

STATE OF IDAHO        )  
                              : ss.               Monday, July 3, 2023  
County of Bingham    )

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

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

**APPROVAL OF COMMISSIONER MINUTES FROM MAY 2023**

The Board met to approve Commissioner Minutes from May 2023.

**Decision: Commissioner Bair moved to approve Commissioner Minutes from May 2023 as written. Commissioner Jackson seconded. All voted in favor. The motion carried.**

**STAFF MEETING**

Present:               Debbie Cunningham- Chief Deputy Assessor  
                              Mark Gough- Probation Department  
                              Donavan Harrington- County Assessor  
                              Dusty Whited- Public Works Director  
                              Laraine Pope- Human Resources Director  
                              Tiffany Olsen- Planning & Development Director  
                              Jordyn Nebeker- Chief Deputy Sheriff  
                              Cody Lewis- Drug Court  
                              Gordon Croft- City of Blackfoot Police Chief  
                              Julie Buck- Extension Office  
                              Tanna Beal- County Treasurer

Excused:               Jimmy Roberts- County Coroner  
                              Grahm Anderson- City of Blackfoot Treasurer  
                              Marc Carroll- City of Blackfoot Mayor  
                              Pamela Eckhardt- County Clerk  
                              Laura Lora- Payroll/Indigent Services  
                              Scott Reese- Emergency Services/Parks and Recreation  
                              Sheri Landon- Magistrate/District Court  
                              Jason Marlow- Building Maintenance Director  
                              Shawn Hill- Probation Services  
                              Jeff Gardner- County Sheriff  
                              Paul Rogers- Prosecuting Attorney  
                              Danette Miller- Election Director

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

Pledge of Allegiance: Commissioner Jackson conducted.

Approval of Minutes for Staff Meeting held in June 2023: "Tax Notices" was amended to read "Assessment Notices" and the Staff Meeting Minutes were approved as written.

Special Presentation: None.

Employee Years of Service Recognition: Laraine Pope recognized Chief Deputy Sheriff Jordyn Nebeker for ten (10) years of service to Bingham County. Jordyn started his career as a Detention Deputy, transferred to Patrol, to Corporal, to Sergeant and is now the Chief Deputy Sheriff. Ms. Pope stated that Chief Deputy Nebeker is quick to learn, is willing to learn, studies to be sure that he has the correct information on a project and gets the proper decision as a result of what he had learned. Chief Deputy Nebeker is compassionate, objective, knowledgeable and Bingham County is fortunate to have him as a part of the team.

Chief Deputy Nebeker stated he got into Law Enforcement as a stepping stone in life but as soon as he started, he realized it was not only a job but that Law Enforcement was his calling. Every step of the way, it has always been about the people of the community but what he has grown to realize more is that it is also about the team that Bingham County has.

Commissioner Bair stated that he did not know Chief Deputy Nebeker very well but in watching him speak at Dare Graduation in Firth and seeing the way he speaks to the kids, along with the public, he was amazed.

Dusty Whited recognized Clem Hidalgo for twenty (20) years of service to Bingham County. Mr. Whited stated that Clem is the Code Enforcement Officer, does all of the State Department of Transportation drug and alcohol enforcement and catches a little bit of everything that occurs in the Public Works Department. Clem does a lot for the Department and has been a great employee.

Safety Concerns: Commissioner Jackson stated that Lindsey Dalley sent out an email to all Elected Officials and Department Heads to gather feedback on any safety concerns that there may be throughout the courthouse and other county buildings. In the past there has been a Safety Committee that met quarterly but that discontinued. The Board would like to address any safety concerns during Staff Meeting in order to hold discussion and be sure they are addressed properly.

Commissioner Jackson: Stated that the 4<sup>th</sup> of July holiday is tomorrow, wherein three (3) years from now, it will be the 250<sup>th</sup> Anniversary of the Declaration of Independence from Great Britain. He read a newspaper column, which read as follows:

*"As we approach our 247<sup>th</sup> 4<sup>th</sup> of July celebration this year, we should revisit the most familiar passage in the Declarations preamble, which is we hold these trues to be self-evident that all men are created equal. That they are endowed by their creator with certain alienable rights that among these are life, liberty and the pursuit of happiness. That to secure these rights, Governments are instituted among men deriving their just powers from the consent of the governed. The future of our democracy hinges on the ability of our political leaders to preserve the very rights declared in this document and later codified in our constitutional bill of rights. Our nations founding documents insure that all humans living in this country receive equal treatment under the law".*

Commissioner Jackson stated that he would like to give thanks to each one of the employees for is that everyone is treated equally they come into the courthouse. It is up to the Bingham County employees, to be sure that is a high goal to serve the public.

Commissioner Bair: Stated there is a lot of construction occurring and would like to remind everyone to drive safe and be patient during travel.

Donavan Harrington: Stated that the Board of Equalization submission time has lapsed and now will be holding Appeal Hearings before the Board. There were three (3) residential appeals, one (1) farm ground appeal and several commercial properties.

Dusty Whited: Stated that he would like to reiterate what Commissioner Bair stated regarding construction. Most roads are extremely busy and he would like to remind everyone to be careful and again be patient.

Laraine Pope: Had no updates at this time.

Tiffany Olsen: Had no updates at this time.

Mark Gough: Has no updates at this time.

Cody Lewis: Had no updates at this time.

Jordyn Nebeker: Stated that he would like to thank everyone for their kind words as he believes that words of affirmation are extremely important. The Sheriff's Office has suffered a great loss of their K-9 Duco. Duco was an amazing K-9 and had many years of service to Bingham County. It was deemed that his quality of life was beyond and the Sheriff's Office was in the process of retiring him to let him live out the rest of his life and rest from labors but everything occurred quickly. Chief Deputy Nebeker would also like to recognize Corporal Miller as everything comes back to the K-9 handler. Chief Deputy Nebeker stated that Corporal Miller is one of the best handlers in the State of Idaho and that he and Duco made a great team. Chief Deputy Nebeker stated when going into a dark house where the deputies are not aware of what there may be, there was always a sense of security and feeling safe having Duco not far behind. He will be deeply missed and his legacy will carry on with Jaco the new upcoming Bingham County K-9.

Tanna Beal: Stated that she was fortunate enough to attend the Stadium of Fire in Provo, wherein four (4) World War 2 Veterans were honored, whom all were living but one who had passed two weeks prior to the service. There was one gentleman who was honored and he was his job was recovery of the fallen soldiers, who has recovered 75,000 soldiers. Ms. Beal stated that had never been a thought to her having to do that job and the respect that was shown to these Veterans was amazing. Ms. Beal stated this ceremony was amazing to see.

Julie Buck: Stated that the Extension Office is preparing for the County Fair and Carmen, 4-H Livestock Educator, just co-hosted the Young Cattle Producers Conference in the State of Idaho, who had a lot of young producers from across the state. Reid Findlay is doing a study with non-dormant alfalfa nitrogen study and he has found that alfalfa is used as a source for nitrogen and subsequent crops, which is extremely important for farmers. Lastly, Ms. Buck stated that she will be hosting several classes this month and let her know if there are any questions.

Gordon Croft: Had no updates at this time.

Commissioner Jackson stated next Staff Meeting is scheduled for Monday, August 7, 2023 at 8:30 a.m.

Nothing further.

#### APPROVAL OF BINGHAM COUNTY RESOLUTION 2023-35

The Board met to approve and sign Bingham County Resolution 2023-35, a resolution for destruction of records for the Election Office.

**Decision: Commissioner Bair moved to approve and sign Bingham County Resolution 2023-35, a resolution for destruction of records, specifically for the Election Office. Commissioner Jackson seconded. All voted in favor. The motion carried and said resolution was approved as follows:**

BINGHAM COUNTY RESOLUTION 2023-35

RESOLUTION REGARDING THE DESTRUCTION OF ELECTION RECORDS  
MAINTAINED BY THE CLERK'S OFFICE

WHEREAS the Bingham County Clerk has requested permission to destroy certain election records; and,

WHEREAS Idaho Code §31-871 empowers the Board of County Commissioners with the responsibility for classifying records for purposes of retention and destruction; and

WHEREAS Idaho Code §34-217 specifically addresses election records; and

WHEREAS the Bingham County Clerk has represented that the records for which destruction is sought pertain to matters which have been concluded for the designated period of time allowed in the above-referenced sections of the Idaho Code; and

WHEREAS none of the records for which destruction is requested are required to be kept by the County permanently and indefinitely pursuant to Idaho Code §31-709.

THEREFORE, it is hereby resolved:

That the following **March 13, 2018** Supplemental and Bond Levy Election records may be disposed of pursuant to Idaho Code §34-217(1) (a-g) as being at least five years, from the date the records were created:

**Combination Election Record and Poll Books, including the ballot accounting pages.**

That the following **May 15, 2018** Primary Election records may be disposed of pursuant to Idaho Code §34-217(1) (a-g) as being at least five years, from the date the records were created:

**Combination Election Record and Poll Books, including the ballot accounting pages.**

That the following **March 9, 2021** Bond and Supplemental Levy Election records may be disposed of pursuant to Idaho Code §34-217(2) (a-g) as being at least two years, from the date the records were created:

**Completed absentee ballot request forms; tally books; voted ballots; any ballots that were required to be duplicated before being counted; certified lists of candidates or declaration of candidacy forms from special districts used for ballot preparation; certified ballot language from special districts for any question placed on the ballot; absentee ballot affidavit envelopes, including the indication of the signature's acceptance or rejection; ballot stubs; correspondence relating to an elector's voter registration; logic and accuracy test ballot decks; write-in packets; test ballots; oaths; and transport carrier logs.**



That the following May 18, 2021 Levy Election records may be disposed of pursuant to Idaho Code §34-217(2) (a-g) as being at least two years, from the date the records were created:

Completed absentee ballot request forms; tally books; voted ballots; any ballots that were required to be duplicated before being counted; certified lists of candidates or declaration of candidacy forms from special districts used for ballot preparation; certified ballot language from special districts for any question placed on the ballot; absentee ballot affidavit envelopes, including the indication of the signature's acceptance or rejection; ballot stubs; correspondence relating to an elector's voter registration; logic and accuracy test ballot decks; write-in packets; test ballots; oaths; and transport carrier logs.

That the following March 8, 2022 Levy Election records may be disposed of pursuant to Idaho Code §34-217(3) (a-f) as being one year from the date the records were created:

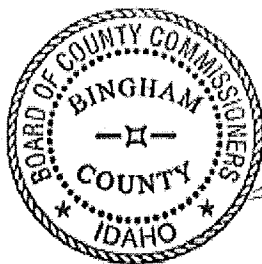
Notice of election; personal identification affidavits; ballot tracking logs; automated tabulation election logs; receipt of supplies; copy of the election definition and program used in tabulating ballots electronically and in the ballot marking device; record of the number of ballots printed and furnished to each polling place; and oath of challenge forms.

