

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

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

PRESENT: Chairman Manwaring
Commissioner Bair
Lindsey Dalley- Deputy Clerk
Excused: Commissioner Lewis

CASH WARRANTS

Cash Warrants were approved in the amount of \$284,350.44 and \$27,171.00, for a total of \$311,521.44.

PAYROLL

Payroll was approved in the amount of \$758,669.86.

COLLEGE OF EASTERN IDAHO

Certificate of Residency documents were approved by the Board and sent to the College of Eastern Idaho for the following Bingham County students: Jade K. Finch, Heather R. Hay, Bridget R. Leslie and Cody J. Herrera.

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

TAX INQUIRIES

The Board met to make a decision regarding Tax Inquiries submitted by the County Assessor, which were as follows:

RP0490901	Year 2022	Homeowner signed up for Homeowners Exemption
RP0432801	Year 2022	Homeowner signed up for Homeowners Exemption
RP8178601	Year 2022	Homeowner signed up for Homeowners Exemption
MH315S33CA0250	Year 2022	Homeowner signed up for Homeowners Exemption
RP2091400	Year 2022	Homeowner signed up for Homeowners Exemption
RP8256000	Year 2022	Homeowner signed up for Homeowners Exemption
RP3037000	Year 2022	Homeowner signed up for Homeowners Exemption
RP1064300	Year 2022	Homeowner signed up for Homeowners Exemption
RP0307300	Year 2022	Homeowner signed up for Homeowners Exemption

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

APPROVAL OF COMMISSIONER MINUTES FOR NOVEMBER 14-30, 2022

The Board met to approve and sign Commissioner Minutes for November 12-30, 2022 as written.

Decision: Commissioner Bair moved to approve and sign Commissioner Minutes for November 14-30, 2022 as written. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF BINGHAM COUNTY RESOLUTION 2023-02

The Board met to approve and sign Bingham County Resolution 2023-02, a resolution declaring certain Bingham County property not necessary for use in Bingham County, specifically one brown office desk from the Courts.

Decision: Commissioner Bair moved to approve and sign Bingham County Resolution 2023-02, a resolution declaring certain Bingham County property not necessary for use in Bingham County, specifically one brown office desk from the Courts. Chairman Manwaring seconded. Both voted in favor. The motion carried and said resolution was approved and sign as follows:

**BINGHAM COUNTY
RESOLUTION NO. 2023-02**

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

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

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

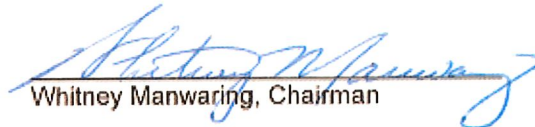
THEREFORE BE IT HEREBY RESOLVED, by the Board of County Commissioners,
Bingham County, Idaho, that the following items may be sold as excess property:

BINGHAM COUNTY COURTS

One (1) Brown Office Desk

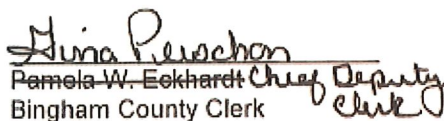
DATED this 4th day of January 2023.

BINGHAM COUNTY COMMISSION

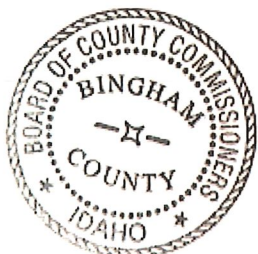

Whitney Manwaring, Chairman

ATTEST:


Mark R. Bair, Commissioner


Pamela W. Eckhardt, Chief Deputy
Bingham County Clerk


Jessica L. Lewis, Commissioner



APPROVAL OF BINGHAM COUNTY ORDINANCE 2023-01

The Board met to approve and sign Bingham County Ordinance 2023-01, an ordinance amending the General Bingham County Zoning Ordinance 2012-08 and accompanying zoning map by changing the zoning use district of real property from its present classification as "R" Residential to "C2" Heavy Commercial, for the Jose Martinez Zone Change.

Decision: Commissioner Bair moved to approve and sign Bingham County Ordinance 2023-01, an ordinance amending the General Bingham County Zoning Ordinance 2012-08 and accompanying zoning map by changing the zoning use district of real property from its present classification as "R" Residential to "C2" Heavy Commercial, for the Jose Martinez Zone Change. Chairman Manwaring seconded. Both voted in favor. The motion carried and said ordinance was recorded as follows:

Instrument # 751719

BINGHAM COUNTY

1-4-2023 01:10:37 PM No. of Pages: 2

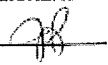
Recorded for: BINGHAM COUNTY COMMISSIONERS

PAMELA W. ECKHARDT

Fee: 0.00

**BINGHAM COUNTY
ORDINANCE 2023-01**

Ex-Officio Recorder Deputy



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

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

Part of Section 6 Township 3 South Range 35 East B.M. Bingham County, Idaho described as commencing at the North East corner of Section 6; thence N 89°37'07 W 927.76 feet along the North line of said Section; thence S 01°42'59" W 94.61 feet to a Right of Way Monument Marked Sta. 116+00 70' RT and the POINT OF BEGINNING; Thence S 01°42'59" W 363.27 feet to a point on the North line of Deed Instrument No. 528675; thence S 82°14'29" W 427.99 feet along said North line of Deed 528675; thence N 10°21'38" E 116.04 feet; thence N 17°38'22" W 223.46 feet; thence N 00°21'38" E 97.00 feet; thence S 89°37'02" E 481.20 feet to the POINT OF BEGINNING. Parcel contains 4.02 acres more or less

Attached to and subject to the following *50 foot Ingress Egress Easement*:

Part of Section 6 Township 3 South Range 35 East B.M. Bingham County, Idaho described as: Commencing at the North East corner of Section 6; thence N 89°37'07 W 927.76 feet along the North line of said Section; thence S 01°42'59" W 94.61 feet to a Right of Way Monument Marked Sta. 116+00 70' RT and the POINT OF BEGINNING; Thence S 01°42'59" W 363.27 feet to a point on the North side of Deed Instrument No. 528675; thence S 82°14'29" W 50.55 feet along said North line of Deed 528675; thence N 01°42'59" E 370.43; thence S 89°37'02" E 50.01 feet to the POINT OF BEGINNING.

Parcel contains 0.42 acres more or less


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

Passed and Approved by the Board of County Commissioners, County of Bingham, State of Idaho, at a Public Hearing held on the 29th day of November 2022.

Signed this 3rd day of January 2022

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

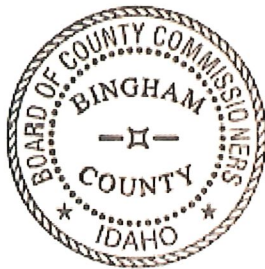
ATTEST:


Pamela Eckhardt *Chief Deputy Clerk*
Bingham County Clerk


Whitney Manwaring, Chairman


Mark R. Bair, Commissioner

Jessica Lewis, Commissioner



SHERIFF'S OFFICE

Present: Jeff Gardner- County Sheriff
 Jordyn Nebeker- Chief Deputy Sheriff
 Scott Reese- Parks & Recreation/Emergency Management
 Tyler Draney- Parks & Recreation
 Paul Rogers- Prosecuting Attorney
 Eric Jackson- Bingham County

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

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
 Paul Rogers- Prosecuting Attorney
 Scott Reese- Parks & Recreation/Emergency Management
 Tyler Draney- Parks & Recreation
 Chris Street- HLE
 Tiffany Olsen- Planning & Development
 Eric Jackson- Bingham County
 Mike Anderson- Edward Jones
 Dewight Lee- 3 Putt Partners
 Rod Albertson- Timepiece Homes
 Darrin Dance- Gale Lim Construction
 Troy Lenhart- Road & Bridge Supervisor
 Jeff Steadman- Steadman Construction

The Board met with Dusty Whited to discuss department updates within the Public Works Department and other agenda items. Chairman Manwaring welcomed all to the meeting, introductions were held and the time was turned over to Chris Street, representative for Rod Albertson.

Mr. Street stated that they are before the Board today to discuss changing a section of the Bingham County Road and Bridge Manual, specifically Section III, design criteria, G- Roadway Cross, Section (Figure 4) to allow a 28' travel width with no ribbon curbing on local/residential roads. Mr. Street stated they are proposing to amend the design criteria that allows flexibility on local roads, especially subdivision roads. In the Bingham County Standards, it states that all subdivision roads need to have ribbon curbing and Mr. Street stated that his clients feel that it is suitable in some areas and in some areas, it is not. This change would give the county the three options, which are labeled as "A", "B" and "C" are proposed as follows:

ROAD STRUCTURE SCHEDULE

Class of Road	Subbase or Ballast	Base Course	Plant Mix Pavement	Traveled Width	Right of Way Width (FT)	Ribbon Curb
Arterial	18"	4"	3"	28'	80	Not Required
Major Collector	18"	4"	3"	28'	70	Not Required
Collector	18"	4"	3"	28'	60	Not Required
Local Residential (A)	12"	4"	2 1/2"	28'	50	Required
Local Residential (B)	12"	4"	3"	28'	50	Not Required
Local Residential (C)	12"	4"	2 1/2"	28'	50	Not Required

Commissioner Bair asked Mr. Street to explain why it would be appropriate in some areas but not in another and how that would be defined. Mr. Street stated in Bonneville County if there is an average of over 200 foot of frontage, curb and gutter is not required. In Bannock County, states anything within one mile of the city has to have curb and gutter but anything outside of that is not required. In the current standards, it is required that any subdivision have curb and gutter and his clients believe that is too strict and there should be options.

Rod Albertson stated two years ago he was in favor of putting driveway up against asphalt because he would pay the fine and tried to fight it but was told that concrete is not allowed up against asphalt for the purpose of if a snowplow hits the concrete, it would cause damage. In the past he has paid the damages to fix the plow and concrete was removed, therefore it does not make any sense to him that two years ago that was a bad thing and now ribbon curb is to be placed on the asphalt everywhere. He asked if in ten years, the ribbon curbing is failing, would the county be liable to replace or the property owner, as the county required it. The cost to install roads and repair in the future will be extreme and all it is doing is costing a large amount of money. Mr. Albertson stated he would propose going back to the old standards, as they worked well for years.

Jeff Steadman stated if properly done with preparation, ribbon curbing could last and be beneficial. The preparation is what gives integrity but he would support having the option. As far as ribbon curbing, he has done 15,000 feet within the last couple of years, which has held up good with no issues.

Mr. Whited gave his input by stating that ribbon curbing may not add value but it does make a subdivision more appealing.

Mr. Albertson stated in his opinion if you are building a house on one-acre lot in the middle of a field, if the homeowner plans on having cattle, they are not going to care if there is ribbon curbing or not. Therefore, it would be beneficial to give the developer those options.

Mr. Street explained the main reasoning for their request today is to give developers the option and he feels as though it should not be required everywhere.

Mr. Whited stated when requesting that a change be made to an ordinance, a public hearing would need to be held to gather public input, which would be the time for deliberation to be held and the Board would make a decision as to if the proposed change should be made or not.

Chairman Manwaring stated that inconsistency is an issue for him. There are several subdivisions wherein phase one does not have ribbon curbing and phase two does have it. Therefore, he is in favor of moving forward with having the option and would like to hold a public hearing to discuss further.

Commissioner Bair concurred and stated if approved, the options need to be specific, in order for citizens to know when ribbon curbing would or would not be required.

Decision: Commissioner Bair moved to direct Chris Street, Tiffany Olsen, Troy Lenhart and Dusty Whited to work together to come up with 3 options to propose for a change in the Bingham County Road and Bridge Manual, specifically regarding ribbon curbing requirements. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Next, Mr. Whited explained the Application for a bridge grant to assist with repairs on the Tilden Bridge. If approved, a Responsibility Agreement with Shoshone Bannock tribes, specifically for repair and maintenance of the bridge and Bingham County Resolution 2023-04 will be adopted as well which will support the project identification submittal for construction of the bridge. The total project cost estimate is \$646,000.00, which will require \$47,416.00 of matching funds available from Bingham County.

