to 24 months. The employee will receive a \$500.00 sign on bonus per Bingham County Policy, a \$50.00 tool allowance and receive \$20.00 per month cell phone stipend.

Decision: Commissioner Jackson moved to approve the Senior Mechanic position with the stipulations read by Chairman Manwaring. Commissioner Bair seconded. All voted in favor. The motion carried.

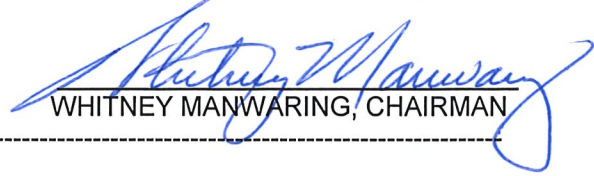
CLAIMS FOR THE PREVIOUS MONTH WERE APPROVED AS FOLLOWS:

Current Expenses	\$418,414.49	Weeds.....	\$5,318.37
Road & Bridge	\$269,456.69	Emergency Communication....	\$18,028.66
Justice Fund	\$410,362.86	Road & Bridge Special	
District Court.....	\$100,822.63	Projects.....	\$2,171.48
Fair, District/State.....	\$11,000.00	Waterways.....	\$689.11
Historical Society.....	\$16,872.50	ARPA Funds.....	\$170,865.60
Indigent Services.....	\$2,000.00	Treatment Court Fund	\$3,339.35
Parks & Recreation	\$11,210.89	Junior College Fund.....	\$500.00
Revaluation.....	\$32,974.78	Consolidated Elections.....	\$7,050.01
Solid Waste	\$92,245.75		
Veterans Memorial.....	\$202.01		

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



PAMELA W. ECKHARDT, CLERK
Lindsey Dalley- Commission Clerk



WHITNEY MANWARING, CHAIRMAN