That the following May 17, 2022 Primary, Override and Eastern Idaho Regional Sewer District Formation Election records may be disposed of pursuant to Idaho Code §34-217(3) (a-f) as being one year from the date the records were created:

Notice of election; personal identification affidavits; ballot tracking logs; automated tabulation election logs; receipt of supplies; copy of the election definition and program used in tabulating ballots electronically and in the ballot marking device; record of the number of ballots printed and furnished to each polling place; and oath of challenge forms.

Furthermore, such records may be destroyed after July 3, 2023.

Signed and dated this 3 day of July, 2023.



BINGHAM COUNTY COMMISSIONERS

ATTEST:

Pamela Eckhardt  
Pamela W. Eckhardt, Clerk

Whitney Manwaring  
WHITNEY MANWARING, Chairman

Mark R. Bair  
MARK R. BAIR, Commissioner

Eric Jackson  
ERIC JACKSON, Commissioner

APPROVAL & SIGNING OF AGREEMENT WITH THE DEPARTMENT OF JUVENILE CORRECTIONS

Present: Mark Gough- Probation Department  
Shane Boyle- Department of Juvenile Corrections

The Board met to approve and sign the agreement with the Department of Juvenile Corrections. Chairman Manwaring welcomed all to the meeting and turned the time to Shane Boyle.

Mr. Boyle stated this agreement is one signed yearly for Substance Abuse Disorder Services and Community Based Alternative Services funding. This is funding that Bingham County has received for many years and there have been no changes made to the agreement. This funding assists with costs for counseling and substance abuse services, among many others if needed and comes from a mini grant that is guaranteed to receive.

**Decision: Commissioner Jackson moved to approve and sign the Memorandum of Agreement with the Department of Juvenile Corrections as presented. 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 in favor. The Board moved into Executive Session at 2:30 p.m. The Board moved out of Executive Session at 2:59 p.m.

**Decision: No decision was made at this time.**

REVIEW OF BUDGET FOR THE TREASURERS OFFICE

Present: Tanna Beal- County Treasurer  
Laraine Pope- Human Resources Director

The Board met with Tanna Beal to review the proposed FY 2023 Budget for the Treasurers Office.

REVIEW OF BUDGET FOR TREATMENT COURTS

Present: Cody Lewis- Treatment Court

The Board met with Cody Lewis to review the proposed FY 2023 Budget for the Treatment Court.

BUILDING MAINTENANCE

Present: Jason Marlow- Building Maintenance Supervisor

The Board met with Jason Marlow to discuss department updates and other agenda items.

Mr. Marlow explained the submitted Prior Approval for Major Purchase of a new exterior door for the Detective Office. Said purchase is in the amount of \$1,367.83, to be paid from Fund: 01-10-494-00. Mr. Marlow stated that the door does not close because it's too wide for the door frame when the sun hits it. All avenues to fix the door have been exhausted and therefore he is proposing replacement.

**Decision: Commissioner Jackson moved to approve the submitted Prior Approval for Major Purchase of a new exterior door for the Detective Office. Said purchase is in the amount of \$1,367.83, to be paid from Fund: 01-10-494-00- Repairs/Maintenance, Building & Fixtures. Commissioner Bair seconded. All voted in favor. The motion carried.**

ASSESSORS OFFICE

Present:           Donavan Harrington- County Assessor  
                  Dusty Whited- Public Works Director  
                  Tiffany Olsen- Planning & Development Director  
                  Debbie Cunningham- Chief Deputy Assessor

The Board met with Donovan Harrington to discuss department updates, review the proposed FY 2024 budget and other agenda items. Chairman Manwaring welcomed all to the meeting and stated that he had asked Dusty Whited several months ago to look into the strip of property by the Transfer Station and the Lakes feedlot. There was information received from Tiffany Olsen and Donovan Harrington, wherein it was found that this property holds four division rights.

Ms. Olsen stated that she was able to locate the Planning & Zoning Conditional Use Permit file from 1995 and 1996, pertaining to the property. Within the Permit Report found, which was prepared by Public Works for Bingham County, she found reference to requiring a 50-foot buffer surrounding the active portion of the site on the South, West and North. The document did not delineate a specific buffer for the East side, which is because the county owned that and it was referred to a county owned buffer. The Planning & Zoning Commission approved the Conditional Use Permit, which was appealed to the Board of Directors, wherein several Public Hearings were held and a site visiting, wherein the decision was upheld with ten conditions and included in the packet provided to the Board. Ms. Olsen referred to condition #9, which states that all landfill material must be kept from becoming a nuisance to the adjacent landowners and she would presume that includes part of the buffer areas.

Mr. Whited stated that he believes the county would benefit to retain the property and not sell.

Chairman Manwaring stated the division rights could be transferred, if sold at auction. The decision was made previously to auction this property at the August 15<sup>th</sup> public auction but he would be okay with retaining the property. Commissioner Bair and Commissioner Jackson were both in favor of retaining the property and not selling it at auction.

**Decision: Commissioner Bair moved to remove the buffer zone area on the east side of the transfer station from the auction list and retain the property. Commissioner Jackson seconded. All voted in favor. The motion carried.**

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Jackson moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Bair seconded. All in favor. The Board moved into Executive Session at 11:31 a.m. The Board moved out of Executive Session at 11:43 a.m.

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

APPROVAL & SIGNING OF CONSULTING AGREEMENT WITH DARK ELEMENT LLC

Present:           Tyler Robinson- Dark Element LLC

The Board met to approve and sign the Consulting Agreement with Dark Element LLC, for IT Services.

Chairman Manwaring stated that Legal Counsel has reviewed the agreement and has no issues.

**Decision: Commissioner Bair moved to approve and sign the Consulting Agreement between Bingham County and Dark Element LLC for IT Services. Commissioner Jackson seconded. All voted in favor. The motion carried.**

BOARD OF EQUALIZATION APPEAL HEARING- KEVIN TYLER RUPE

Present: Tyler Rupe- Appellant  
Robin Lora- Appraiser in Training  
Kelia Meskel- Appraiser in Training  
Donavan Harrington- County Assessor  
Debbie Cunningham- Chief Deputy Assessor  
Michelle Conn- Appraiser

The Board met as the Board of Equalization to hold an Appeal Hearing for Kevin Tyler Rupe. Chairman Manwaring welcomed all to the meeting and reviewed the rules and procedure to be followed.

Lindsey Dalley, Commission Clerk, had all attendees that would be testifying, sign an Oath of Affirmation, which will be labeled as Exhibits.

Mr. Rupe (Oath of Affirmation- Exhibit-3 & supporting documentation provided by Mr. Rupe- A-2) stated his initial appraisal on his home in February of 2022 was in the amount of \$580,000.00, which was at the height of the real estate boom in the area. Chairman Manwaring confirmed that the appraisal was conducted by an independent appraiser. Mr. Rupe further stated that he had a comparative analysis conducted on his property recently by a realtor in town, which was \$558,000.00. Said realtor also provided comparable properties close to his that have recently sold and were well under \$600,000.00. The average square foot price at the height is \$163 per square foot. Mr. Rupe added that the comparable properties provided are all fairly new properties and calculating the square footage of his home at \$163 per square foot is again well under the \$580,000.00 that it was appraised for last year.

Mr. Rupe stated the comparable properties within his neighborhood were all within two blocks of his home and the information he has provided the Board is from the Bingham County website. All are similar in square footage, bedroom and bathroom sizes are similar and all have manicured lawns, along with three car garages. The one that he would like to focus on is located at 2902 W. Von Elm, which assessed at 3,820 square feet, five bedrooms, four bathrooms, which is larger than his home and was assessed at \$444,000.00 and his property is appraised at \$631,000.00.

Mr. Rupe stated the home located at 745 Nicholas Drive, which is six bedrooms, four bathrooms, 3,800 square feet, again much larger than his property, and is assessed at \$505,000.00. There are six comparable properties within his neighborhood that all have the same story and therefore, he will not explain each of them. Mr. Rupe stated there is a big discrepancy between the neighborhood and what his property is assessed at.

Chairman Manwaring confirmed with the Board that there were no questions for Mr. Rupe at this time.

Michelle Conn (Oath of Affirmation- Exhibit 1 & supporting documentation-Exhibit A-1) stated that Mr. Rupe's property was built in 2021, located at 2974 Palmer Drive, total square footage is 3,367 feet, first floor is 1,968 square feet with no basement and the second floor is 1,399 square feet with an attached garage of 1,584 square feet on .306 acres.

Ms. Conn explained the comparable properties, with the first comparable being located at 134 W 210 N, which sold for \$838,000.00 on May 31, 2022. This home was built in 2003, main floor square footage of 1,800, second floor square footage is 1,800, a garage and a lot size of 2.0 acres. The second comparable is located at 1156 October Cove, which sold for \$646,000.00 on February 8, 2022. This home was built in 2005, main floor square footage of 1,770, basement square footage of 1,700, a garage and is on .50 acres. The last comparable is located at 1206 N 1200 E, which sold for \$649,000.00 on November 16, 2021. This home was built in 2020, a main floor square footage of 2,439, a second-floor square footage of 800, a garage and is on 1.0 acre.

Ms. Conn stated that Mr. Rupe contacted their office from his original assessment, which was reviewed and ran through the cost program. There was a corrected notice sent out for the new assessed value of \$576,850.00 for the home.

Ms. Cunningham added that the comparable properties that Mr. Rupe referred to during his testimony were that of older homes and would have more depreciation than his home would have as a brand-new home. While the sizes may be similar, they are not the same home in that they are all ranch style homes with basements, wherein his is a full main living floor with a second floor and there are not any homes like that within his neighborhood other than his. The comparable properties used by the Assessors Office are more like his home and in addition, the original appraisal for his loan was done in December of 2021 and they used the same cost program the county uses but they had a different value per square foot.

Chairman Manwaring turned the time over to Mr. Rupe for his rebuttal statement, wherein Mr. Rupe stated the \$576,850.00 was only for his home, plus the \$55,000.00 for the property, for a total of \$631,850.00. Mr. Rupe state the only question he has is in reference to the \$200.00 per square foot and if you look at the five comparable properties that were provided by himself have sold within the last couple of months, the comparable properties provided by the Assessor's Office were sold in the beginning of 2022 or 2021.

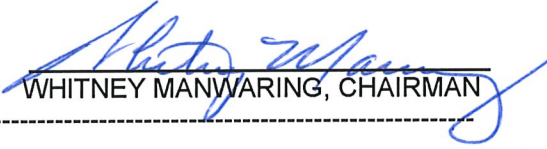
Ms. Cunningham explained that the county assesses property as of the lien date, which is the 1<sup>st</sup> of January each year. Therefore, all sales that were used to arrive at the value for his home for 2023, the sales come from 2022.