Decision: Commissioner Bair moved to approve and sign the Shared Responsibility Agreement with Shoshone Bannock Tribes specifically for repair and maintenance of Tilden Bridge on Ferry Butte Road. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Commissioner Bair moved to approve Bingham County Resolution 2023-04, a resolution supporting the project identification submittal for the construction of Tilden Bridge on Ferry Butte Road. Chairman Manwaring seconded. Both voted in favor. The motion carried and was adopted as follows:

**BINGHAM COUNTY
RESOLUTION 2023-04**

The following Resolution was introduced by Chairman Manwaring, read in full, considered and adopted as follows:

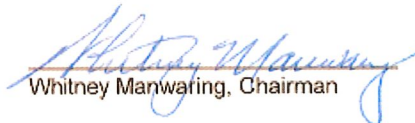
Resolution 2023-04 of Bingham County, Idaho, supporting the project identification submittal for the construction of Ferry Butte Bridge Rehabilitation.

To the Local Highway Technical Assistance Council (LHTAC). Total project cost estimate is \$646,000.00, which will require \$47,416.00 of matching funds available from Bingham County.

BE IT RESOLVED that the Chairman of the Commission is hereby authorized and directed to sign the project application packet and submitted to LHTAC for prioritization.

PASSED BY THE BOARD OF BINGHAM COUNTY COMMISSIONERS on this 4th day of January, 2023.

BINGHAM COUNTY COMMISSION

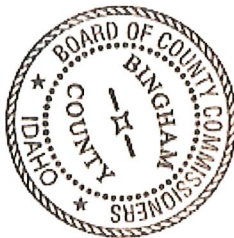

Whitney Manwaring, Chairman

ATTEST:


Pamela W. Eckhardt Chief Deputy Clerk
Bingham County Clerk


Mark R. Bair, Commissioner

Jessica Lewis, Commissioner



Decision: Commissioner Bair moved to approve and sign the Agreement for Professional Services for the design for the rehabilitation of the Tilden Bridge on Ferry Butte Road. Mr. Whited added

that the County will pay \$50,000.00 and Fort Hall will reimburse for half of that portion. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Next, Mr. Whited explained the request to accept 415 West Progress Road, which is the road leading to the new Blackfoot Community Charter School. He stated that all Bingham County Road Standards have been met and he would recommend the acceptance of the road at this time.

Decision: Commissioner Bair moved to accept 415 West Progress Road via Bingham County Resolution 2023-05, a resolution authorizing acceptance of 415 West Progress Road. Chairman Manwaring seconded. Both voted in favor. The motion carried and said resolution was adopted as follows:

**BINGHAM COUNTY
RESOLUTION NO. 2023-05**

A RESOLUTION AUTHORIZING ACCEPTANCE OF 415 WEST PROGRESS ROAD IN BINGHAM COUNTY, IDAHO

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

WHEREAS, The Record of Survey for the Blackfoot Charter Learning Center, was recorded in the Bingham County Clerk's Office as Instrument Number 740222 and is attached as Exhibit "A", along with a site plan map created by Jeff Freiberg Engineering; and

WHEREAS, The Bingham County Public Works Director has acknowledged that Bingham County Road Standards have been met and recommends that 415 W. Progress Road be accepted; and

THEREFORE BE IT HEREBY RESOLVED, at a Public Meeting held on January 4, 2023, the Board of County Commissioners of Bingham County, Idaho, in the interest of the public, accepted 415 West Progress Road and dedicated it as 415 West Progress Road.

SIGNED this 4th day of January 2023.



ATTEST:

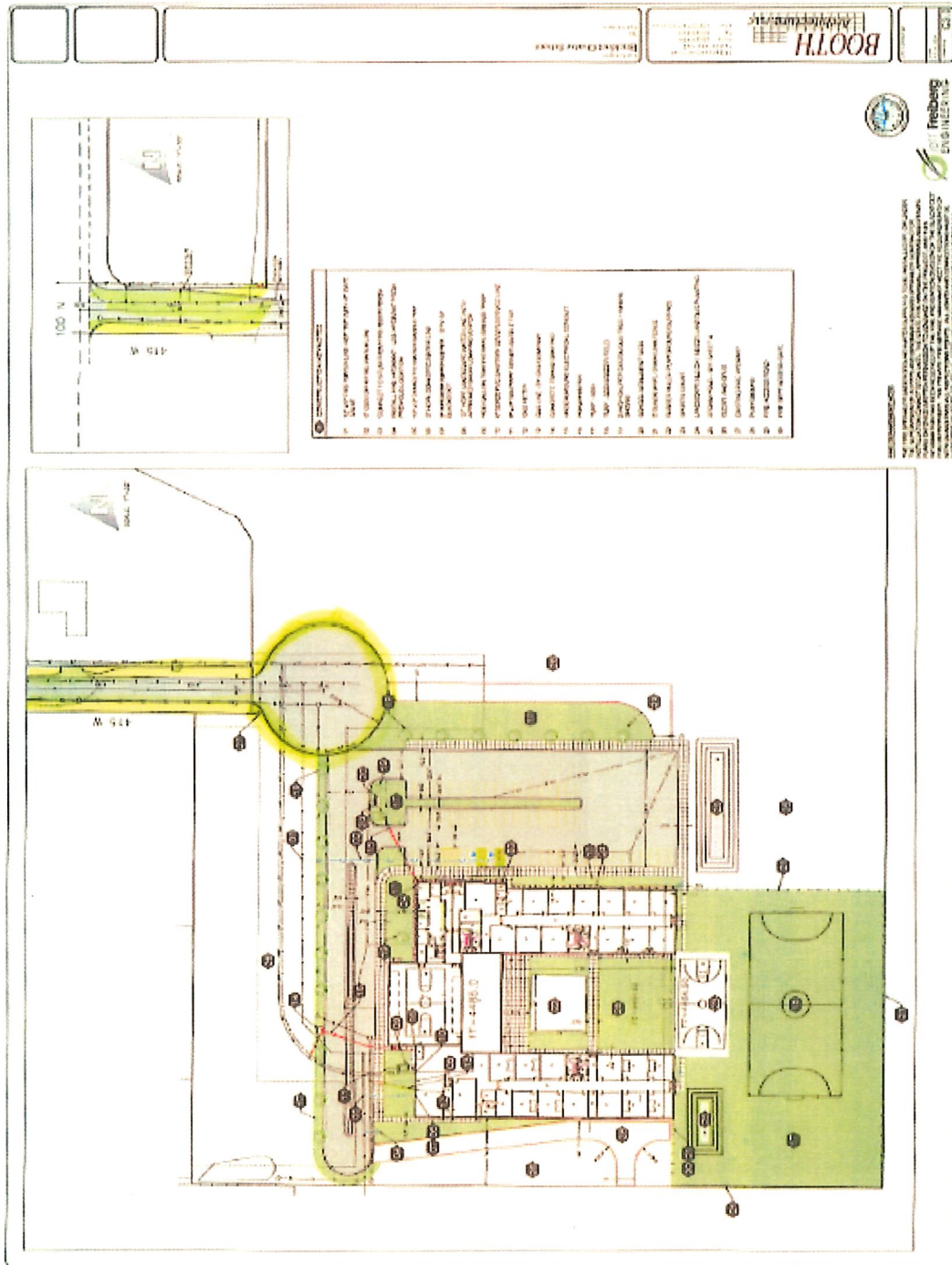
Pamela W. Eckhardt
Pamela W. Eckhardt
Bingham County Clerk

BINGHAM COUNTY COMMISSION

Whitney Manwaring
Whitney Manwaring, Chairman

Mark R. Bair
Mark R. Bair, Commissioner

Jessica Lewis, Commissioner



Next, Mr. Whited explained that the Local Road Inventory Map and Mileage for the State is to be approved and submitted to the Idaho Department of Transportation. On the map presented, there will be a deduction in some lane miles as that is where the cities have annexed roads and the addition of lane miles is typically due to new subdivisions.

Decision: Commissioner Bair moved to approve and sign the Local Road Inventory Map and Mileage Report, to be submitted to the Idaho Transportation Department for the 2022. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Lastly a discussion was held in regards to requests for road closure in emergency situations. Mr. Whited explained that he was contacted last week during the rain and thaw, wherein there was a property flooding. The individual contacted him to see if the county would close the road to allow him to lay pipe across the road and pump the water into their neighbors' field. He spoke with legal counsel, wherein it was determined if the cost would be over \$1,000.00, it would be required to have approval of the Board. If it were less than \$1,000.00, it could be an operational decision made by himself. He would like to discuss the possibility of recovering cost put into this requested project. Chairman Manwaring interjected and stated that if this request occurs during the day, that is part of the employees' job and should not be charged for. It is our duty to help the county tax payers and helping them in situations when possible.

Mr. Whited added that the Board has previously adopted for FEMA rates to be used in instances such as this and could be done in the future. His main concern is that he would like direction from the Board as to how these matters shall be handled in the future.

Both Commissioners were in favor of requiring an after-hour fee, which should be placed into a fee schedule.

Decision: Commissioner Bair moved to approve placement of after-hour charge and have Dusty Whited draft a fee schedule. This will be place within the Bingham County Fee Schedule and if warranted, will hold a Public Hearing for the same. Chairman Manwaring seconded. Both voted in favor. The motion carried.

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Bair moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Chairman Manwaring seconded. All voted in favor. The Board moved into Executive Session at 10:57 a.m. Chairman Manwaring moved to go out of Executive Session. Commissioner Bair seconded. All voted in favor. The Board moved out of Executive Session at 11:19 a.m.

Decision: Commissioner Bair moved to approve and allow Mr. Whited to offer the position of Crusher/Operator at N17, Step 8 (\$23.21), with the ability to go to Step 9 if needed. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL & EXECUTION OF AMENDED REAL ESTATE LEASE FOR BINGHAM COUNTY PROPERTY- REQUESTED BY TIFFANY OLSEN, PLANNING & DEVELOPMENT DIRECTOR

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

The Board met to approve and execute an Amended Real Estate Lease for Bingham County Property. Chairman Manwaring welcomed all to the meeting and turned the time over to Tiffany Olsen.

Director Olsen explained that she met with Mr. Hillman in Goshen at his shop, wherein she secured his signature on the Amended Real Estate Lease for Bingham County Property. This is to finalize the

remainder of the current lease term for March 22, 2019 to March 31, 2024, at the same rate of \$150.00 per acre. The attached Exhibit B, will show the leased area in yellow and in red, which includes two acres that Mr. Hillman had been using for silage storage at no cost at the same cost. There is also a buffer to the north of the 5-acre project parcel, to allow for trucks and turnaround room, which was an expressed concern while on a site visit with both Mr. Hillman and his son, that the necessity would be there to use for access.

Director Olsen stated that Mr. Hillman was interested in a new five-year lease and she explained to him that the proposal from the Board was to amend the existing lease agreement.

Decision: Commissioner Bair moved to approve the Amended Real Estate Lease for Bingham County property with Blaine and Janice Hillman and/or Brent Hillman. Chairman Manwaring seconded. Both voted in favor. The motion carried.


DECISION REGARDING REQUEST FOR WAIVER OF SOLID WASTE FEE FOR ROMELIA VIOLA MARTINEZ

The Board met to discuss and make a decision regarding the request submitted by Romelia Viola Martinez, for waiver of the Solid Waste Fee. Chairman Manwaring welcomed all to the meeting and explained that this request is for the reason that Ms. Martinez resides in Fort Hall and therefore, her Solid Waste Fee is included in her rent and paid to Fort Hall.

Chairman Manwaring and Commissioner Bair were both in favor and had no concerns regarding the submitted request.