Nothing further and the Appeal Hearing was adjourned.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY, JULY 5, 2023



PAMELA W. ECKHARDT, CLERK  
Lindsey Dalley- Commission Clerk



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO        )  
                                  : ss.                Wednesday, June 5, 2023  
County of Bingham    )

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

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

**REVIEW OF BUDGET FOR PARKS & RECREATION**

Present:                Scott Reese- Parks & Rec/Emergency Management Director  
                                  Tyler Draney- Parks & Recreation

The Board met with Scott Reese to review the Fiscal Year 2024 proposed budget for Parks & Recreation and Emergency Management.

## SHERIFF'S OFFICE

Present: Jordyn Nebeker- Chief Deputy Sheriff  
Dusty Whited- Public Works Director

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

## PUBLIC WORKS

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

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

First, discussion was held in regards to traffic study costs and responsibilities. Mr. Whited stated the main question is how many units should be in a subdivision in order to trigger requirement for a traffic study to be conducted and the main concern is that the developer is paying for any costs that the additional traffic could be introducing to the transportation system so that that cost does not fall on the citizens of the county in the future. Mr. Whited and Ms. Olsen both did research and created a packet to show what surrounding counties are doing in this instance, which has been provided to the Board today.

Chairman Manwaring stated he believes that the traffic study should be completed before development starts and before each phase because traffic count is going to increase.

Ms. Olsen referred to page three (3) of the packet provided to the Board, which lists the four (4) potential options in which a traffic study would be required, which were as follows:

- 1) Any Land Development Application (either a single development or a master plan of multiple phases) totals 100 or greater dwelling units.
- 2) Any new construction or change of use of an existing structure where the anticipated Average Daily Traffic (ADT) count is anticipated to be greater than 1,000 trips per day.
- 3) A land use is for an Educational Institution/School (kindergarten through 12<sup>th</sup> grade).
- 4) Any Land Development Application, Building Permit, Approach Permit, or the like, as directed by the Board of County Commissioners.

Along with the other potential considerations, which were as follows:

- 1) Include Commercial, Manufacturing, or Industrial Land Uses (perhaps by square footage like Ada County.)
- 2) Discuss Peak Hour Vehicular Traffic County versus Average Daily Traffic Count.
- 3) Include Zoning Amendments where the land is going from Agriculture to Residential/Agriculture.
- 4) Include Zoning Amendments where the parcel(s) is greater than 100 acres in total size.

Ms. Olsen proposed if there is a subdivision that has 100 dwelling units or greater, it should require a Traffic Impact Study, which the cost should be paid up-front and should be provided prior to Preliminary Plat. Mr. Whited concurred and stated he believes this would protect both the county and the developer.

Mr. Whited stated that the 1,000 trips per day listed in option two should be reduced to 50 trips per day due to a commercial and mining project rarely meeting the 1,000 trips per day. Mr. Whited stated that options one and two duplicate each other and Chairman Manwaring stated perhaps the two options should be combined.

Ms. Olsen agreed that the trips per day minimum could be decreased but on option 3 where it states "a land use for an educational institution or school", the specific land uses should be further identified within this option. Also, option 4, perhaps this could come before the Board recommending requirement of a Traffic Impact Study.

Commissioner Bair stated he would be in favor of Mr. Whited and Ms. Olsen working together to draft specific verbiage to reflect the discussion held today.

Mr. Whited and Ms. Olsen will work together to draft verbiage per the discussion held today, to be brought before the Board at a later date for approval.

#### MEETING TO REVIEW & EXECUTE THE DEVELOPMENT AGREEMENT FOR THE 1<sup>ST</sup> AMENDED PONDEROSA ACRES SUBDIVISION AND SIGN THE FINAL PLAT

Present: Tiffany Olsen- Planning & Development Director  
Chris Street- HLE  
Tracie Wilcox- 1<sup>st</sup> Amended Ponderosa Acres

The Board met to review and execute the Development Agreement for the 1<sup>st</sup> Amended Ponderosa Acres Subdivision and sign the Final Plat. Chairman Manwaring welcomed all to the meeting and turned the time to Ms. Olsen.

Ms. Olsen explained that the Developer had irrigation improvements and this is a subdivision that all lots have existing frontage on a county road and therefore, there is no county road construction. Included within the Development Agreement is a copy of the plat, which shows said irrigation improvements that have been inspected by HLE, as well as the Bingham County Surveyor, Gwen Inskeep. Ms. Olsen added that the Developer is aware that there is a warranty of one (1) year on all improvements made on the irrigation system.

**Decision: Commissioner Jackson moved to approve and sign the Development Agreement for the 1<sup>st</sup> Amended Ponderosa Acres Subdivision and the Final Plat for the same. Commissioner Bair seconded. All voted in favor. The motion carried.**

#### MEETING TO REVIEW & EXECUTE THE DEVELOPMENT AGREEMENT FOR THE CEDAR ESTATES SUBDIVISION, DIVISION 3

Present: Tiffany Olsen- Planning & Development Director  
Chris Street- HLE  
Scott Briscoe- Cedar Estates

The Board met to review and execute the Development Agreement for the Cedar Estates Subdivision, Division 3. Chairman Manwaring welcomed all to the meeting and turned the time over to Ms. Olsen.

Ms. Olsen explained that the Developer has elected not to provide a bond but will complete any improvement or construction prior to being able to sell or develop lots. There will also be no ribbon curbing per the Board's last directive and approval of Bingham County Resolution 2023-33, a resolution repealing Bingham County Ordinance 7-3-5, requirement of ribbon curbing.

**Decision: Commissioner Bair moved to approve and sign the Development Agreement for the Cedar Estates Subdivision, Division 3. Commissioner Jackson seconded. All voted in favor. The motion carried.**

Chairman Manwaring stated that the Board of County Commissioners will move out of their regular commissioner meeting and into the Board of Equalization at this time.

BOARD OF EQUALIZATION APPEAL HEARING- ESTATE OF JOYCE DRISCOLL C/O B.J. DRISCOLL

Present: B.J. Driscoll- Representative for the Estate of Joyce Driscoll  
Gary Shewey- Commercial Appraisal  
Donavan Harrington- County Assessor  
Kelia Meskel- Appraiser in Training  
Debbie Cunningham- Chief Deputy Assessor  
Michelle Conn- Appraiser  
Rebecca Goodwin- Appraiser  
Robin Lora- Appraiser in Training

The Board met as the Board of Equalization to hold an Appeal Hearing for the Estate of Joyce Driscoll, represented by B.J. Driscoll. Chairman Manwaring welcomed all to the Hearing and reviewed the rules and procedure to be followed.

Lindsey Dalley, Commission Clerk, had all attendees that would be testifying, sign an Oath of Affirmation, which will be labeled as Exhibits.

B.J. Driscoll, Representative for the Estate of Joyce Driscoll (Oath of Affirmation- Exhibit-1), stated that he has filed an appeal on four (4) parcels, wherein he has concerns with the county's method as to the appraisal value. Mr. Driscoll stated that he submitted a summary sheet to the Board, which shows an approximate increase of 27-28% on some of the farm ground and others 49-50% increase. The Parcel ending in 7701 had an increase of 87% over last year, which is concerning to him. On the Appeal sheet filed by Mr. Driscoll, it has listed the assessed value for 2023 of each parcel, along with the taxpayer's opinion of the market value. Mr. Driscoll stated he specifically asked that the increase be reduced to the same 27-28% increase over last year to make all parcels consistent as there is no material difference between the parcels being appealed.

Mr. Driscoll referred to the parcels that end in 7701 and 7707, are actually the same farm, wherein one of them is a 3.3-acre piece and is part of the 142-acre parcel. Mr. Driscoll stated the percentage increase for parcel ending in 7707 was over 50% year to year and yet that same farm (7701) was assessed at 87% increase for the other 142 acres. Mr. Driscoll stated the inconsistencies is what concerns him, especially where there is similar irrigation, ground, rock with no major distinctions.

Mr. Driscoll stated that he provided the Board with a copy of the farm lease agreements, wherein his parents signed the lease in 2016 with a rental rate of \$250.00 per acre. Mr. Driscoll stated that farming is volatile, things change and there were difficulties through those years and an agreement was made to lower the rental rate in 2019 of \$225.00 per acre, for a total annual rent payment of \$171,225.00. That amount continues to be the rental amount through today and one of the things that Mr. Shewey mentioned was that \$265.00 per acre rental rate was used. Mr. Driscoll stated for some parcels that may be reasonable but the fact that the farms he has appealed, that is not a reasonable amount.

Mr. Driscoll stated that his request today is that the increase be 27% for all parcels to be consistent.

Chairman Manwaring confirmed there were no questions for Mr. Driscoll and the time was turned over to Mr. Shewey.

Mr. Shewey, Commercial/Agricultural Appraiser (Oath of Affirmation- Exhibit- 2), gave an explanation of 7701 and 7707, which are the same farm and there may have been a discrepancy in the boundary, which would be why they are separate parcels. Mr. Shewey explained the difference between percentage increases of the parcels, wherein he stated an appraisal was done approximately thirteen (13) years ago, which used soil symbols and tried to do capabilities based upon various soils on a particular field. Those



soil surveys were done in the late 1960's and early 1970's but what has happened since then is that climate and farming practices have changed, wherein all indicators developed on those soil surveys are out of date. The State Tax Commission now requires to go to cash rent, which is a more consistent way to value ag properties. Mr. Shewey stated several meetings were held with farmers to determine basis for cash rent, wherein the values varied. Mr. Shewey stated the top classification used was \$265.00 per acre, which can be represented from Pleasant Valley all the way to Rockford/Snake River area.

Mr. Shewey stated previously there were hundreds of classifications for irrigated ag ground, wherein a compression has been done to not have as many classifications. Mr. Shewey explained what was considered waste has been removed, which has specific requirements from the State Tax Commission. Mr. Shewey gave further explanation of exempt properties and how those are factored into the appraisal value.

There were no questions for the Assessor's Office and the time was turned over to Mr. Driscoll for rebuttal at this time.

Mr. Driscoll stated the lack of inconsistency is his main concern and where he does not have appraisal training but there is no reasonable explanation as to why the parcels are all assessed differently, especially when they are all similar.

Chairman Manwaring asked Mr. Shewey how many years the county is looking at for the cash rent and if this would be re-evaluated every so many years. Mr. Shewey stated this is an annual process and the rate given to convert income to value is changed and dictated by the State Tax Commission.

Commissioner Bair clarified with Mr. Shewey that there are variations within the assessed values, which is not that the ground varies that much but has to do with the previous assessment being low. Mr. Shewey confirmed that was correct.

Chairman Manwaring stated there was nothing further and a decision will be made at a later date. Once those decisions are made, a letter will be sent to the Appellant, with the ability to Appeal to the State Tax Commission.

#### BOARD OF EQUALIZATION APPEAL HEARING- 2B PROPERTIES- JOE & BOB DESPAIN

Present: Joe Despain- Appellant  
Amy Despain- Appellants Wife  
Gary Shewey- Commercial Appraiser  
Donavan Harrington- County Assessor  
Debbie Cunningham- Chief Deputy Assessor  
Kelia Meskel- Appraiser in Training  
Michelle Conn- Appraiser  
Rebecca Goodwin- Appraiser  
Robin Lora- Appraiser in Training

The Board met as the Board of Equalization to hold an Appeal Hearing for 2B Properties LLC, Joe & Bob Despain. Chairman Manwaring welcomed all to the Hearing and reviewed the rules and procedure to be followed.

Lindsey Dalley, Commission Clerk, had all attendees that would be testifying, sign an Oath of Affirmation, which will be labeled as Exhibits.

Joe Despain, Appellant (Oath of Affirmation- Exhibit 2), stated that he has filed an appeal for four (4) four-plex's within the city wherein he is questioning the assessed value. Exhibit-A-1 are hand written notes from Mr. Despain regarding said properties and comparable properties.

136 South Fisher (RP1166702), which is approximately fifteen (15) years old and needs repairs. Mr. Despain stated that the assessed value increased \$147,000.00. This four plex is stacked and therefore,

there are neighbors above you. Mr. Despain stated the current rent for the properties appeal varies from \$775.00 to \$900.00 per month. Mr. Despain compared this property to a townhouse located at 202 W. 500 N., which is 3 bedrooms, 2 baths with a garage, which is assessed at \$269,000.00. A second comparable, which is located at 386 W. 170 N, which is similar and assessed at \$263,000.00.

1043 North University (RP1245101), which is approximately sixteen (16) years old and again needs lots of repairs. Mr. Despain stated the assessed value is \$504,000.00, which is an increase of \$168,000.00 from last years value. Mr. Despain compared his property to a townhouse located at 202 W. 500 N, which is 3 bedrooms, 2 baths with garage for the assessed value of \$269,000.00. A second comparable, which is located at 386 W. 170 N, which is 3 Bed, 1 Bath, for the assessed value of \$263,000.00

The remaining two properties appealed are 136 S. Fisher (RP1166702) and 130 Lilac (RP1085102), which are newer but again the same build of four plex. His debate is that he cannot collect the same rent amount that a townhouse style four plex can get.

Gary Shewey, Commercial Appraiser (Oath of Affirmation- Exhibit-3), stated that he has a number of sales that were found in comparison with Mr. Despain's properties (Exhibit A-2). One of said comparable properties is located at 1132 North University Avenue in Blackfoot and has 4 units, each having a living room, kitchen, 2 bedrooms and 1 bath and sold for \$490,000.00 on April 25, 2023. A second comparable located at 145 & 195 Opal Street in Shelley, Idaho that sold for \$3,300,000.00 on December 30, 2022. One has eight (8) units that consist of a living room, kitchen, 3 bedrooms and 1.5 baths and the other has 12 units that consist of a living room, kitchen, 3 bedrooms, and 1 bath. Mr. Shewey stated in reviewing the comparable properties, that assures that the process of assessing Mr. Despain's property within reason.

Mr. Shewey stated that he visited a few properties and gathered rent amounts, which he will not share publicly. It is his job to make all properties consistent to the best of his ability, which is done with market rents.

Ms. Despain stated that she takes a lot of the telephone calls from prospective renters and therefore can tell you what the market is doing based on those calls. For a short while, when sales were high, she was receiving calls from individuals outside of the State of Idaho willing to pay \$1,400 per month but she does not feel that it is fair to go to the current tenants that have been there for fifteen (15) years and inform them of a large increase to occur in rent. Ms. Despain stated that she does not believe this is a management problem but is a problem of the heart as for the tenants that cannot afford a home and are trying to save for one, that is not fair to them. Ms. Despain added that some of the renters are on fixed incomes and from a landlord's perspective, dealing with renters and caring how they feel and their battles, it is unfair.

Mr. Despain stated that he would ask that Mr. Shewey find a balance and know that the market may be good for some but believes this is the top of the wave nor does he agree with the assessed values.

Commissioner Bair asked Mr. Shewey if the last time the four plex's were appraised was five years ago, which Mr. Shewey stated that some were one year, some were two years and others were more.

Chairman Manwaring stated there was nothing further and a decision will be made at a later date. Once those decisions are made, a letter will be sent to the Appellant, with the ability to Appeal to the State Tax Commission.

FURTHER DISCUSSION & DECISION REGARDING THE REQUEST FOR AN ADDITIONAL PLANNER POSITION- REQUESTED BY TIFFANY OLSEN- PLANNING & DEVELOPMENT DIRECTOR

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

The Board met to make a decision in regards to the request, submitted by Tiffany Olsen, for an additional Planner position for the Planning & Development Division. Chairman Manwaring stated there was a previous meeting held wherein Commissioner Jackson was not present for the discussion. Ms. Olsen has since discussed this request with Commissioner Jackson and the matter is scheduled for a decision today.

Ms. Olsen stated this meeting is to follow up on the request for an additional Planner position for the Planning & Development Division. Ms. Olsen stated she has worked with Human Resources and the Clerk in regards to the pay range and funding to cover the cost, which was confirmed. Said position would be advertised at N18, and would start at \$18.38 per hour, depending on qualifications and experience. Chairman Manwaring confirmed that this position is a full-time position and therefore would be eligible for county benefits.

Ms. Olsen confirmed that she would like this to be in effect immediately and be advertised as soon as possible. The funding is within the current budget to fund this position for the remainder of this fiscal year and will be placed into the next year's budget.

Commissioner Bair stated he has no concerns and is in favor of approving the additional position. Commissioner Jackson and Chairman Manwaring concurred.

**Decision: Commissioner Bair moved to approve the request submitted by Tiffany Olsen, for a new Planner position for the Planning & Development Division. Commissioner Jackson seconded. All voted in favor. The motion carried.**

MEETING TO REVIEW & EXECUTE THE DEVELOPMENT AGREEMENT FOR LAVA RIDGE COVE SUBDIVISION

Present: Gale Lim- Lava Ridge Cove Subdivision  
Tiffany Olsen- Planning & Development Director  
Paul Rogers- Prosecuting Attorney

The Board met to review and execute the Development Agreement for Lava Ridge Cove Subdivision. Chairman Manwaring welcomed all to the meeting and turned the time over to Ms. Olsen.

Ms. Olsen explained that the Developer is placing a surety bond which will be received today. This development will not be required to have ribbon curbing per the Boards last directive and approval of Bingham County Resolution 2023-33, a resolution repealing Bingham County Ordinance 7-3-5, requirement of ribbon curbing.

**Decision: Commissioner Jackson moved to approve and sign the Development Agreement for Lava Ridge Cove Subdivision. Commissioner Bair seconded. All voted in favor. The motion carried.**

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

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

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

Ms. Olsen presented the Staff Report at this time.

Chairman Manwaring stated that the Comprehensive Plan designates the subject area as Multi-Use and allows for different zones.

Chairman Manwaring stated he would be in agreeance of the conditions put in place by the Planning & Zoning Commission and that the Applicant would need to work with Idaho Transportation Department in regards to the unauthorized approach to be sure that it has been removed prior to Final Plat being recorded and an easement and Shared Well Agreement for a shared culinary well system will be recorded.

Commissioner Bair added that the Application met all requirements of Chapter 14- Subdivision Regulations and noted in the plat.

The Board reviewed the requirements within Bingham County Code Section 10-4-2 (D): Purposes of Zones- Residential (R): The purpose of the R Zone is to preserve desirable residential neighborhood characteristics and to prevent overcrowding of the land while encouraging the development of areas which are best suited for residential purposes that have the following and deliberation was held as follows:

1. Close proximity to existing townsites or which are contiguous to another R or R/A Zone: The Board had no concerns.
2. Lot size compatible with existing lot sizes in immediate vicinity: The Board had no concerns.
3. Accessibility of municipal services or the possibility of extension of services in the foreseeable future: The Board had no concerns.
4. Compatibility with existing uses in the immediate vicinity: The Board had no concerns.
5. Protection from incompatible uses: The Board had no concerns.
6. Adequate service by roadways: The Board had no concerns.

**Decision: Commissioner Bair moved to uphold the decision of the Planning & Zoning Commission to approve the 1<sup>st</sup> Amended Replat of Teeples-Bergeson Riverview Acres to be known as Brent View Subdivision, a 2-Lot Subdivision in a "R" Residential Zoning District, along with conditions 1 and 2 put in place by the Planning & Zoning Commission, which were: 1) Developer be required to record an Easement and Shared Well Agreement for the shared culinary well system between lots 1 and 2 and 2) If an individual septic permit for Lot 2 is denied by Southeastern Idaho Public Health, the Applicant will be required to connect to the Groveland Water & Sewer Districts pressurized sewer line located in Highway 39 Right-of-Way. Plus, one additional condition to acquire verification from the Idaho Transportation Department that the unauthorized approach has been removed prior to Final Plat being recorded. Commissioner Jackson seconded. All voted in favor. The motion carried.**

PROSECUTORS OFFICE

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

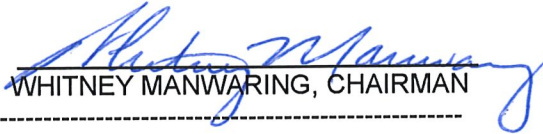
The Board met with Paul Rogers to discuss department updates and hold discussion regarding Roberts' Rules of Order, Bingham County Rules of Order and meeting structure training.

THE MOTION PASSED TO DISMISS UNTIL THURSDAY, JULY 6, 2023



PAMELA W. ECKHARDT, CLERK

Lindsey Dalley- Commission Clerk-----



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO )  
: ss. Thursday, July 6, 2023  
County of Bingham )

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

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

BOARD OF EQUALIZATION APPEAL HEARING- GRAIN CRAFT INC

Present: Donovan Harrington- County Assessor  
Debbie Cunningham- Chief Deputy Assessor  
Audrey Barzee- Assessors Office  
Paul Rogers- Prosecuting Attorney  
Via Phone: Jace Cundick- Industrial Appraiser

The Board met as the Board of Equalization to hold an Appeal Hearing for Grain Craft, Inc. Chairman Manwaring welcomed all to the meeting and reviewed the rules and procedure to be followed.

Lindsey Dalley, Commission Clerk, had all attendees that would be testifying, sign an Oath of Affirmation, which will be labeled as Exhibits.