Decision: Commissioner Bair moved to approve the waiver of the \$50.00 Solid Waste Fee for Romelia Viola Martinez (MH344S36EA006A). Chairman Manwaring seconded. Both voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY, JANUARY 6, 2023


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


WHITNEY MANWARING, CHAIRMAN

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

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

PRESENT: Chairman Manwaring
 Commissioner Bair
 Lindsey Dalley- Deputy Clerk
Excused: Commissioner Lewis

CASH WARRANTS

Cash Warrants were approved in the amount of \$227.80, \$300.00, \$2,335.00 and \$300.00, for a total of \$3,162.80.

CLAIMS

Claims were approved in the amount of \$173,400.97.

COLLEGE OF EASTERN IDAHO

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

PERSONNEL ACTION FORMS

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

New Employee Status Sheet:	Maintenance Specialist
Salary Increase Form:	Circuit Breaker Clerk
	Deputy Treasurer
	Detective
	Detention Corporal
	Patrol Deputy
	Detention Deputy
	Civil Corporal
	Motor Vehicle Specialist
	GIS Administrator Manager
	Deputy Court Clerk
	Deputy Clerk/Claims
	Deputy Clerk/Elections Director
Employee Status Sheet:	Drivers License Examiner to Sheriff's Admin. Assistant
	Building Maintenance Specialist to Building Maintenance Supervisor
	Jail Technician to Detention Deputy

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

APPROVAL OF COMMISSIONER MINUTES FOR DECEMBER 2022

The Board met to approve Commissioner Minutes for December 2022.

Decision: Commissioner Bair moved to approve Commissioner Minutes for December 2022. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF BINGHAM COUNTY RESOLUTION 2023-03

The Board met to approve and sign Bingham County Resolution 2023-03, a resolution for Road Vacation Public Hearing, specifically for road right-of-ways on Moser Road from Airport Road approximately 800' to the South in Aberdeen, Bingham County, Idaho.

Decision: Commissioner Bair moved to approve and sign Bingham County Resolution 2023-03, a resolution for Road Vacation Public Hearing. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF BINGHAM COUNTY CONFLICT PUBLIC DEFENDER CONTRACT FOR JOHN J. BULGER

The Board met to approve the Bingham County Conflict Public Defender Contract for John J. Bulger.

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

OATH OF OFFICE CEREMONY- COUNTY ASSESSOR- DONAVAN HARRINGTON

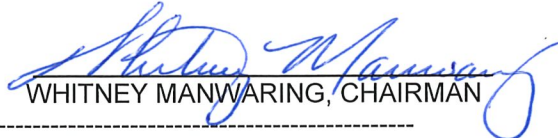
The Board held an Oath of Office Ceremony for County Assessor, Donovan Harrington, wherein Judge Cleve B. Colson administered the oath for Mr. Harrington.

THE MOTION PASSED TO DISMISS UNTIL MONDAY, JANUARY 9, 2023



PAMELA W. ECKHARDT, CLERK

Lindsey Dalley- Deputy Clerk-----



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Monday, January 9, 2023
County of Bingham)

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

PRESENT: Chairman Manwaring
 Commissioner Bair
 Lindsey Dalley- Deputy Clerk
Excused: Commissioner Lewis

STAFF MEETING

Present: Pam Eckhardt- County Clerk
 Eric Jackson- Building Maintenance
 Laura Lora- Payroll/Indigent Services
 Debbie Cunningham- Chief Deputy Assessor
 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
 Dave Corum- Building Maintenance Specialist
 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
 Danette Miller- Elections
 Gordon Croft- Blackfoot Police Chief

Excused: Marc Carroll- Blackfoot Mayor
 Grahm Anderson- Blackfoot Treasurer
 Scott Mensching- IT Director

Donavan Harrington- County Assessor

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

Pledge of Allegiance: Chairman Manwaring.

Approval of Minutes for Staff Meeting held on December 5, 2022: No changes to be made and the Staff Meeting Minutes were approved as written.

Employee Years of Service Recognition: Sheriff Gardner recognized Burkam Burnett for 15 years of service to Bingham County and stated that Burkam is a huge asset to the county. He is currently a Corporal and will transfer into the Detective Division in February.

Chairman Manwaring recognized Commissioner Mark Bair for 10 years of service to Bingham County and stated that he truly appreciates working with him. There have been a lot of exciting times, along with a lot of challenging times, especially the last two years having the large amount of growth in Bingham County.

Commissioner Bair stated that 10 years has come and gone quickly. He really enjoys working for the county and it has been a pleasure being able to help people. He can remember 10 years ago one of things that he said at the swearing in ceremony was that he felt that the most important asset the county has is the employees, which still rings true. He loves working with all of the county employees and has found that relationships are the most important thing. He truly values the relationship that he has built with all department heads, especially the Elected Officials.

Chairman Manwaring recognized Sheriff Jeff Gardner for 10 years of service to Bingham County and stated that he appreciates working with the Sheriff. He appreciates all of his hard work over the last year during the transition and knows that it has not been easy but the county is happy to have him as Sheriff.

Chairman Manwaring recognized Paul Rogers for 10 years of service to Bingham County and stated that he appreciates his hard work and dedication. He has a lot of knowledge and does a large amount of work for the commissioners as well. Paul Rogers stated that he is lucky to be working for Bingham County.

Eric Jackson added that he would like to thank everyone for their support over the years while he was in the Building Maintenance Department. It has been great working with everyone and he hopes to continue those relationships. He is proud to be a member of the Bingham County team and that is how he looks at it, as working together as a team.

Clerk Eckhardt: Stated that she would like to remind everyone of the Oath of Office Ceremony scheduled at Noon in Courtroom #1. She gave a brief update on the website and stated there is an upcoming meeting scheduled for the 12th of January. She is hopeful that this project is close to completion.

Next, Clerk Eckhardt stated that she and Danette Miller spent one week in Boise for the Elections Conference, which was extremely beneficial. One of the speakers was a Court Supervisor for a large county in Washington State, who stated, "It is not realistic for us to expect our employees to leave problems at home. We as supervisors need to be supportive of our employees, be in conversations with our employees to know what is going on, be supportive and most importantly is to be understanding". Clerk Eckhardt stated this is important and thought was relevant to share this morning.

Laura Lora: Stated that W-2 forms are ready but wanted to remind everyone to please be sure to update any address changes with her as soon as possible.

Next, she gave a brief update on the Indigent Services Department and stated the office duties have changed. The county will no longer provide rental or utility assistance but has given a large donation to SEICCA. If anyone has similar requests come to their department, please direct them to SEICCA. The

only thing that is still occurring are indigent cremations and collecting funds on previously approved cases.

Debbie Cunningham: Had no updates at this time.

Dusty Whited: Had no updates at this time.

Jimmy Roberts: Stated that he hopes that everyone had a great holiday and welcomed Eric Jackson into the Commissioner's Office. Mr. Roberts gave a brief update which was as follows:

- 19 cases in the month of December
- 1 required an autopsy
- 16 were natural deaths
- 1 accident
- 2 undetermined
- 1 organ donation screening

- 161 miles traveled
- 72 investigation hours
- 174 administrative hours

Mr. Roberts stated there are autopsy reports that are outstanding from April and things are backed up. Total cases for 2022 were 184 and total cases for 2021 were 121, so there has been an increase in case volume.

Scott Reese: Stated that he would like to thank Eric Jackson and Jason Marlow for all of their hard work in keeping the parking lots plowed surrounding the courthouse. It is hard to keep up and they have done a great job. He also stated that he would like to thank the Sheriff's Office for their assistance in the Moreland Park bomb incident and working to resolve in the safest way.

Sheri Landon: Stated that the courts lost two long term employees in the month of December. Carlos Mercado who has come back as a part-time employee and Sissy Tendoy who will be back in April as a part-time employee. They are both amazing employees and both requested to return to work part-time.

Laraine Pope: No updates at this time.

Jason Marlow: Stated that he would like to introduce the new Building Maintenance Specialist, Dave Corum.

Tiffany Olsen: Stated from January to December of 2022 there were 744 building permits, 204 of those were residential related, 113 were shops, 21 ag exempt structures, 100 solar for residential structures, 288 mechanical and 18 new commercial structures. There were 64 Planning & Zoning Commission Public Hearings held in 2022.

Shawn Hill: No updates at this time.

Cody Lewis: Stated that Felony Drug Court Graduation is scheduled for January 24th at 4:00 p.m., and Misdemeanor Drug Court Graduation is scheduled for January 26th at 4:00 p.m.

Paul Rogers: Stated that the preliminary hearing on the murder case will be held January 19th.

Sheriff Jeff Gardner: Stated that the Sheriff's Office will be holding de-escalation trainings for a few departments throughout the county. If anyone is interested, please get in touch with him. Sheriff stated in the past the Sheriff's Office held pie night, which was cancelled due to Covid-19. He would like to start that in February and would like to invite everyone to bring a pie and have the opportunity to socialize with other employees. An email will be sent out once the date is scheduled.

Tanna Beal: Stated that 97% of the first half of property taxes have been collected. She also would like to thank Eric Jackson for his years of service in Building Maintenance and congratulated him on his transition to commissioner.

Julie Buck: Stated that January is the month wherein several schools are being held, such as beef school and potato school. There are day camps being held every Friday for the youth, two cooking and canning classes being held in March. Any of these dates can be found on the UI Extension, Bingham County Facebook page.

Danette Miller: Stated that she attended the Election Conference in Boise with Clerk Eckhardt, which was information and as always good networking. The Ada County Clerk, who is now the new Secretary of State, Phil McGrane, ran the conference and did an amazing job. On Friday they were invited to the inauguration of State Officials, which was extremely moving. Lastly, she would like to thank the IT Department as there was a lot of information given in regards to cyber security.

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

Nothing further.

PROBATION DEPARTMENT UPDATE

Present: Shawn Hill- Probation Director

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

BUILDING MAINTENANCE UPDATE

Present: Jason Marlow- Building Maintenance Supervisor
Paul Rogers- Prosecuting Attorney

The Board met with Jason Marlow to discuss department updates.

ASSESSOR'S OFFICE UPDATE & PRIOR APPROVAL

Present: Wendy Mecham- GIS
Debbie Cunningham- Chief Deputy Assessor
Paul Rogers- Prosecuting Attorney

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

Ms. Mecham stated the Approval of Maintenance Agreement with Bonneville Blueprint and Supply for a KIP 7172 Scanner/Printer was tabled from a previous meeting in order to gather additional information. There is a three-month warranty on the machine when it was bought and that is why the Maintenance Agreement goes into place. It is \$139.00 per month versus \$125 per month previously paid for the old machine. This will pay up to 2,000 square feet of black and white print jobs on the ink/toner. This machine is used for scanning more than half of the time and not so much for printing. If the 2,000 square feet is exceeded, it is .42 cents per square foot.

Decision: Commissioner Bair moved to approve and sign the Maintenance Agreement with Bonneville Blueprint for the KIP 7172 Scanner/Printer, in the amount of \$139.00 per month. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Next, Chairman Manwaring entertained a motion to approve a Tax Inquiry document submitted by the Assessors Office, which was as follows:

RP 1083700 Year 2022 Homeowners signed up for the Homeowners Exemption in 2023

Decision: Commissioner Bair moved to approve and sign the Tax Inquiry submitted by the Assessor's Office as presented. Chairman Manwaring seconded. Both voted in favor. The motion carried.

TREASURERS OFFICE

Present: Tanna Beal- County Treasurer
Pamela Eckhardt- County Clerk
Paul Rogers- Prosecuting Attorney
Dusty Whited- Public Works Director
Scott Reese- Parks & Recreation/Emergency Services
Jeff Gardner- Bingham County Sheriff

The Board met with Tanna Beal to discuss department updates.

DISCUSSION & DECISION REGARDING ELECTION OF COMMISSION CHAIRMAN

Present: Pamela Eckhardt- County Clerk
Paul Rogers- Prosecuting Attorney
Dusty Whited- Public Works Director
Scott Reese- Parks & Recreation/Emergency Services
Jeff Gardner- Bingham County Sheriff

The Board met to hold a meeting to elect a Commission Chairman. Manwaring welcomed all to the meeting and asked Commissioner Bair and Commissioner Jackson for their input on moving forward with Chairman election.

Commissioner Bair stated that he has no preference but does believe that there should be a change every election time in order to give each Commissioner the opportunity to be Chairman.

Commissioner Jackson stated that both Commissioner Manwaring and Commissioner Bair would do a fantastic job and it is a hard position for him to be in as the newly elected Commissioner, to make a motion on this matter.

Decision: Commissioner Jackson moved to re-appoint Commissioner Manwaring as the Chairman. Commissioner Bair seconded. All voted in favor. The motion carried.

DISCUSSION & DECISION REGARDING PER DIEM, MILEAGE RATE FOR 2023 & APPROVAL OF BINGHAM COUNTY RESOLUTION 2023-01

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

The Board met to hold discussion and make a decision regarding per diem, mileage rate for 2023 and approval of Bingham County Resolution 2023-01. Chairman Manwaring welcomed all to the meeting and turned the time over to Clerk Eckhardt.

Clerk Eckhardt explained that previously the per diem was as follows:

Breakfast:	\$10.00
Lunch:	\$10.00
Dinner:	\$20.00

In her recent trips to Boise for conferences, she can attest that you cannot purchase dinner for less than \$20.00 due to the inflation costs. All Commissioners were in favor of increasing the per diem amount and the proposed amount was as follows:

Breakfast:	\$12.00
Lunch:	\$12.00
Dinner:	\$22.00

Next, discussion was held in regards to the amount for mileage reimbursement, which is currently \$.35.

Commissioner Bair stated he would propose to increase from \$.35 to \$.40 per mile and remove the \$.55 per mile if there is not a county vehicle available.

Decision: Commissioner Bair moved to change the meal per diem to \$12.00 for breakfast, \$12.00 for lunch and \$22.00, along with changing amount for mileage reimbursement from \$.35 cents to \$.40 cents. This would also amend to remove the \$.55 cents per mile if using a personal vehicle and remain use of the \$.40. Commissioner Jackson seconded. All voted in favor. The motion carried.

Commissioner Jackson moved to adopt and sign Bingham County Resolution 2023-01, a resolution amending the Bingham County Employee handbook in its entirety, which is signed by all Elected Officials. Commissioner Bair seconded. All voted in favor. The motion carried and said resolution was adopted as follows:

RESOLUTION 2023-01
A RESOLUTION AMENDING THE BINGHAM COUNTY
EMPLOYEE HANDBOOK IN ITS ENTIRETY

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

1. Bingham County Personnel Handbook in its entirety is hereby repealed.
2. The existing Bingham County Personnel Handbook in its entirety is hereby repealed and replaced with the following Bingham County Employee Handbook in its entirety.

DATED this 9 day of January 2023

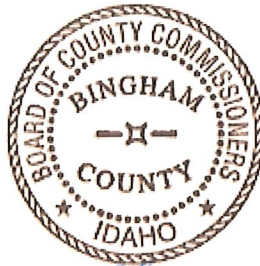
BOARD OF COUNTY COMMISSIONERS

BY:


Whitney Manwaring, Commissioner Chairman


Mark R. Bair, Commissioner


Eric Jackson, Commissioner



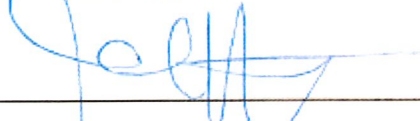
ATTEST:


Pamela Eckhardt, Bingham County Clerk

We the undersigned elected officials of Bingham County as the Personnel Board understand our responsibility to comply with and enforce the provisions of the Bingham County Employee Handbook.

DATED this 9 day of January 2023.

PERSONNEL BOARD



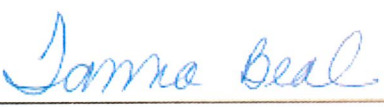
Paul Rogers, Prosecutor

1/9/23
DATE



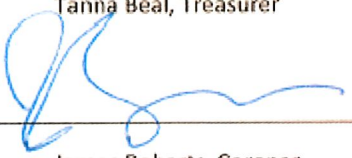
Jeff Gardner, Sheriff

1/9/23
DATE




Tanna Beal, Treasurer

1-9-23
DATE



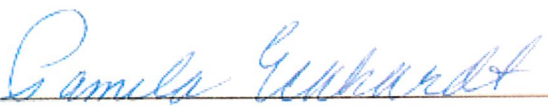
James Roberts, Coroner

1/9/23
DATE



Donovan Harrington, Assessor

1/5/23
DATE

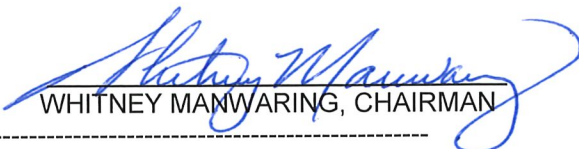


Pamela Eckhardt, Clerk

1-9-23
DATE

THE MOTION PASSED TO DISMISS UNTIL TUESDAY, JANUARY 10, 2023


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Tuesday, January 10, 2023
County of Bingham)

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

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

PLANNING & DEVELOPMENT UPDATE/APPROVAL OF FINAL PLAT FOR JKW SUBDIVISION

Present: Tiffany Olsen- Planning & Development Director
Paul Rogers- Prosecuting Attorney
Glenn Cox- Planning & Zoning Applicant
Gwen Inskeep- County Surveyor
Jeff Mosbrucker- Planning & Zoning Applicant

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 stated that she would like to turn the time over to Mr. Cox to introduce himself to the Board and move into interview questions. Mr. Cox stated he has lived in Idaho for over thirty years, built a home in Riverton a few years ago and prior to that lived in Rockford. He is ex-military and retired from the Idaho National Laboratory.

Director Olsen asked Mr. Cox if he has had the opportunity to attend a Planning & Zoning Commission Hearing, to which he stated that he has not but he did research to assist an individual with a subdivision hearing.

The Board asked Mr. Cox questions, which were as follows:

- 1. Why are you interested in becoming a Planning & Zoning Commissioner?

Mr. Cox stated he believes that the county should be progressive with development allowed within the county. In the past, he has seen individuals who are unreasonable with a subdivision application and others who were negotiable. Trying to negotiate between the two parties was difficult and he believes that some verbiage can be codified. He believes that individuals should be able to do what they wish with their land so long as they do not interfere with groundwater or create a nuisance for the surrounding property owners.

- 2. What do you see as the vision for Bingham County?

Mr. Cox stated that he would like to encourage development and improve the tax base to improve infrastructure to not have uncontrolled growth and need to be sure that the infrastructure supports the growth occurring. Along with protecting groundwater.

- 3. What are your thoughts for now and the near future for Bingham County? Please be as specific as possible and address Bingham County maintaining its rural community, growing its residential community, or expanding commercial operations and tourist growth?

Mr. Cox explained that he is starting to see a lot of areas clash between urban and rural. His vision is to be sure that growth is allowed but not creating a nuisance or ruining groundwater in the process.

Chairman Manwaring asked Mr. Cox in regards to his background with groundwater, to which Mr. Cox stated that he has a Small Water Operator License and Waste Water License. He has not used the license a lot but has helped a few individuals on a personal level, to develop subdivisions.

Director Olsen asked for clarification in regards to the water license that Mr. Cox has and that includes taking samples for testing, to which he confirmed is correct. Director Olsen asked Mr. Cox if he feels that would be a conflict if he were placed on the Planning and Zoning Commission, to which he stated he does not feel it would be a conflict as he has not done a large amount of work with said license.

4. If strong testimony is received on an Application, however, none of their concerns are related to Bingham County Code Requirements, how would you respond?

Mr. Cox stated that it is important to stick to the facts provided regarding an Application and while it may upset someone what development is occurring; the Commission has to follow requirements and fact of law in making a decision. It is important to listen to concerns but it always comes back down to the law and what is required within code.

5. Would you be able to refrain from engaging in any conversations or questions, or driving by a site, regarding upcoming hearing items within the public and other Commissioners prior to the Public Hearing?

Director Olsen explained that Idaho Open Meeting Law and the Idaho Land Use Planning Act provides for regulations on what a board member can and cannot do when an Application is received. These rules pertain to a governing body such as the Board of County Commissioners or the Planning & Zoning Commission, which is ex-parte communication if a member were to speak with someone in the community about a subdivision and they tell you information that the other members may not have. If this communication is held, there is a process to follow in which to place that information on the record at that public hearing, and it will be determined if it will be a conflict or if it will affect the members ability to make a decision in the Application.

Director Olsen further explained the process of each board member receiving a Staff Report that includes all necessary information to assist in the decision-making process. If need me, the Board could schedule a meeting in which all members could visit a specific site if needed.

Mr. Cox stated that he would feel comfortable refraining from engaging in any conversation or questions regarding upcoming hearing items.

6. Have you ever attended a Planning & Zoning Pubic Hearing? If so, what was the experience like for you?

Mr. Cox stated that he has not attended a Planning & Zoning Public Hearing. Director Olsen explained the formality of a Public Hearing.

7. Do you have any questions for the Board that you would like to address?

Mr. Cox had no major questions for the Board at this time.

Next, Mr. Jeff Mosbrucker joined the meeting to answer interview questions, which were as follows:

1. Why are you interested in becoming a Planning & Zoning Commissioner?

Mr. Mosbrucker stated that he has watched development in Bingham County increase over the years and believes that it is critical how development occurs.

2. What do you see as the vision for Bingham County?

Mr. Mosbrucker explained that he would like to see development but that it should be logical and at the same time would like to protect farm ground as he comes from a farming family and would hate to see good ground developed that could be beneficial to Bingham County but to the State of Idaho as well.

Director Olsen asked Mr. Mosbrucker how he would feel if the farm ground was a piece of ground that the farmer no longer wanted to farm and if that would change his mind on how the land is developed. Mr. Mosbrucker explained that farm ground needs to be preserved and if Idaho wanted to continue being a top producer in agriculture, it has got to be protected.

3. What are your thoughts for now and the near future for Bingham County? Please be as specific as possible and address Bingham County maintaining its rural community, growing its residential community, or expanding commercial operations and tourist growth?

Mr. Mosbrucker explained there are sections of ground in Bingham County that can be developed in order to sustain housing. He stated that all information needs to be taken in, how it will be developed but also consider water, sewer, garbage, population and the affect those things would have.

4. If strong testimony is received on an Application, however, none of their concerns are related to Bingham County Code Requirements, how would you respond?

Mr. Mosbrucker stated if the Application does not meet the code requirements, that is the way he would vote, as it is important to protect the County.

5. Would you be able to refrain from engaging in any conversations or questions, or driving by a site, regarding upcoming hearing items within the public and other Commissioners prior to the public hearing?

Mr. Mosbrucker stated he was not aware of what was included in the ex-parte communications or these rules involved but it is important to make an unbiased decision. Therefore, he would be able to refrain from doing so.

Director Olsen stated as a Commission, it could be scheduled to go and look at a specific property for further clarification if needed.

6. Have you ever attended a Planning & Zoning Pubic Hearing? If so, what was the experience like for you?

Mr. Mosbrucker stated that he has not had the opportunity to attend a Planning & Zoning Public Hearing but has looked at the documentation prepared that is posted on the County website.

7. Do you have any questions for the Board that you would like to address?

Mr. Mosbrucker had no questions for the Board at this time but added that when he saw the vacancy he was excited to have the opportunity to be more involved with the community.


A brief discussion was held in regards to the two applicants and stated that this decision would be placed on the agenda at a later date in order for Commissioner Bair to be present.