Mr. Cundick gave presentation of behalf of the State Tax Commission and stated on the industrial properties the Appellant provides the Appraiser with a list of equipment and assets, after which the State determines the replacement cost new and depreciated out. Mr. Cundick stated when something is depreciated, it is different from accounting depreciation, wherein in evaluation it is depreciated to lower the value. With that being said, the trends and depreciation increased to account for the rising cost of materials.

Mr. Cundick stated that he used the same trends for all industrial properties with a depreciation time of 12 years rather than 15 years, which is beneficial to the property owner. Ms. Cunningham stated that the State Tax Commission generates all trends and depreciation factors in a schedule that is applied.

Commissioner Bair asked for clarification and that the grain bins depreciate at the same rate, to which Mr. Cundick stated they do not depreciate at the same rate as there are different scheduled for different equipment.

Chairman Manwaring stated there was nothing further and a decision will be made at a later date. Once those decisions are made, a letter will be sent to the Appellant, with the ability to Appeal to the State Tax Commission.

BOARD OF EQUALIZATION APPEAL HEARING- B&M VENTURES LLC- BRANDON FARR

Present:            Brandon Farr- Appellant  
                      Gary Shewey- Commercial Appraiser  
                      Michelle Conn- Appraiser  
                      Kelia Meskel- Appraiser in Training  
                      Donovan Harrington- County Assessor  
                      Paul Rogers- Prosecuting Attorney

The Board met as the Board of Equalization to hold an Appeal Hearing for B&M Ventures, represented by Brandon Farr. Chairman Manwaring welcomed all to the meeting and reviewed the rules and procedure to be followed.

Lindsey Dalley, Commission Clerk, had all attendees that would be testifying, sign an Oath of Affirmation, which will be labeled as Exhibits.

Brandon Farr, Appellant (Oath of Affirmation- Exhibit 1), stated in looking at the County GIS Program and close proximity to his property and identified five properties, which have been provided to the Board and marked as Exhibit-A-1. The properties are similar to his, wherein there is a range of property value from \$273,000.00 to the low of \$71,000.00, which is adjacent to his property located at RP1008000. Mr. Farr's property is over 100 years old and he has tenants that typically do not take care of the property. Any renovations that are done to the building are to maintain livability and no major updating. As such, Mr. Farr has tried to keep rent low and because of that have a few renters that have lived there for over ten (10) years, which Mr. Farr stated that he would like to maintain that.

Mr. Shewey asked Mr. Farr if his comparable properties are old downtown store front buildings, rather than apartments, to which Mr. Farr confirmed but stated his building is also a downtown storefront. Mr. Shewey stated that Mr. Farr's building may be a store front but is not rented out to a business for store use.

Mr. Shewey testified that the parcel in question is a nine (9) unit complex with rents estimated at \$450.00 per month. A value income approach was completed and this specific building sold for \$315,000.00 in May of 2020, which was confirmed by Brandon Farr. Mr. Shewey stated there are other older apartment complexes with several units that have sold for \$285,000.00 and \$295,000, which gives an indication that there is a demand for apartments in addition to what may be found for old downtown store front apartments.

Mr. Farr asked if he were to convert his building to a store front building, if the value would decrease, wherein Mr. Shewey explained that could be correct.

Discussion was held in regards to market rent, vacancy and market value.

Chairman Manwaring stated there was nothing further and a decision will be made at a later date. Once those decisions are made, a letter will be sent to the Appellant, with the ability to Appeal to the State Tax Commission.

BOARD OF EQUALIZATION APPEAL HEARING- SHJH SHELLEY LLC- SCOTT HARRIS AND JEFF HAWKES

Present: Scott Harris- Appellant  
Mark Hill- Appellant's Assistant  
Gary Shewey- Appraiser  
Donavan Harrington- County Assessor  
Debbie Cunningham- Chief Deputy Assessor

The Board met as the Board of Equalization to hold an Appeal Hearing for SHJH Shelley LLC, represented by Scott Harris and Jeff Hawkes. Chairman Manwaring welcomed all to the meeting and reviewed the rules and procedure to be followed.

Lindsey Dalley, Commission Clerk, had all attendees that would be testifying, sign an Oath of Affirmation, which will be labeled as Exhibits.

Scott Harris, Appellant (Oath of Affirmation- Exhibit 1), stated that he owns two other properties in Southeast Idaho, one in Burley which is 120 units, 6 acres, lower density than property in Shelley and if compared valuation the per unit value on that property is \$65,315.00. In comparison, per unit value in Shelley is at \$108,422.00. The Burley property is at 96% occupancy and the Shelley property is currently at 85% occupancy. The Burley property is complete with pool, exercise facility, hot tub, playground and lots of grass area on the project. The Shelley property has none of this and also do not have good water service from the City of Shelley. Due to this issue, vacancy rate may be compromised and to note vacancy at the end of last year was the same 85%.

Mr. Harris stated the property in Bannock County is 150 units on a 6.11-acre parcel and value per unit is \$92,933.00, also with full amenities. Mr. Harris stated that Bannock County is known to be one of the highest property tax counties in the State of Idaho and here in Shelley, the value is \$108,000.00, which is \$16,000.00 per unit more on a complex that does not match or have any of the amenities.

Mr. Harris referred to Carnusti LLC, which is a complex in Shelley with 68 units, wherein the value per unit is \$57,000.00. The Cedars is 80 units with a value of \$41,000 per unit but yet their assessed value is almost double these entities. Mr. Harris added that the vacancy rate is significantly higher at their Shelley Location

Mr. Shewey reviewed comparable sales in the surrounding area of Mr. Harris's property, wherein one is at the west end of Opal Court, which is 20 units and was sold for \$3.3 million dollars. An adjusted value for garage and other amenities per square foot would be at \$150,000.00 per unit. Mr. Shewey stated there are 10 units on 460 East Center in Shelley and sold for \$1,150,000.00, million, which is an indication of what is occurring in the market. Mr. Harris indicated that the value was increased from last year, wherein Mr. Shewey stated was not correct. The value is a 2021 value when it was rented and the value was not changed. Mr. Shewey stated what has happened is that rent values have changed.

Mr. Shewey stated that he contacted Bannock County, wherein he was provided with a copy of the appraisal used on the SHJH Shelley LLC property in Bannock and income approach was not used because Bannock County does not do so. The starting cost per square foot was \$61.00 and with adjustment to \$81.00 per square foot with depreciation.

Mr. Harrington stated last year the Appellant's were allowed an adjustment due to the amount of occupancy/vacancy but was known that the occupancy would increase to where it should be but that the rent values have not changed.

**There were individuals talking over one another and the record was not clear at this point. Legal Counsel reiterated that individuals are to not talk over one another in order to keep a clear record.**

Mr. Harris gave rebuttal statement by stating that Bannock County has informed him that they do use income approach and he is unsure as to why it was relayed to Mr. Shewey that they do not. Chairman Manwaring stated the Board is not aware of that as Bingham County uses comparable properties within the same county, not other counties.

Mr. Harris added that the he would request the Board consider the 15% vacancy rate and issue with the City of Shelley for water and garbage services, when making its decision.

Mr. Shewey stated that he was informed by the Bannock County Assessor that Bannock County does not use income approach done on Mr. Harris's property. Secondly, Mr. Shewey stated that low income housing cannot be compared to market value property. There is an indication in the area, that rent has changed and can be proven via documentation. Also, Mr. Shewey stated it is his opinion that when he processes a new income approach, even with different rates and occupancy at 85%, that the values will increase. Again, the values of Mr. Harris's property were not changed this year to give a break. Mr. Shewey stated that if Mr. Harris were to provide profit, income and loss statements for the last three (3) years, he would be more than happy to conduct an analysis.

Commissioner Bair stated that Mr. Harris mentioned properties that are located in both Bannock and Cassia County but the Board of Equalization only makes its decision on properties within Bingham County. Lastly, Commissioner Bair stated that Mr. Harris has not provided any comparable properties to the Board, nor has he provided evidence as to why the assessed value of his property is incorrect.

Chairman Manwaring stated there was nothing further and a decision will be made at a later date. Once those decisions are made, a letter will be sent to the Appellant, with the ability to Appeal to the State Tax Commission.

#### BOARD OF EQUALIZATION APPEAL HEARING- R&D RENTAL PROPERTIES LLC- RENETTE LOOSLI

Present:            Renette Loosli- Appellant  
                         Delbert Loosli- Appellant  
                         Gary Shewey- Commercial Appraiser  
                         Donovan Harrington- County Assessor  
                         Robin Lora- Appraiser in Training  
                         Rebecca Goodwin- Appraiser

The Board met as the Board of Equalization to hold an Appeal Hearing for R&D Rental Properties, represented by Delbert & Renette Loosli. Chairman Manwaring welcomed all to the meeting and reviewed the rules and procedure to be followed.

Lindsey Dalley, Commission Clerk, had all attendees that would be testifying, sign an Oath of Affirmation, which will be labeled as Exhibits.

Delbert Loosli, Appellant (Oath of Affirmation- Exhibit 2), stated he has concerns as to how the assessed value was reached. Mr. Loosli stated they own seven (7) rentals in Blackfoot, wherein with those properties, there was an increase of \$716,000.00 in 2022 and an increase of \$914,000.00 in 2023.

Ms. Loosli voiced her frustration in regards to the lack of communication and documents not being provided to her when requested in order to review prior to the Appeal Hearing.

Mr. Shewey explained the comparable properties of which are located in Shelley but are similar units but the difference is that the properties in Shelley rent for \$1,300.00 per month. Mr. Shewey stated he is required to establish market rent in order to take inequities out of the equation. Mr. Shewey stated that collected a number of sales, which vary from \$400-\$500,000.00, even without upper floors and a garage. The property that is most comparable is located in Shelley, wherein he established \$1,200.00 for rent charged.



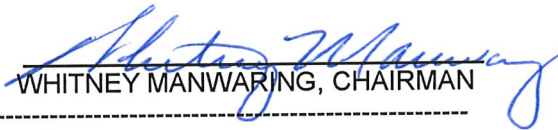
Mr. Shewey further explained the process that was used to find the assessed value.

Mr. Loosli gave a rebuttal statement and stated the inflation the last few years has sky rocketed. Mr. Loosli feels that the comparable properties presented by Mr. Shewey are corporate landlords that are investors only and therefore are charging top dollar rent.

Chairman Manwaring stated there was nothing further and a decision will be made at a later date. Once those decisions are made, a letter will be sent to the Appellant, with the ability to Appeal to the State Tax Commission.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY, JULY 7, 2023

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

  
WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO            )  
                                  : ss.               Friday, July 7, 2023  
County of Bingham        )

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

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

CLAIMS

Claims were approved in the amount of \$278,023.54.

CASH WARRANTS

Cash Warrants were approved in the amount of \$480.97 and \$3,744.55, for a total of \$4,225.52.