Next, Director Olsen asked the Board for consideration in approving the Final Plat for JKW Subdivision, which is a 2-lot subdivision outside of firth.

Decision: Commissioner Jackson moved to approve the Final Plat for JKW Subdivision. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Director Olsen gave a brief department update at this time.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY, JANUARY 11, 2023


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Wednesday, January 11, 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 WARRANTS

A Cash Warrant were approved in the amount of \$3,674.32.

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: Jake W. Foster.

COLLEGE OF EASTERN IDAHO

Certificate of Residency documents were approved by the Board and sent to the College of Eastern Idaho for the following Bingham County student's: Cesar Chavez Torres, Daniel D. Martin, Alondra Rodriguez, Ebelin Rodriguez and Yaneli Rodriguez.

INDIGENT MATTERS

Recorded: A Release of Financial Assistance Lien was approved by the Board and recorded as Bingham County Instrument No. 751835.

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

SHERIFF'S OFFICE

Present: Paul Rogers- Prosecuting Attorney
 Laura Lora- Payroll
 Jeff Gardner- Sheriff
 Laraine Pope- Human Resources

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

Sheriff Gardner explained the submitted Prior Approval for Major Purchase for IDEMIA, replacement of fingerprint machine in the jail. Said purchase is in the amount of \$16,557.00, to be paid out of the Sheriff's Trust 9137.

Decision: Commissioner Jackson moved to approve and sign the Prior Approval for Major Purchase for IDEMIA, replacement of fingerprint machine in the jail. Said purchase is in the amount of \$16,557.00, to be paid out of the Sheriff's Trust 9137. 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 Jackson moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Bair seconded. All voted in favor. The Board moved into Executive Session at 8:35 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 8:50 a.m.

Decision: Commissioner Bair moved to approve a one-time merit pay in the amount of \$1,000.00 for a Sheriff's Office Deputy. Commissioner Jackson seconded. All voted in favor. the motion carried.

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
 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 and turned the time over to Mr. Whited.

Mr. Whited explained the submitted Prior Approval for Major Purchase of a mounted snowplow for one pickup in the Shelley Area. This purchase will be beneficial with all of the new subdivisions being developed. Said purchase is for the amount of \$7,899.00, to be paid from Fund 02-40-803-00.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of a pickup mounted snowplow in the amount of \$7,899.00, to be paid from Fund 02-40-803-00. Commissioner Bair seconded. All voted in favor. The motion carried.

Next, Mr. Whited presented the submitted Solid Waste Credit Application for Mickelsen Pack for the Rattlesnake Landfill, in the amount of \$800.00 per month. All references have been checked and Mr. Whited recommended approval.

Decision: Commissioner Bair moved to approve the Solid Waste Credit Application in the amount of \$800.00 per month for Mickelsen Pack. Commissioner Jackson seconded. All voted in favor. The motion carried.

Next, Mr. Whited presented the submitted Solid Waste Credit Application for 4B Construction LLC, who is requesting a credit in the amount of \$1,000.00 per month. All references have been checked and Mr. Whited recommended approval.

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

DISCUSSION & APPROVAL OF NORTH END RECREATION SUB DISTRICTS

Present: Scott Reese- Parks & Recreation
Tyler Draney- Parks & Recreation
Danette Miller- Election Department
Paul Rogers- Prosecuting Attorney
Pamela Eckhardt- County Clerk
Rorie Christensen- Citizen
Excused: Commissioner Bair

The Board met to hold discussion and approve the North End Recreation Sub Districts. Chairman Manwaring welcomed all to the meeting and turned the time over to Ms. Miller.

Ms. Miller explained that she is before the Board today to approve the North End Recreation zones, wherein there will be three zones. After approval of said zones, the Board will approve a qualified elector from each of those three zones as the Board of Directors.

Ms. Miller stated pursuant to Idaho Code Section 31-4304(f), the next phase of creating a Recreation District is to approve three proposed zones within the Recreation District and appoint a qualified elector from each of the three zones as Board Directors.

Ms. Miller further explained the proposed zone, which is shown in the map presented to the Board. There will be three zones all closely equal in size.

Next, discussion was held in regards to the proposed Board Members, which are proposed as follows:

Kim (Kidman) Bateman
Bracken Abrams
Adam French

Ms. Christensen explained that each district should be represented evenly and fairly. She gave a brief background of each proposed Board Director and stated each are very qualified.

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

Decision: Commissioner Jackson moved to approve the North End Recreation Subdistricts as proposed today by Danette Miller. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Decision: Commissioner Jackson moved to approve the proposed 3 Subdistrict Board Directors as presented by Ms. Christensen. Chairman Manwaring seconded. Both voted in favor. The motion carried.

HUMAN RESOURCES

Present: Laraine Pope- Human Resources Director
Jason Marlow- Building Maintenance Director
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 Commissioner Jackson for a brief explanation regarding the third Building Maintenance Specialist job posting proposed.

Commissioner Jackson stated the need for a third specialist is extremely important and warranted with the jail addition coming in the near future. Having a third maintenance employee is also helpful if one employee

is on vacation or has a medical emergency, making it so there is more than one maintenance employee available.

All Commissioners were in favor of this proposal and Chairman Manwaring entertained a motion at that time.

Decision: Commissioner Jackson moved to allow Human Resources to advertise the vacancy for Building Maintenance Specialist, with the posted salary of N13, Step 1 (\$16.33) with the ability to go to Step 6 (\$19.48) depending on experience. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Ms. Pope continued with the department update for Human Resources.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY JANUARY 13, 2023


PAMELA W. ECKHARDT, CLERK


WHITNEY MANWARING, CHAIRMAN

Lindsey Dalley- Deputy Clerk-----

STATE OF IDAHO)
 : ss. Friday, January 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- Deputy Clerk

CLAIMS

Claims were approved in the amount of \$461,227.86.

JAIL MEDICAL

Jail Medical was approved in the amount of \$1,761.90.

COLLEGE OF EASTERN IDAHO

A Certificate of Residency was approved by the Board and sent to the College of Eastern Idaho for the following Bingham County student: Andrea M. Svendsen.

Decision: Commissioner Bair moved to approve and sign the Cash Warrants, Claims, Administrative Documents and Personnel Action Forms for January 26, 2023. Commissioner Jackson seconded. All voted in favor. The motion carried.

DISCUSSION & SIGNING OF LEASE AMENDMENT FOUR FOR THE VOCATIONAL REHAB OFFICE

Present: Pamela Eckhardt- County Clerk
 Paul Rogers- Prosecuting Attorney
 Tiffany Olsen- Planning & Development Director

The Board met to discuss and sign the Lease Amendment number Four for the Vocational Rehab Office owned by Bingham County. Chairman Manwaring welcomed all to the meeting and turned the time over to Clerk Eckhardt.

Clerk Eckhardt explained the lease amendment is to add one 8x15 office to the lease and that Legal Counsel has reviewed the document no issues. The total of the lease payment will be \$17,576.90 for one year.

Chairman Manwaring stated that he would like to see the Commissioner over each department/building do a walkthrough at least once per year to see if there are any issues that need to be fixed.

A brief discussion was held in regards to the carpet needing to be replaced but would not need to be done until next year. Ms. Olsen added that she would suggest rain gutters being placed during the next budget year.

Decision: Commissioner Jackson moved to approve the changes made to the Lease Agreement with Idaho Division of Vocational Rehab and sign the Lease Amendment Number Four. Commissioner Bair seconded. All voted in favor. The motion carried.

PROSECUTORS OFFICE

Present: Paul Rogers- Prosecuting Attorney
Pamela Eckhardt- County Clerk
Tiffany Olsen- Planning & Development Director

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

Mr. Rogers stated that he would like to hold discussion in regards to record and audio retention. He referred to Idaho Code Section 31-781- Classification and Retention of Records and read each subsection into the record.

Commissioner Bair stated his questions was directly towards audio recordings from Commissioner Minutes and was unsure if all recordings should be kept indefinitely. Mr. Rogers explained that Commissioner Minutes and Audio should be kept together to make a complete record. Ms. Olsen concurred with Mr. Rogers and stated that audio should be kept from a land use position.

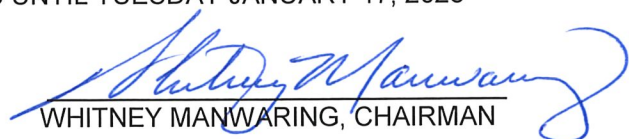
Chairman Manwaring stated it is important to have the information to reference to if needed in the future.

Next, Clerk Eckhardt proposed five additional Opioid Settlements and explained that Governor Little and Attorney General Lawrence Wasden announced the State of Idaho's agreement to participate in nationwide opioid settlements with three chain pharmacies Walmart, CVS, and Walgreens, and with two opioid manufacturers, Teva Pharmaceutical Industries and Allergan. These settlements total over \$17 billion dollars and include up to \$90 million dollars for Idaho and its counties and cities who agree to participate. This will be tracked by her and whoever may be clerk after her.

Decision: Commissioner Bair moved to approve and sign onto five additional Opioid Settlements. Commissioner Jackson seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL TUESDAY JANUARY 17, 2023


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


WHITNEY MANWARING, CHAIRMAN

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

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

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

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 1:01 p.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 1:34 p.m.

Decision: Commissioner Jackson moved to complete a second background check prior to hiring any employee for the County, which will do a more extensive background search and cover those working in ILET sensitive areas. Commissioner Bair seconded. All voted in favor. The Sheriff's Office will run the background check and all information will go through Human Resources.

APPOINTMENT OF DISTRICT 2 PLANNING & ZONING COMMISSION MEMBER

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

The Board met to appoint the District 2 Planning & Zoning Commission Member. Chairman Manwaring welcomed all to the meeting and explained there was a previous meeting held with two applicants for the Planning & Zoning Commission member.

Commissioner Bair stated that he liked both Applicant's but would prefer to appoint Glenn Cox due to his background in water and sewer that would be a real advantage to the Planning & Zoning Commission.

Commissioner Jackson stated both Applicant's would be excellent but due to Mr. Cox's credentials, he would prefer that he be appointed.

Decision: Commissioner Bair moved to appoint Glenn Cox to be on the Planning & Zoning Commission as the District 2 member. Commissioner Jackson seconded. All voted in favor. The motion carried.

MEETING TO RECEIVE THE PLANNING & ZONING COMMISSIONS RECOMMENDATION TO APPROVE THE POLSON ESTATES SUBDIVISION PRELIMINARY PLAT

Present: Tiffany Olsen- Planning & Development Director
 Paul Rogers- Prosecuting Attorney
 David Polson- Applicant
 Ann Polson- Applicant

The Board held a meeting to receive the Planning & Zoning Commissions recommendation to approve the Polson Estates 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, for presentation of the Staff Report.

Director Olsen presented the Staff Report for the record.

Commissioner Bair referred to Exhibit S-10 and stated there is a sewer line that goes down Country Club Road, wherein Director Olsen confirmed. She explained that line belongs to the Eastern Idaho Regional Sewer District. The Eastern Idaho Regional Sewer District received notice but did not provide any testimony or statements on whether the connection was close enough or if the Eastern Idaho Regional Sewer District is willing to allow connection. Director Olsen clarified that if a connection is within 300 feet, the Eastern Idaho Regional Sewer District will require connection. Director Olsen suggested that Eastern Idaho Regional Sewer District did not respond based on this connection being outside of the 300-foot requirement.

Commissioner Bair stated his concern is that Eastern Idaho Regional Sewer District did not comment and the measurement of the connection was not confirmed through testimony. Commissioner Bair does not interpret the lack of comment by the Eastern Idaho Regional Sewer District to mean that the connection was outside of the 300-foot requirement. Commissioner Bair would prefer confirmation of the distance of the connection.