PERSONNEL ACTION FORMS

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

New Employee Status Sheet:       Deputy Court Clerk  
  Road Side Mower  
Salary Increase:                    Patrol Deputy  
  Detention Deputy  
  Detective Sergeant  
  Detention Deputy  
  Patrol Sergeant  
  Patrol Deputy  
  Patrol Deputy  
  Patrol Deputy  
  Sergeant  
  Sergeant

**Decision: Commissioner Bair moved to approve Cash Warrants, Claims, Administrative Documents and Personnel Action Forms for July 7, 2023. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

**BOARD OF EQUALIZATION APPEAL HEARING- ROBERT BOYD**

Present: Robert Boyd- Appellant  
Donavan Harrington- County Assessor  
Debbie Cunningham- Chief Deputy Assessor  
Robin Lora- Appraiser in Training  
Rebecca Goodwin- Appraiser

The Board met as the Board of Equalization to hold an Appeal Hearing for Robert Boyd. Chairman Manwaring welcomed all to the meeting and reviewed the rules and procedure to be followed.

Lindsey Dalley, Commission Clerk, had all attendees that would be testifying, sign an Oath of Affirmation, which will be labeled as Exhibits.

Robert Boyd, Appellant (Oath of Affirmation- Exhibit 1), stated that he moved to Blackfoot from Pocatello and built the subject home. The home that he lived in previously was within the city limits of Pocatello and was five (5) bedrooms, four (4) baths, 3,400 square feet above grade with taxes in the amount of \$4,320.00, wherein he moved to Blackfoot in hopes for lower property taxes but has been assessed at \$4,380.00 on a smaller home. This is extremely frustrating for him as he thought moving into the county would get him lower taxes. In 2021, his assessment was \$369,000.00, in 2022 it increased to \$609,000.00 and in 2023 it has increased to \$689,000.00. Therefore, an increase has been received three (3) years in a row and in looking at his direct neighborhood, his property is assessed \$200,000.00 more than neighboring homes. His lot is assessed at \$69,000.00 and there are two vacant lots next to his that are at \$58,000.00, therefore he feels as though he is much higher than others for the lot. Mr. Boyd stated when he purchased the lot, he paid \$47,000.00 in 2021 before he built. The house next door to his home is six (6) bedrooms, three (3) baths, 1,700 square feet and he purchased the house for \$500,000.00 and is currently assessed at \$510,000.00, with taxes in the amount of \$2,560.00. Mr. Boyd stated that he feels as though he is being discriminated against, not purposely, but because the other homes were sales houses with a sales price. Mr. Boyd stated that he provided the Board with the builders estimate, which was \$398,753.57, per Exhibit-A-2, which was exceeded due to a few changes made and the end amount was approximately \$450,000.00 on the home.

Commissioner Bair confirmed with Ms. Cunningham that the first year was low, due to Mr. Boyd not being on occupancy. Mr. Boyd stated he had a partial year or one year that was just the land because the home had not been built.

Ms. Cunningham (Oath of Affirmation- Exhibit 2) stated the subject property is located at 651 W. 15 S., built in 2021, 4,153 total square feet, 2,128 of 1<sup>st</sup> floor square footage, 2,025 of basement square footage, with an attached garage on 1.430 acres, along with a detached shop with the value of (\$41,200 assessed value). Ms. Cunningham stated the 1<sup>st</sup> year would have been nine (9) months of occupancy, wherein a letter was sent out when a new home is built requesting to do an appraisal, wherein there was no response to said letter. At that time, the Appraisal Division does its best to estimate value based upon the building permit on file and the plans provided from Planning & Development. The second year, Bingham County was out of compliance with the State, therefore every property throughout the county was trended and that is why there was an increase. This year, when ratio study was completed, range 34, which is where Mr. Boyd's home is located, was significantly low. Therefore, range 34 was addressed with a blended trend, which means that it was trended on a scale for the value of the home and did a trend based on the value of the home.

Ms. Cunningham stated that Mr. Boyd has a large shop on his property, which is 40 x 60 (2,400 square feet) that is assessed at \$41,200.00, which none of the comparable properties used by Mr. Boyd included. Mr. Boyd's home is significantly larger than the properties used as comparable properties.

Ms. Cunningham reviewed the comparable properties from the Assessors Office of which the first is located at 134 N. 700 W., sold for \$680,000.00 on February 23, 2023. This home was built in 2013, 2,053 square footage on the main floor, 2,053 basement square footage with a 1,283 square foot garage attached and is on 1.00 acre.

The second comparable is located at 558 W. 75 S, sold for \$879,000.00 on March 31, 2022. This home was built in 2003, 2,450 square footage on the main floor, 2,562 basement square footage, a 2-stall car garage attached and is on 1.509 acres.

The last comparable is located at 195 N. 380 W, sold for \$744,500.00 on October 18, 2021. This home was built in 2018, 2,224 square footage on the main floor, 2,195 basement square footage and 1,281 square foot attached garage, located on 1.672 acres.

Mr. Boyd stated for the record that he did not receive the letter sent by the Assessor's Office stating that they would like to see the home. Mr. Boyd stated the comparable home directly next door that he used in his testimony does have a large shop and his basement is finished.

Chairman Manwaring stated there was nothing further and a decision will be made later today. Once those decisions are made, a letter will be sent to the Appellant, with the ability to Appeal to the State Tax Commission.

#### BOARD OF EQUALIZATION APPEAL HEARING- JUSTIN OLESON

Present: Justin Oleson- Appellant  
Donavan Harrington- County Assessor  
Debbie Cunningham- Chief Deputy Assessor  
Gary Shewey- Commercial Appraiser  
Robin Lora- Appraiser in Training  
Rebecca Goodwin- Appraiser  
Michelle Conn- Appraiser  
Kelia Meskel- Appraiser

The Board met as the Board of Equalization to hold an Appeal Hearing for Justin Oleson. Chairman Manwaring welcomed all to the meeting and reviewed the rules and procedure to be followed.

Lindsey Dalley, Commission Clerk, had all attendees that would be testifying, sign an Oath of Affirmation, which will be labeled as Exhibits.

Justin Oleson, Appellant (Oath of Affirmation- Exhibit 1), referred to Property #1 (located at 112 E. 350 N.) which is the same assessment as last year. One of the issues on this property is the assessment at 3.0 acres at \$83,000.00 and if you take 1 acre, which is the .55 and the other 2.2 acres of the agriculture value, he would be in favor of that, as that is a pasture associated with the field and should be getting the ag exemption. Mr. Oleson asked Paul Rogers in regards to Idaho Code Section 63-604, which relates to exempt property and being contiguous. Mr. Oleson stated that land is contiguous to land qualifying to subsection one of this section shall also be appraised, assessed, and taxes as land actively devoted to agriculture if the land:

- (a) Consists of pivot corners for a center pivot-irrigated crop, provided such pivot corners are not used for a commercial or residential purpose; or
- (b) Is used primarily to store agricultural commodities or agricultural equipment, or both.

Mr. Oleson stated that he does believe this property meets the ag exemption requirements. Mr. Rogers asked if the 30+ acre field is used for agricultural purposes, to which Mr. Oleson confirmed. Mr. Rogers stated the foot notes in the statute state, "if the total area of such land including the homesite is more than 5 contiguous acres, that may be a group of separately assessed parcels with common boundaries and ownership. The owners may qualify and can make application for the ag exemption.

Ms. Goodwin asked if the farm was in the same name as the subject property, to which Mr. Oleson confirmed that it was all property owned by himself. Mr. Rogers stated that the statute states that it has to be common boundaries and common ownership.

Next, Mr. Oleson referred to Property #2 (located at 168 N. 200 E) which again is the same assessed value as last year and he believes it is too high.

Next, Mr. Oleson referred to Property #3 (located at 354 NE Main) which is a duplex and his issue is that it is assessed at \$127,000.00. This duplex is located within the city limits and if the county assesses, the city taxes it and the city does not have proper infrastructure that has caused flooding and damage, which in turn costs him a large amount of money. Commissioner Bair asked Ms. Cunningham what the difference would be if the duplex were assessed as commercial versus residential, wherein Ms. Cunningham stated if possible, the county does some commercial appraisals to avoid having to pay the outside appraiser. Mr. Shewey explained the difference would be the gross rent multiplier, in which any of the expenses incurred by the owner would not be deducted.

Next, Mr. Oleson referred to property #4 (located at 10 S. 690 W.) which has several problems with the structure of the home and explained further. This is a property that he appealed last year and it was raised an additional \$10,000 this year.

Ms. Goodwin referred to the property located at 112 E. 350 N., Mr. Oleson appealed the value of this property and the Assessor's Office did appraise the property, which resulted in a decrease value to \$56,065.00 and the taxable amount did not change from last year.

Ms. Goodwin referred to the property located at 168 N. 200 E., this property was also appealed by Mr. Oleson last year. Again, the Assessor's Office appraised the property, which resulted in a decrease of \$58,265.00 on the home itself and the taxable amount did not change from last year.

Ms. Goodwin referred to the property located at 354 NE Main, wherein Mr. Oleson did come in and talk with an appraiser last year and a decrease of \$40,637.00 was decided.

Ms. Goodwin referred to the property located at 10 S. 690 W., wherein Mr. Oleson did appeal this property last year. Ms. Goodwin stated this home is located in Range 34, which was re-assessed with a blended trend due to the value change in the area. A blended trend was necessary to bring the property to market value and it was also recognized that the conditions of this home would not be appropriate to use the blended trend and the house was ran through the cost program. This resulted in depreciation and brought to appropriate market value, which only increased the value approximately 10% (\$7,300.00 from last year). The land value did not change.

Ms. Goodwin stated that each property discussed herein had three comparable properties that were submitted to the Board. Per the hearing rules, according to state law, the appraised value established by the Assessor is considered correct unless the property owner or the owners attorney, license with the State of Idaho, presents evidence of error. The Board nor the Assessor's Office have received such evidence or comparable properties to prove the assessed value is incorrect. Therefore, Ms. Goodwin ask the Board to uphold the assessed values as presented.

Next, the commercial properties were presented by Mr. Oleson starting with property #1 (located at 366 N. Shilling), which was raised from \$112,000.00 to \$252,000.00. This home took him approximately six months to get clean after he had previous tenants evicted. The upstairs was finally rented last month but was vacant for close to 18 months. Mr. Oleson spoke with Mr. Shewey and it was agreed to decrease the value of this property to \$220,500.00, based upon multipliers, which he still believes is high especially where a portion of the property was vacant for a long period of time. Mr. Shewey concurred and stated he has no issue with the amount.