Discussion was held in regards to the possibility of remanding the Application back to the Planning & Zoning Commission to gather information on the accurate distance of the connection from the Eastern Idaho Regional Sewer District. Commissioner Bair stated he believes that this Application should be remanded back to the Planning & Zoning Commission in order to have the appropriate information. Chairman Manwaring stated the Eastern Idaho Regional Sewer District had the opportunity to submit testimony and they did not do so. Commissioner Jackson concurred with Chairman Manwaring.

Decision: Commissioner Jackson moved to approve the Polson Estates Subdivision Preliminary Plat, a 4-Lot subdivision located at 950 East Stoddard Road, submitted by David and Ann Polson. Chairman Manwaring seconded. All in favor- Chairman Manwaring and Commissioner Jackson. All Opposed- Commissioner Bair.

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.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY JANUARY 18, 2023


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


WHITNEY MANWARING, CHAIRMAN

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

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

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

CASH WARRANTS

Cash Warrants were approved in the amount of \$29,280.53 and \$880.00, for a total of \$30,160.53.

Decision: Commissioner Jackson moved to approve Cash Warrants, Claims, and Administrative Documents for January 18, 2023. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF BID FOR REPLACEMENT OF ROOF AT THE BINGHAM COUNTY HISTORICAL MUSEUM

Present: Jason Marlow- Building Maintenance Director
Paul Rogers- Prosecuting Attorney

The Board met to hold discussion and make a decision regarding the bid for replacement of the roof at the Bingham County Historical Museum. Chairman Manwaring welcomed all to the meeting and turned the time over to Jason Marlow.

Mr. Marlow explained that Clerk Eckhardt has gathered three separate bids. Two State Roofing who came in at \$32,000.00, Rudy's Roofing in the amount of \$36,934.80 and Ashco Roofing and Construction in the amount of \$28,550.00. Mr. Marlow stated that the bid from Rudy's Roofing is out dated and upon speaking with the owner, there would be an additional 10% added, which is not reflected in the bid before the Board today. This would bring the new bid to approximately \$40,000.00. The Ashco Roofing and Construction has the longest warranty in the amount of 20 years.

Mr. Marlow stated this his recommendation is to go through Two State Roofing, Inc., as the shingles that would be used matches the best with what is currently on the building. They are a local company and have a 10-year labor warranty and as stated before the shingles are rated well as well as matching what is currently on the building.

The Board came to the conclusion that they were in favor of the recommendation from Mr. Marlow and to go with Two State Roofing, Inc.

Decision: Commissioner Jackson moved to allow Jason Marlow to move forward with Two State Roofing for the roof replacement of the Bingham County Historical Museum, in the amount of \$30,000.00 to \$40,000.00 and would be paid from Fund 12-00-494-00, \$30,000.00 budgeted and will receive \$13,000.00 from Idaho Preservation Trust. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF TAX INQUIRY SUBMITTED BY THE COUNTY ASSESSOR

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

RP0158400 Year 2022 Owners signed up for Homeowners Exemption

Decision: Commissioner Jackson moved to approve Bingham County Tax Inquiry for RP0158400 as presented. Chairman Manwaring seconded. Both voted in favor. The motion carried.

PUBLIC WORKS DEPARTMENT

Present: Dusty Whited- Public Works Department
 Garrett Sandow- Basalt City Attorney
 Paul Rogers- Prosecuting Attorney
 Chris Pratt- Citizen
 Carl Phillips- Citizen
 Shane Phillips- Citizen
 Tiffany Olsen- Planning & Development Director
Zoom: Commissioner Bair

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

Mr. Whited turned the time over to Mr. Garrett Sandow for his request to discuss the construction routes for the Cedar Creek Windmill project. Mr. Sandow stated a City Council Meeting was held in Basalt in December, wherein discussion was held in regards to the Cedar Creek windmill project and that the state had been planning to have the windmills and turbines come up Highway 91, down Goshen Road and access the hills. Mr. Sandow stated his concern was the old bridge and last time it was inspected it was not in great condition. If this does occur, the weight of the trucks will damage the road more than it is currently. The City of Basalt does not have the budget to cure the damage that may be done and depending on weather conditions, it was a concern. Before spending any funding on a civil engineer to find out if the bridge could handle the traffic, Mr. Sandow wanted to come before the Board to confirm that this was in fact the planned route.

Chairman Manwaring stated the Board does not have jurisdiction in the city but the county approved the route on the county road, along with replacing the bridge located at the end of Goshen Road and the intersection of Butte Road.

Mr. Whited provided a map to all attendees showing the route that will be used by the Cedar Creek Windmill Project. Mr. Whited explained to the project managers that the section of road was in the jurisdiction of the City of Basalt and that he could not approve any usage. He received communications from them stating that they had left several messages with the City of Basalt, with no response received.

Discussion was held and Mr. Whited explained the approved routes to Mr. Sandow, according to the map provided.

Commissioner Bair asked if when the route was approved, there were photographs taken. Any damage done to the road during this project, Cedar Creek will be held liable to cure that damage. Mr. Whited stated that is correct and the agreement in place with Bingham County is that any damage done will be cured by the Cedar Creek Windmill Project. That same agreement would not necessarily be in place for the roads in Basalt without a separate agreement. Chairman Manwaring stated that Cedar Creek should be responsible for any damage done and stated that Mr. Sandow should get in touch with Cedar Creek to put a similar agreement in place for the City of Basalt.

Nothing further on this issue at this time.

Next, discussion was held in regards to moving forward with the extension of 3200 West to connect to Grandview Road. Mr. Whited stated this discussion was held several years ago but the project was not completed. He and the previous County Surveyor, David Romrell, worked through the permitting process with BLM, to have the option of the road going across the BLM portion of land and approval was received. In moving forward, the Commission would need to approve the extension, after which the County Surveyor would create a legal description in order for Chris Pratt to take to the new owner, First Place Holdings, for a right of way across their property. Mr. Pratt stated he does not believe that would be an issue and First Place Holdings would be in favor per previous conversations.

Further discussion was held in regards to the benefits of completing this extension. Commissioner Bair stated in completing the extension it would make it a good farm to market road and Mr. Whited added that anyone who is farming in the area would benefit from this project. Commissioner Bair stated he would be in favor of this road extension and that it would be extremely beneficial.

Mr. Whited stated the cost to complete the extension, which is in the amount of \$191,249.00. This project was not budgeted for but a majority of the things needed to complete the project is within the budget. Connecting the road would be a big incentive to the farm to market in the area.

Decision: Commissioner Jackson moved to approve and sign the BLM Right-of-Way Grant and BLM Form 2800-14 for improvement, construction, operation and maintenance for an access road on public land. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Commissioner Jackson moved to approve the extension of 3200 West to Grandview Road, with the approximate cost of \$191,249.00. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Next, Mr. Whited explained the contract for microseal with VS International, in the amount of \$901,200.00.

Decision: Commissioner Jackson moved to approve the contract with VS International for microseal in the amount of \$901,200.00. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Lastly, Mr. Whited asked for the Board to approve the notice to be published for the Notice of Bids for Asphalt and Spreading Service.

Decision: Commissioner Jackson moved to approve the Notice of Bids for Asphalt and Spreading Service, to be published prior to the Public Hearing. Chairman Manwaring seconded. Both voted in favor. The motion carried.

SIGNING OF COUNTY VESSEL FUND REPORTING AND REMITTANCE FORM, ALONG WITH APPROVAL AND SIGNING OF RESOLUTION 2023-08

The Board met to sign the County Vessel Fund Reporting and Remittance Form, along with approval and signing of Resolution 2023-08.

Decision: Commissioner Jackson moved to approve and sign the County Vessel Fund Forms and Bingham County Resolution 2023-08. Chairman Manwaring seconded. Both voted in favor. The motion carried and said Resolution was signed as follows:

**BINGHAM COUNTY
RESOLUTION NO. 2023-8**

**A RESOLUTION APPROVING THE SPECIFIC PURPOSE EXPENDITURE FROM
THE BINGHAM COUNTY VESSEL FUND FROM FY 2022**

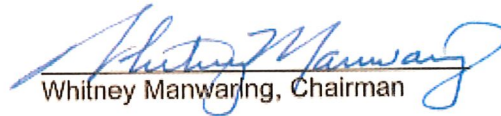
WHEREAS, Bingham County Vessel Fund has a surplus of \$72,850 from monies provided from the Idaho Department of Parks and Recreation which includes carryover from FY 2020 and FY 2021.

NOW, THEREFORE, it is hereby resolved:

That the specific purpose expenditure of \$72,850 will go towards the purchase of a Wooldridge 20 ft. search and rescue jet boat.

DATED January 18, 2022

BINGHAM COUNTY COMMISSION

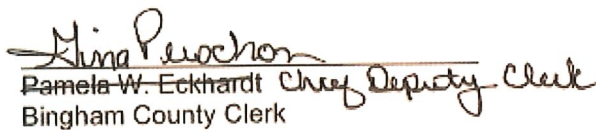

Whitney Manwaring, Chairman

Mark R. Bair, Commissioner


Eric Jackson, Commissioner



ATTEST:


Pamela W. Eckhardt, Chief Deputy Clerk
Bingham County Clerk

PRIOR APPROVAL FOR MAJOR PURCHASE- BUILDING MAINTENANCE

Present: Jason Marlow- Building Maintenance Director

The Board met to review and make a decision regarding several Prior Approval documents for the Building Maintenance Department. Chairman Manwaring welcomed all to the meeting and turned the time over to Jason Marlow.

Mr. Marlow explained the submitted Prior Approval to fix or replace the burst cooling coil for the 2nd floor on the north end of the courthouse. Justification for said purchase is that over the winter season, the coil froze and burst the copper lines, which is needed for cooling in the summer. Said purchase is in the amount of \$6,000.00, to be paid from 01-10-494-00- Building and Fixtures.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase to either fix or replace the burst cooling coil for the 2nd Floor on the north end of the courthouse. Said purchase is in the amount of \$6,000.00, to be paid from 01-10-494-00- Building and Fixtures. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Next, Mr. Marlow explained the submitted Prior Approval for Major Purchase of heat mats for the dispatch stairs. Justification for said purchase is that the salt to melt ice has damaged the steps and these mats would eliminate the use of shovels and salt and would be 24 hours clear of ice and snow. Said purchase is in the amount of \$1,800.00 and it to be paid from 01-10-494-00- Building and Fixtures and 01-10-506-00- Jail Repairs.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of heat mats for the dispatch stairs. Said purchase is in the amount of \$1,800.00 and it to be paid from 01-10-494-00- Building and Fixtures and 01-10-506-00- Jail Repairs. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Lastly, Mr. Marlow explained the submitted Prior Approval for Major Purchase to add an HVAC Zone for the Prosecuting Attorney’s Office. Justification for this purchase is that the office takes air from the neighboring office and needs to be on its own zone. This would eliminate large temperature swings for the occupants. Said purchase is in the amount of \$1,800.00 and would be paid from Fund 01-10-494-00- Building and Fixtures.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase to add an HVAC Zone for the Prosecuting Attorney’s Office. Said purchase is in the amount of \$1,800.00 and would be paid from Fund 01-10-494-00- Building and Fixtures. Chairman Manwaring seconded. Both voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY JANUARY 20, 2023


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


WHITNEY MANWARING, CHAIRMAN

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

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

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

CLAIMS

Claims were approved in the amount of \$73,414.50.

CASH WARRANTS

Cash Warrants were approved in the amount of \$3,627.99.

PERSONNEL ACTION FORMS

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

Employee Status Sheet:	Appraiser Trainee to Certified Appraiser Patrol Deputy to Detective Circuit Breaker Clerk
Salary Increase Form:	Mechanic System Support Specialist

Decision: Commissioner Bair moved to approve Cash Warrants, Claims, Administrative Documents and Personnel Action Forms for January 20, 2023. Commissioner Jackson seconded. All voted in favor. The motion carried.