Next, Mr. Oleson referred to property #2 (located at 1563 Riverton Road), which one side is a small three bedroom and the other side you have to go through one bedroom to get to the other so it is more like a

study. Mr. Oleson met with Mr. Shewey and reviewed values using the multiplier and it was agreed to decrease the value to \$135,000.00. Mr. Shewey reviewed comparable sales of similar properties and some are sold for up to \$200,000.00. Based upon discussion and how the home is rented, that is another one that is difficult to determine market rent and therefore, it was agreed upon for the \$135,000.00.

Next, Mr. Oleson referred to property #3 (located at 595 Robbins), wherein he met with Mr. Shewey to discuss the gross rent multiplier, which places this property at \$231,000.00. Mr. Shewey made an adjustment to be more accurate with what is there and how the property rents. Each side rents out for different amounts but the one side that rents for \$1,300.00 has a garage and is a 4-bedroom, wherein the opposite side that rents for \$900.00 does not have the garage and is only 3-Bedrooms.

Chairman Manwaring asked if there were any further comments from Mr. Oleson & Mr. Shewey, to which there were none.

After a decision is made, a letter will be sent to the Appellant, giving the opportunity to appeal to the State Tax Commission.

**DECISION REGARDING BOARD OF EQUALIZATION APPEALS**

Present:           Debbie Cunningham- Chief Deputy Assessor  
                  Donavan Harrington- County Assessor  
                  Paul Rogers- Prosecuting Attorney

The Board met to make a decision regarding the submitted Board of Equalization Appeal's.

**Jeffery Webb:** Appeal was submitted but withdrawn shortly after.

**Kevin Tyler Rupe:** Chairman Manwaring stated an Appeal Hearing was held on July 3, 2023, for the property located at 2974 Palmer Drive, RP1417900. Commissioner Bair stated that he does not believe that Mr. Rupe provided sufficient evidence that the assessed value of \$631,850.00, was incorrect. Chairman Manwaring stated he had noted that originally the assessed value was \$669,500.00 and was changed on the corrected notice to \$631,850.00. Chairman Manwaring stated it was lower the previous two years due to Mr. Rupe not being on the occupancy roll and only paid seven months of taxes.

Commissioner Bair asked Ms. Cunningham why there was a corrected notice, to which Ms. Cunningham explained that Mr. Rupe contacted the Appraisal Division and asked to have his home looked at. The Appraisal Division went and looked at the home, ran the updates through the cost program wherein the corrected amount was received.

Chairman Manwaring stated after the Appeal Hearing, he would be in favor of upholding the value of \$631,850.00. Commissioner Bair concurred.

**Decision: Commissioner Bair moved to uphold the assessed value of \$631,850.00 for the Appeal filed by Kevin Tyler Rupe, located at 2974 Palmer Drive, RP1417900. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

**Estate of Joyce Driscoll:** Chairman Manwaring stated that B.J. Driscoll was the representative on behalf of the estate, wherein an Appeal Hearing was held on July 5, 2023, for the properties as follows:

RP0136802	Assessed value: \$100,566.00
RP0137602	Assessed value: \$160,892.00
RP0137701	Assessed value: \$172,182.00
RP0137707	Assessed value: \$4,269.00

Commissioner Bair stated that Mr. Driscoll's major concern was the increase in the valuation but it was clarified by the Appraisal Department that the valuations were much lower than they should have been in the past years and that is why there was such a large increase.

Chairman Manwaring added that Mr. Driscoll had concerns with three of the parcels, wherein he understood if there were to be an approximate increase of 27% but several of the properties were anywhere from 49% to 87%. Chairman Manwaring referred to comment made by Commissioner Bair and that the past several years, the valuations were lower than they should have been.

Chairman Manwaring and Commissioner Bair agreed that the assessed value should be upheld.

**Decision: Commissioner Bair moved to uphold the assessed value for all parcels as appealed by Mr. Driscoll on behalf of the Estate of Joyce Driscoll. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

**2B Properties LLC:** Chairman Manwaring stated that Mr. Despain appeared to appeal four (4) four-plex's. These properties are all commercial properties and Gary Shewey appeared on behalf of the county.

Commissioner Bair stated that he concurred with the assessed value as the Appellant did not provide comparable properties nor did they provide proof of any error made in assessing the properties. Chairman Manwaring concurred and stated the comparable properties were provided by Mr. Shewey. The Board was in favor of upholding the assessed values put forth by the Assessor's Office and the Appellant has the opportunity to appeal to the State Tax Commission.

**Decision: Commissioner Bair moved to uphold the assessed value for all parcels appealed by 2B Properties LLC. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

**Grain Craft Inc:** Chairman Manwaring stated that Grain Craft Inc., did not appear for the Appeal Hearing, nor did they provided documentation to show an error in the value.

The Board was in favor of upholding the assessed value as put forth by the Assessor's Office.

**Decision: Commissioner Bair moved to uphold the assessed value for all appeals filed by Grain Craft Inc. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

**B&M Ventures LLC:** Chairman Manwaring stated that Brandon Farr appeared at the Appeal Hearing to represent B&M Ventures LLC. Mr. Farr presented comparable properties and discussion was held regarding store front properties with apartments above, wherein it is harder to rent properties that have store front. Chairman Manwaring stated the discussion held during the Appeal Hearing was beneficial but there was no evidence presented to show that there was an error in the assessed value. Commissioner Bair concurred and stated there was a large increase from last year but the Commercial Appraiser explained that the property had not been appraised for 4-5 years, which was the reason for the increase. Commissioner Bair stated he feels as though the Assessor's Office presented good comparable properties and the properties presented by Mr. Farr were for buildings that were much different than his.

**Decision: Commissioner Bair moved to uphold the assessed value for the Appeal filed by B&M Ventures, LLC, Brandon Farr. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

**SHJH Shelley LLC:** Chairman Manwaring stated that Scott Harris and his assistant, Mark Hill appeared at the Appeal Hearing, wherein discussion was held regarding the current vacancy percentage of the subject property. Commissioner Bair stated that the only comparable properties provided by the Appellant were properties that were located in Bannock and Cassia County, therefore are not relevant.

Chairman Manwaring concurred and stated that he would be in favor of upholding the value presented by the Assessor's Office.

**Decision: Commissioner Bair moved to uphold the assessed value for the Appeal filed by SHJH Shelley LLC, Scott Harris and Jeff Hawkes. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

**R&D Rental Properties LLC:** Chairman Manwaring stated that Delbert & Renette Loosli appeared at the Appeal Hearing, wherein it was stated that there was not an increase for several years. Commissioner Bair stated one thing that the Appellant's were concerned about was that their rents were not as high as what market rates are. Commissioner Bair stated that the Board does not have the information to show that the Assessor's assessment of the property is inaccurate.

**Decision: Commissioner Bair moved to uphold the assessed values for all appeals filed by R&D Rental Properties LLC. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

**Robert Boyd:** Chairman Manwaring stated that Mr. Boyd appeared at the Appeal Hearing, wherein Chairman Manwaring stated that Mr. Boyd had testified that the amount spent to build the home was higher than anticipated due to the changes made. Commissioner Bair stated that is how the housing market is now but he does not believe that Mr. Boyd provided evidence to prove that the assessed value is inaccurate.

**Decision: Commissioner Bair moved to uphold the assessed value for the appeal filed by Robert Boyd. Chairman Manwaring seconded. Both voted in favored. The motion carried.**

**Justin Oleson:** Chairman Manwaring stated that Justin Oleson appeared at the Appeal Hearing for several properties, wherein there were 4 residential properties and 3 commercial properties.

Chairman Manwaring referred to the 112 E. 350 N., property and stated that he would like to adjust to allow the ag exemption as it is contiguous to ag land per Idaho Code. Commissioner Bair concurred and had no issues.

Next, 354 NE Main Street property was discussed wherein Commissioner Bair stated that he does not believe there was evidence presented to prove that the assessed value is inaccurate. Chairman Manwaring concurred.

Next, 10 S. 690 W. property was discussed wherein the Board was in agreeance that there was not evidence presented to prove that the assessed value is inaccurate.

168 N. 200 E., property was discussed wherein the Board was in agreeance that there was not evidence presented to prove that the assessed value is inaccurate.

Chairman Manwaring stated that negotiations were made between the Appellant and Mr. Shewey for the Commercial properties, wherein he is in agreeance. Commissioner Bair concurred and would be spelled out on the decision made as shown below.

**Decision: Commissioner Bair moved to adjust the value for property located at 112 E. 350 N., to allow a lowered level as 2.281 acres will be assessed as ag land. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

**Commissioner Bair moved to uphold the value for property located at 354 NE Main per the assessed value. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

**Commissioner Bair moved to uphold the value for the property located at 10 S. 690 W., per the assessed value. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

**Commissioner Bair moved to uphold the value for the property located at 168 N. 200 E., per the assessed value. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

**Commissioner Bair moved to accept the negotiated value for RP1000200, for the amount of \$225,500.00. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

**Commissioner Bair moved to accept the negotiated value for RP1300905, for the amount of \$135,000.00. Chairman Manwaring seconded. Both voted in favor. The motion carried.**



Commissioner Bair moved to accept the negotiated value for RP1263400, for the amount of \$231,000.00. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Chairman Manwaring acknowledged that Commissioner Jackson was not in attendance today but did leave his comments on the properties that he was present for.

Chairman Manwaring stated that the Board would now adjourn as the Board of Equalization. Commissioner Bair made comment for the record that he would like to acknowledge and show his appreciation for the Assessor's Office and their work during the Board of Equalization process.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY, JULY 12, 2023

  
PAMELA W. ECKHARDT, CLERK  
Lindsey Dalley- Commission Clerk

  
WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO        )  
                              : ss.                Wednesday, July 12, 2023  
County of Bingham    )

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

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

Commissioner Manwaring moved to make Commissioner Bair temporary chairman. Commissioner Bair seconded. Both voted in favor. The motion carried.

COLLEGE OF SOUTHERN IDAHO

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

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: Kelly A. Duarte, Sarah Given, Courtnee B. Smith and Madison L. Thieman.

Decision: Commissioner Bair moved to approve Cash Warrants, Claims and Administrative Documents for July 12, 2023. Commissioner Manwaring seconded. Both voted in favor. The motion carried.



SHERIFF'S OFFICE

Present: Jeff Gardner- Sheriff  
Jordyn Nebeker- Chief Deputy Sheriff  
Laraine Pope- Human Resources Director  
Paul Rogers- Prosecuting Attorney

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

Discussion was held in regards to the request to approve a 160 hour leave of absence for an employee within the Sheriff's Office. Sheriff Gardner explained that a Scott Denning, Detention Deputy, has requested to take 160 hours off personal leave without pay. According to Bingham County Employee Policy, this request is to be approved by the Board of County Commissioners. This is being requested as leave without pay as the deputy has used all of his paid time off.