PRIOR APPROVAL FOR MAJOR PURCHASE- IT DEPARTMENT

Present: Scott Mensching- IT Department
Paul Rogers- Prosecuting Attorney

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

Mr. Mensching first explained the request to ban usage of TikTok on cellphones or computers that are connected to the county network. Mr. Mensching explained that the TikTok Application records all key strokes, copies to the clipboard and all information is sent to China. One of the biggest issues is anyone who has the SDO Authenticator on their phone, it will copy the password, allowing vulnerability to hack into the network.

Chairman Manwaring stated that individuals have their own phones without receiving a cell phone stipend from the county and asked if this would be infringing on them on their private cell phone. Mr. Rogers stated that each county employee has an option. If they do keep TikTok on their cell phone, they will need to remove the SDO Authenticator from their phone and will be issued a fob to log onto their computer.

Mr. Rogers explained there would be a clause placed into the Employee Policy stating due to TikTok creating a vulnerability for hacking, failure to disclose having TikTok could result in disciplinary action up to possible termination. The IT Department can see who is logging onto TikTok if the individual is on the county network.

Commissioner Bair stated there should be an informational email sent to all county employees explaining why TikTok has been banned. Mr. Mensching concurred with Commissioner Bair and stated he would be happy to do so.

Decision: Commissioner Bair moved to have Scott Mensching draft verbiage to be placed within the Employee Policy that TikTok is not to be used by any employee who is connected to the county network rather by cell phone or computer. Commissioner Jackson seconded. All voted in favor. The motion carried.

Next, Mr. Mensching explained the submitted Prior Approval for Major Purchase of PDQ Renewal. Justification for said purchase is hardware inventory and software deployment, the estimated cost is \$1,050.00 and is to be paid from Fund 01-14-524-01, Software Renewals.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase submitted by Scott Mensching for the purchase of the PDQ Renewal. Justification for said purchase is hardware inventory and software deployment, the estimated cost is \$1,050.00 and is to be paid from Fund 01-14-524-01, Software Renewals. Commissioner Bair seconded. All voted in favor. The motion carried.

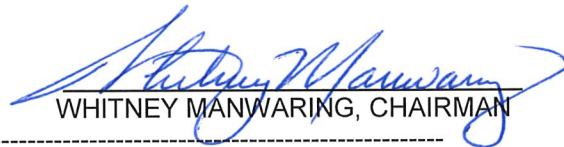
Lastly, Mr. Mensching explained the submitted Prior Approval for Major Purchase of Network Switches. Justification for said purchase is for maintenance renewal, the estimated cost is \$7,173.08 and is to be paid from Fund 01-14-804-00, Capital Computers.

Decision: Commissioner Bair moved to approve the Prior Approval submitted by Scott Mensching for purchase of Network Switches. Justification for said purchase is for maintenance renewal, the estimated cost is \$7,173.08 and is to be paid from Fund 01-14-804-00, Capital Computers. Commissioner Jackson seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL TUESDAY JANUARY 24, 2023



PAMELA W. ECKHARDT, CLERK
Lindsey Dalley- Deputy Clerk



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Tuesday, January 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- Deputy Clerk

DISCUSSION & DECISION REGARDING WAIVER OF SOLID WASTE FEE AT RATTLESNAKE LANDFILL FOR THE SHELLEY FIRTH FIRE PROJECT

Present via Phone: Randy Adams- Shelley Fire Chief
Present: Dusty Whited- Public Works Director
 Derrick Going- Solid Waste Director
 Paul Rogers- Prosecuting Attorney

The Board met to hold discussion and make a decision regarding the submitted request to waive the Solid Waste fee at the Rattlesnake Landfill for the Shelley Firth Fire Project. Chairman Manwaring welcomed all to the meeting and turned the time over to Mr. Adams.

Mr. Adams explained that he has received three bids to demo concrete at the site of the old fire station and they are looking for locations to get rid of the debris. He would like to see if the County would be willing to waive the fee for the debris to be dumped at the landfill.

Commissioner discussion was held wherein all were in favor of waiving the fee, which Mr. Goings stated would be \$5.00 per ton.

Decision: Commissioner Jackson moved to waive the Solid Waste fee for the Shelley Firth Fire District to take cement to the Rattlesnake Landfill, depending on if they need to dump it. 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 10:04 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 11:00 a.m.

Decision: Commissioner Jackson moved to approve the request submitted by Dusty Whited, to move the Senior Mechanic's step and grade from N-20, Step 11 (\$27.66) to N21, Step 21 (\$28.48). Commissioner Bair amended the motion to approve the proposed Merit Pay Bonus for the Road and Bridge position as proposed today, in the amount of \$500.00. Commissioner Bair then seconded. All voted in favor. The motion carried.

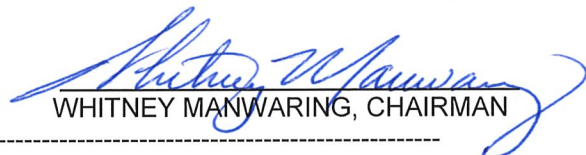
PLANNING & DEVELOPMENT

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

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

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY JANUARY 25, 2023


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


WHITNEY MANWARING, CHAIRMAN

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

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

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

CASH WARRANTS

Cash Warrants were approved in the amount of \$160.00, \$206.00, \$160.00 and \$160.00, for a total of \$686.00.

COLLEGE OF SOUTHERN IDAHO

A Certificate of Residency form was approved by the Board and sent to the College of Southern Idaho for the following Bingham County student's: Angelee J. Dalley & Kayleigh J. Adams.

COLLEGE OF EASTERN IDAHO

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

INDIGENT MATTERS

RECORDED: The Board approved a Release of Financial Assistance Lien, which was recorded as Instrument No. 752098.

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

APPROVAL OF BALLOT NUMBERS & POLLING LOCATIONS FOR THE MARCH 14, 2023 ELECTION

Present: Pamela Eckhardt- County Clerk
Danette Miller- Election Department
Megan Kearsley- Election Department

The Board met to approve the Ballot Numbers and Polling Locations for the March 14, 2023 Election. Chairman Manwaring welcomed all to the meeting and turned the time over to Ms. Miller.

Ms. Miller explained the proposed ballot numbers and polling locations.

Decision: Commissioner Jackson moved to approve the polling locations for the March 14, 2023 supplemental levy election for Blackfoot School District and Snake River School District. Commissioner Bair seconded. All voted in favor. The motion carried.

Commissioner Bair moved to approve purchasing ballot numbers for 30% of registered voters for the March 14, 2023 Election. Commissioner Jackson seconded. All voted in favor. The motion carried.

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
Paul Rogers- Prosecuting Attorney
Laraine Pope- Human Resources Director
Jeff Gardner- Bingham County Sheriff
Jordyn Nebeker- Bingham County Chief Deputy Sheriff
Pamela Eckhardt- County Clerk

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

Mr. Whited stated he received a telephone call from the Idaho Transportation Department that they had inspected the Scott Bridge and the condition has worsened. When the inspection was completed last summer, it required narrowing of the bridge to be sure there is no weight on the last bridge girder. The concrete underneath has broken away and there is no concrete underneath the baring of the bridge girder on that side. Mr. Whited stated that signs were placed stating the bridge is restricted and the speed limit was lowered for the area as well.

Mr. Whited explained when an issue like this is found, it is considered a critical finding and is submitted to the Federal Highway Administration (FWHA). Therefore, a response was submitted and the necessary lane restriction, along with photographs, were sent to the Idaho Transportation Department to be filed with FWHA showing that compliance was completed. Mr. Whited met with LHTAC and this bridge was funded for a repair. This project was assigned to Keller Associates but it is unclear if the repairs would be completed before the water is put in. Commissioner Bair confirmed with Mr. Whited that the bridge could be repaired without having to be replaced. Mr. Whited stated that everything else on the bridge is in good condition.

Next, conversation was held in regards to placement of a flag at the Springfield Road & Bridge Shop, wherein Mr. Whited stated he was informed that per code there should be a flag placed at the polling locations during election time when the shop is being used as a polling location.

After reading guidelines for displaying a flag, Mr. Whited proposed to place a flag holder on the side of the building, which will be placed by the front door of the building. This will be done only when the Springfield Shop is being used as a polling location.

Decision: Commissioner Jackson moved to place a flag on the side of the Springfield Shop that will be put up during the election times. Commissioner Bair seconded. All voted in favor. The motion carried.

Next, discussion was held in regards to CPR Training for county employees, wherein Mr. Whited stated his concern is that if this is taught throughout the county during regular hours, that will be taking the certified employee from his regular job duties. Chairman Manwaring stated when this was discussed previously, the employee would be able to instruct CPR for all county employees but it would be at Mr. Whited discretion as to the timing of the classes in order to not interfere with his regular job duties. Mr. Whited stated his intent was to send the employee to training to be able to instruct Public Works employees, along with making additional funds outside of regular work hours.

Discussion was held in regards to payment to the employee instructing

Mr. Whited stated there can only be 9 participants in each class. There will be a class next Tuesday and Thursday, wherein there will be few slots available for additional county employees to attend. Ms. Dalley will put out a county wide email to see if there are any individuals who would like to fill those empty slots.

Lastly, discussion was held in regards to the submitted Solid Waste Credit Application for Urban Lumberjacks, requesting a credit in the amount of \$500.00. Mr. Whited stated that all references have been checked and he would propose approval of the credit application.

Decision: Commissioner Jackson moved to approve and sign the credit application for Urban Lumberjacks for Solid Waste in the amount of \$500.00 per month. 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
Paul Rogers- Prosecuting Attorney

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 Sheriff Jordyn Nebeker.

Chief Deputy Nebeker explained the letter of commitment to waterways to be signed by the Board of County Commissioners. Said letter is to assist in purchasing a boat via grant for the Marine Patrol/Search and Rescue. Part of the grant is to put out for public comment, which was done by Sergeant Chad Kent, wherein there was not a lot of feedback received via Facebook and anyone that he has made contact with in the public was in favor. This boat will be placed in the Shelley Fire Department in order to be easily accessible for that region.

Decision: Commissioner Bair moved to approve and sign the letter of commitment to waterways for \$50,000.00, to be used to purchase a boat for Search and Rescue, if the grant is approved. Commissioner Jackson seconded. All voted in favor. The motion carried.

Sheriff Gardner gave a brief update regarding jail inmate population and the Domestic Violence Taskforce being reorganized.

PRIOR APPROVAL- BUILDING MAINTENANCE

Present: Jason Marlow- Building Maintenance Director

The Board met to discuss and make a decision regarding the submitted Prior Approval for Major Purchase for the Mechanical Service Proposal Contract. Chairman Manwaring welcomed all to the meeting and turned the time over to Mr. Marlow.

Mr. Marlow stated that Legal Counsel has reviewed the proposed contract and had a few concerns. Mr. Rogers stated he would like to request that verbiage be added stating that the service provider is required to provide assistance to the customer within 3 days of the customer's request. If the county, as the customer, does not pay in a timely manner, there are consequences but there is nothing stating what would occur if the service provider was to not provide assistance within a specific time period, rather that be 3 days or another amount of days.

The Board was in favor of this proposed verbiage and requested that Mr. Marlow speak with the service provider in regards to that verbiage being added prior to approval by the Board.

Decision: No decision was made at this time and the decision will be tabled for a later date.

ALCOHOL LICENSE- FAMILY DOLLAR IN ABERDEEN

The Board met to approve the Alcohol License for Family Dollar in Aberdeen.

Decision: Commissioner Bair moved to approve the Alcohol License for Family Dollar in Aberdeen. Commissioner Jackson seconded. All voted in favor. The motion carried.

HUMAN RESOURCES

Present: Laraine Pope- Human Resources Director
Troy Lenhart- Road & Bridge Supervisor
Derrick Going- Solid Waste Supervisor
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.

Discussion was held in regards to Employee Policy Section 30.4- CDL and Safety Sensitive Testing, wherein Ms. Pope stated previous discussion was held in March of 2021, pertaining to extension of random selection as to who would be drug tested for any county employees that may operate county vehicles but the change was not properly approved on the record.

Next, discussion was held in regards to Employee Policy Section 22.1- Bereavement Leave, which was brought to her attention as there was an employee who lost their son in law, which is not listed within the policy. Ms. Pope stated that spouses, children, grandparents, parents, grandchildren, brother or sister, mother in law, father in law, brother in law and sister in law, which is what drew attention to this policy.

Commissioner Bair referred to the policy, which states "in the event of death of an immediate family member", wherein he is wondering if a son in law considered immediate family. Ms. Pope stated that is the confirmation that she needs from the Board.

All Commissioners were in favor of adding son in law and daughter in law into the verbiage of Employee Policy 22.1.

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(d), to consider records that are exempt from public disclosure. Commissioner Bair moved to go into Executive Session pursuant to Idaho Code §74-206(1)(d), to consider records that are exempt from public disclosure. Commissioner Jackson seconded. All voted in favor. The Board moved into Executive Session at 2:47 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 3:12 p.m.

Decision: No Decision was made. Legal Counsel will complete research on county liability on the situation with Idaho Code and a meeting will be scheduled in two weeks with Perry Hawker, Hawker Funeral Home.

THE MOTION PASSED TO DISMISS UNTIL THURSDAY JANUARY 26, 2023


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Thursday, January 26, 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

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Jackson moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Bair seconded. All voted in favor. The Board moved into Executive Session at 9:30 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 9:42 a.m.

Decision: Commissioner Bair moved to instruct the Human Resources Director to offer the Scale House Attendant Job to the specific employee in question. Said position would be offered at N10, Step 5 (\$17.35) per hour. Commissioner Jackson seconded. All voted in favor. The motion carried.

MEETING TO RECEIVE THE PLANNING & ZONING COMMISSIONS RECOMMENDATION TO APPROVE THE ROSE RIVER ESTATES SUBDIVISION PRELIMINARY PLAT

Present: Tiffany Olsen- Planning & Development Director
 Paul Rogers- Prosecuting Attorney
 Chris Street- HLE
 Gwen Inskeep- County Surveyor
 Spence Ward- HLE
 Chad Van Orden- Rose River Estates
 Elias Trejo- Homesmart Premier Realty/Rose River Estates

The Board met to receive the Planning & Zoning Commissions recommendation to approve the Rose River Estates Subdivision Preliminary Plat. Chairman Manwaring welcomed all to the meeting and introductions were held.

Chairman Manwaring declared a potential conflict and stated that he is on the Riverside Canal Board and there was a meeting held with Mr. Trejo and Mr. Van Orden in regards to moving the Riverside Canal for the proposed subdivision. In the minutes from the Planning & Zoning Commission Public Hearing, the President of the Board, Keith Salisbury, responded on behalf of the Board regarding the matter and Chairman Manwaring did not. Chairman Manwaring stated that he does not believe that this would interfere with the decision to be made today. Commissioner Bair and Commissioner Jackson had no concerns regarding the potential conflict.

Director Olsen stated the plat shown at the Riverside Canal Board Meeting is not the same plat that is before the Board today because of the input given at the Riverside Canal Board Meeting, the plat has since changed.

Commissioner Jackson declared a potential conflict and stated that he is a frequent user of the greenbelt and have traversed the area. Commissioner Jackson explained that he may have prejudice on open spaces in the area but does not believe that it would interfere with the decision to be made today. Chairman Manwaring and Commissioner Bair had no concerns regarding the potential conflict.

Commissioner Bair also declared a potential conflict and explained that he spoke with Steve Van Orden approximately two months ago, specifically regarding ribbon curbing, where the Ordinance regarding the same had come from and what would have to be done to change that Ordinance. Commissioner Bair stated they did not have specific discussion in regards to the proposed subdivision. Commissioner Bair stated that his decision would not be affected. Chairman Manwaring and Commissioner Jackson had no concerns regarding the potential conflict declared.

Director Olsen presented the Staff Report for the record.

Chairman Manwaring confirmed with Director Olsen that the corrections proposed by County Surveyor, Gwen Inskeep, were made. Director Olsen stated the changes are reflected in the Board Exhibit- CC2.

Chairman Manwaring asked Director Olsen for clarification and that all lots will have irrigation water rights assessed by the Riverside Canal and New Lavaside Canal. The assessments would go straight to the Homeowners Association and not each individual homeowner. Director Olsen confirmed that was correct and stated per Idaho Code, it is required that any point which has a system shared between three or more landowners, a Homeowners Association would be created.

Commissioner Bair stated that Dusty Whited, Bingham County Public Works Director, spoke about a 70-foot radius for school buses and asked Director Olsen if that was addressed. Director Olsen stated the proposal is listed as 60-feet because there as written testimony received from the school district that they would not go into the individual cul-de-sacs. There will be a school pick up and drop off plan in place within the subdivision, so as to not enter into the cul-de-sacs to turnaround.

Commissioner Bair added that he has questions in regards to Rose Road, which may need to be addressed after the subdivision is completed but are unique things about this proposed subdivision. One being that Rose Road comes off of the overpass, it is next to the Snake River and the crosswalk for the greenbelt is nearby as well. Commissioner Bair personally would like to see Public Works complete a traffic count to estimate how many cars would be in the area upon completion of the subdivision. In the future, this area may need a speed reduction with all of the added traffic. Director Olsen explained that the average daily traffic count per residence is anticipated to be 10 vehicle trips per day, which would be at most 450 vehicle trips per day. According to the Federal Highway Administration, that arterial has a rural count, therefore each classification has a high and a low, anticipating that traffic count would be higher than the current classification. Therefore, the classification may need to be modified to commensurate the traffic count.

Director Olsen stated that the crosswalk was not mentioned in any comments submitted by Public Works and as she has been posting notices during the day, she has not seen any citizens utilizing the crosswalk. There is currently a flashing sign at the base of the crosswalk, which does bring awareness but there could be further signage placed.

Chairman Manwaring referred to comment made by Dusty Whited, Bingham County Public Works Director, that the road is an arterial road and the speed limit is posted at 50 mph, which is designed to handle a large amount of traffic. Once the subdivision is completed, a traffic study could be completed and additional signage could be placed in regards to the crosswalk to bring additional awareness.

Discussion was held in regards to fencing the canal for safety, wherein Commissioner Bair stated this could be placed as a condition, if approved, as done in the past. Commissioner Bair stated his concern is having a ditch through the subdivision and having children living in the subdivision. Director Olsen stated the fencing the canal did not come up in discussion, that she is aware of.

Commissioner Bair stated he believes a community well should be required, if possible. With the current moratorium, it may not be available.

Commissioner Jackson stated more than half of the proposed subdivision will be in the flood plain and with the large number of individual wells, if the area does flood, the potential contamination would be concerning. There would be less contamination if a community well was required rather than an individual well. Chairman Manwaring stated there would need to be two community wells, therefore it would be affected either way.

Chairman Manwaring stated a concern he has is the subdivision being in the flood plain but the Board should not restrict individuals from building. The Board's responsibility is to be sure that the Developer is aware of the potential issue of flooding.

Further discussion was held in regards to the cost of a community well, wherein Chairman Manwaring stated the cost could be high with it needing to be engineered, along with monthly billing but if the cost were split between each individual lot, it would not be too extreme. Commissioner Bair stated he would like to have a condition placed to require a community well unless the license cannot be obtained through the Idaho Department of Water Resources. If the license for a community well is not approved, there would be individual wells.

Commissioner Jackson stated he would like a condition to be placed requiring the canal to be fenced, for public safety, especially if there are children living in the subdivision. Chairman Manwaring stated he would not be in favor of that as it is unknown who will be living in those homes and there may or may not be children. Chairman Manwaring asked where in the county are the Snake River or canals fenced other than homeowners placing a privacy fence and stated that the fence would cause issues with the canal company completing cleanup of the canal.

The Board reviewed the requirements within Bingham County Code 10-4-4 (C): Purpose of Zones-Residential/Agricultural (R/A) and deliberation was held as follows:

1. Suitability of parcel for agricultural purposes: The Board had no concerns and that the homeowner will still be able to have a small garden or a few livestock.
2. Proximity to existing areas of similar population density: The Board had no concerns, Commissioner Bair stated there are surrounding subdivisions with similar population density.
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.
- 7. Adequate service by roadways: The Board had no concerns. Chairman Manwaring stated that Dusty Whited, Bingham County Public Works Director, commented that the road is a minor arterial road and a possible traffic study could be done in the future.

There was no further discussion and Chairman Manwaring entertained a motion on the proposed subdivision.

Decision: Commissioner Bair moved to uphold the decision of the Planning and Zoning Commission to approve the Rose River Estates Subdivision on approximately 53.60 acres, West of 150 W. Rose Road and the Snake River, East of Interstate 15, and North of Snake River View Estates, in an "R/A" Residential/Agriculture Zoning District. This Subdivision is proposed by Steve and Michelle Van Orden, with the following conditions:

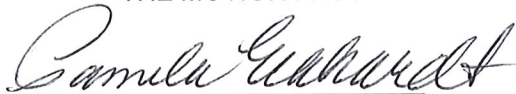
- 1) **There be a community well if a license is approved by the Idaho Department of Water Resources. If not, Director Olsen will draft a letter and each lot will have a private well.**
- 2) **A fence be placed along the canal.**

Commissioner Bair amended his motion to clarify that the fence will be a four-foot minimum containment fence along both the Riverside Canal and the New Lavaside Canal. Commissioner Jackson seconded. All voted in Favor. The Motion Carried. Chairman Manwaring added that he is in favor of the Subdivision but is not in favor of the second condition put in place.

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.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY JANUARY 27, 2023



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Friday, January 27, 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- Deputy Clerk
Excused: Chairman Manwaring

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

CASH WARRANTS

A Cash Warrant was approved in the amount of \$50,000.00.

CLAIMS

Claims were approved in the amount of \$343,779.08.

PERSONNEL ACTION FORMS

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

Employee Status Sheet: Senior Mechanic
New Employee Status Sheet: Deputy Court Clerk

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

RESOLUTION 2023-09

The Board met to approve Bingham County Resolution 2023-09, a resolution regarding the destruction of Election Records Maintained by the Clerk’s Office.

Decision: Commissioner Jackson moved to approve Bingham County Resolution 2023-09, a resolution regarding the destruction of Election Records maintained by the Clerk’s Office. Commissioner Bair seconded. Both voted in favor. The motion carried.

SUNDAY EXEMPT APPLICATION

The Board met to approve the submitted Sunday Exempt Application for Pindale Lanes for February 12 and 26, 2023.


Decision: Commissioner Jackson moved to approve and sign the Sunday Exempt Application for Pindale Lanes for February 12 and 26, 2023.

CLAIMS FOR THE PREVIOUS MONTH WERE APPROVED AS FOLLOWS:

Current Expenses	\$557,888.59	Weeds.....	\$6,196.69
Road & Bridge	\$324,733.64	Emergency Communication...	\$111,917.05
Airport.....	\$21.57	Road & Bridge Special	
Justice Fund	\$454,274.35	Projects.....	\$14,787.65
District Court.....	\$217,208.60	ARPA Funds.....	\$750,280.94
Preventative Health.....	\$12,500.00	Treatment Court Fund	\$3,746.29
Parks & Recreation.....	\$11,949.36	Consolidated Elections.....	\$8,925.80
Revaluation.....	\$32,014.31		
Solid Waste	\$324,212.46		
Veterans Memorial.....	\$121.50		

THE MOTION PASSED TO DISMISS UNTIL FRIDAY FEBRUARY 3, 2023


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


WHITNEY MANWARING, CHAIRMAN