**Decision: Commissioner Bair moved to approve personal leave of 160 hours without pay for Scott Denning, Detention Deputy for the Sheriff's Office, beginning July 19, 2023, last day covered being August 14, 2023 and Deputy Denning will return to work on August 16, 2023. Commissioner 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. Commissioner Manwaring seconded. Both in favor. The Board moved into Executive Session at 9:06 a.m. The Board moved out of Executive Session at 9:10 a.m.

**Decision: Commissioner Bair moved to approve Todd Bennett to work out of class as the Supervisor of District 3, due to the absence of the lead. Commissioner Manwaring seconded. Both voted in favor. The motion carried.**

PUBLIC WORKS

Present: Dusty Whited- Public Works Director  
Paul Rogers- Prosecuting Attorney  
Laraine Pope- Human Resources Director  
Gwen Inskeep- County Surveyor

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

Mr. Whited explained the list of proposed items for surplus, wherein the Board had no issues.

**Decision: Commissioner Bair moved to adopt and sign Bingham County Resolution 2023-36, a resolution declaring certain Bingham County property not necessary for use in Bingham County, Idaho. Commissioner Manwaring seconded. Both voted in favor. The motion carried and said resolution was adopted as follows:**

**BINGHAM COUNTY  
RESOLUTION NO. 2023-36**

**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);

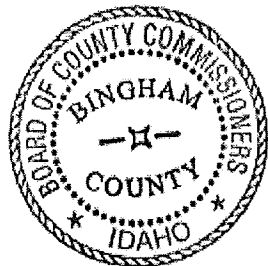
**WHEREAS**, The Bingham County Commissioners have the authority to sell or offer for sale personal property not exceeding two hundred fifty dollars (\$250) in value at private sale, (Idaho Code §31-808);

**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 PUBLIC WORKS, ROAD & BRIDGE AND CRUSHER**

See the attached for full list of items

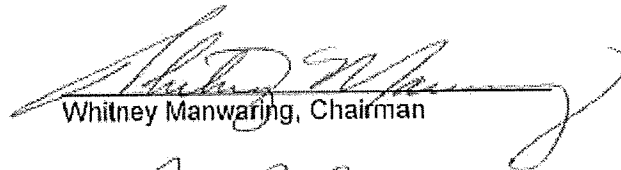
**DATED** this 12<sup>th</sup> day of July 2023.



ATTEST:

  
Pamela W. Eckhardt  
Bingham County Clerk

BINGHAM COUNTY COMMISSION

  
Whitney Manwaring, Chairman

  
Mark R. Bair, Commissioner

Eric Jackson, Commissioner

**PUBLIC WORKS SURPLUS EQUIPMENT JANUARY 2023**

UNIT #	YEAR	TYPE	MAKE	MODEL	VIN	MILES/HRS	DEPT
9914	1999	Pickup	Dodge	Dakota	1B7GG22X2XS186414	161,200 m	Solid Waste
1103	2011	Pickup	Dodge	1500	1D7RV1GT3BS578315	168,065 m	Solid Waste
1506	2015		Builtrite	2100	BR 6395	14,231 h	Solid Waste
0121	2001	Pickup	Ford	F150	1FTRX18W41KB43993	230,000 m	Crusher
0511	2005	Pickup	GMC	2500	1GTHK29U05E202006	202,512 m	Road & Bridge
0512	2005	Pickup	Ford	F250	1FTSW21Y05ED30500	145,706 m	Road & Bridge
0820	2008	Pickup	Ford	F250	1FTSX21558EE18269	164,372 m	Road & Bridge
9608	1996	Pickup	Chevy	3500	AGCHC39J1TE178255		Road & Bridge
0439	2004	Welder	Miller	Trailblazer 302	3427310031		Crusher
4139		Welder	Hobart	Champion 16	500250-001		Road & Bridge
		Plasma Cutter	HyperTherm				Road & Bridge
		Truck Bed	GMC		long bed		Road & Bridge
		Tool Box			side bed tool box	2	Road & Bridge
		Fuel Tank			auxiliary fuel tank	5	Road & Bridge
		Broom Bristles			used bristles	6	Road & Bridge
		Crusher Cones			used cones	2	Crusher

**MEETING WITH MAGGIE MANN- SOUTHEAST IDAHO PUBLIC HEALTH, TO RECEIVE A PUBLIC HEALTH UPDATE**

Present: Maggie Mann- Southeast Idaho Public Health  
Paul Rogers- Prosecuting Attorney

The Board met with Maggie Mann to receive a public health update, which included fentanyl, vaping and other issues occurring in Southeast Idaho.

**MEETING TO DISCUSS LEVY RATES & AFFORDABLE HOUSING- REQUESTED BY LAYNE GARDNER**

Present: Layne Gardner- Citizen  
Debbie Cunningham- Chief Deputy Assessor  
Donavan Harrington- County Assessor  
Paul Rogers- Prosecuting Attorney  
Pamela Eckhardt- County Clerk

The Board met to discuss levy rates and affordable housing with Layne Gardner. Mr. Gardner stated that he would like all three (3) Commissioners to be in attendance for this discussion. Due to Commissioner Jackson being absent and Commissioner Manwaring attending via phone, it was decided that this meeting would be scheduled for a later date.

Nothing further.

**APPROVAL OF POLLING LOCATIONS & BALLOT NUMBERS FOR THE POTENTIAL AUGUST 29<sup>TH</sup> ELECTION**

Present: Danette Miller- Election Director  
Kelli Robbins- Election Clerk  
Megan Kearsley- Election Clerk  
Paul Rogers- Prosecuting Attorney

The Board met to review and approve the polling locations and ballot numbers for the potential August 29<sup>th</sup> Election.

**Decision: Commissioner Bair moved to approve the Polling Locations for the potential August 29<sup>th</sup> Election. Commissioner Manwaring seconded. Both voted in favor. The motion carried.**

**Decision: Commissioner Bair moved to approve the Ballot Numbers for the potential August 29<sup>th</sup> Election. Commissioner Manwaring seconded. Both voted in favor. The motion carried.**

PRIOR APPROVAL FOR MAJOR PURCHASE- ASSESSOR'S OFFICE

Present: Gwen Inskeep- County Surveyor  
Paul Rogers- Prosecuting Attorney  
Debbie Cunningham- Chief Deputy Assessor

The Board met to discuss and make a decision regarding the submitted Prior Approval for Major Purchase of a new Trimble Dini Instrument with battery, manual and data transfer cable, for the County Surveyor. Said purchase is in the amount of \$6,555.00, to be paid from Fund 02-01-899-00.

Ms. Inskeep stated the current Trimble is outdated and the level of damage is not worth spending the money to fix.

**Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of a new Trimble Dini Instrument with battery, manual and data transfer cable for the County Surveyor. Said purchase is in the amount of \$6,555.00, to be paid from Fund: 02-01-899-00. Commissioner Manwaring seconded. Both voted in favor. The motion carried.**

PRIOR APPROVAL FOR MAJOR PURCHASE- BUILDING MAINTENANCE

Present: Jason Marlow- Building Maintenance  
Donavan Harrington- County Assessor  
Paul Rogers- Prosecuting Attorney

The Board met to review and make a decision regarding the submitted Prior Approval for Major Purchase of a peak top "map cabinet" for the Assessor's Office. Said purchase is in the amount of \$2,060.02 and is to be paid from Fund 01-10-494-00.

Mr. Marlow explained that the Assessor's Office needs additional storage space for maps. Mr. Harrington added this purchase is to be made from Cowboy Cabinets and would be placed along the existing cabinets in the Assessor's Office.

**Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of a peak top "map cabinet" for the Assessor's Office. Said purchase is in the amount of \$2,062.02 and is to be paid from Fund 01-10-494-00- Repairs/Maintenance, Building & Fixtures. Commissioner Manwaring seconded. Both voted in favor. The motion carried.**

Next, Mr. Marlow explained the second Prior Approval for Major Purchase of painting services for the garage doors just north of the Detectives/Probation building. Said purchase is in the amount of \$2,200.00 and it so be paid from 01-10-494-00.

Mr. Marlow explained that the current paint is deteriorating and falling off. The doors are now raw metal and need covered before they oxidize/deteriorate.

**Decision: Commissioner Bair moved to approve the submitted Prior Approval for Major Purchase of painting services for the garage doors just north of the Detectives/Probation building. Said purchase is in the amount of \$2,200.00 and is to be paid from Fund 01-10-494-00- Repairs/Maintenance, Building & Fixtures. Commissioner Manwaring seconded. Both voted in favor. The motion carried.**

APPROVAL & SIGNING OF COMPUTER ARTS INC/Harris COMPANY AGREEMENT FOR FISCAL YEAR 2024

Present: Pamela Eckhardt- County Clerk

The Board met to approve and sign the Computer Arts Inc. /Harris Company Agreement for Fiscal Year 2024. Clerk Eckhardt explained that Computer Arts has been purchased by Harris Company and she has been in negotiation for the past several months. The product the county currently has is towards the end of life and needs to be replaced. Bingham County is one of 21 counties that has signed on with Harris to develop Harris Idaho, which is financial, recording, Treasurer and Payroll. This is the first year of commitment for Bingham County and it did increase the contract by approximately \$2,000.00, as it is pro-rated over three (3) years to pay for the developing that should occur. The total amount is \$104,195.78.

**Decision: Commissioner Bair moved to approve and sign the Computer Arts Agreement for Fiscal Year 2024 as presented by Clerk Eckhardt. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

APPROVAL & SIGNING OF THE IDAHO PUBLIC SAFETY COMMUNICATIONS COMMISSION GRANT APPLICATION- REQUESTED BY SCOTT REESE

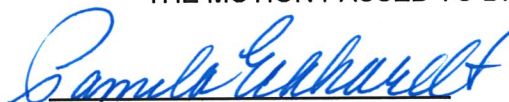
Present: Scott Reese- Parks & Recreation/Emergency Management

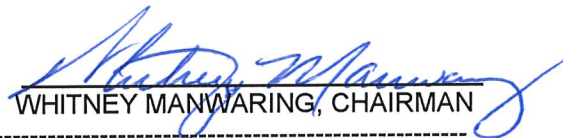
The Board met to approve and sign the Idaho Public Safety Communications Commission Grant Application.

Mr. Reese stated that he has been working on this grant in order to move Bingham County Dispatch from being a stand-alone piece app to Bannock County to have the redundancy of 911 calls that will instantly go to Bannock County and back to our dispatch center. This grant is approximately \$300,000.00 with no match. Therefore, he is asking the Board to sign the presented Letter of Support to be submitted with the Application.

**Decision: Commissioner Bair moved to approve and sign the Grant Application for Idaho Public Safety Communications as presented by Mr. Reese. Commissioner Manwaring seconded. Both voted in favor. The motion carried.**

THE MOTION PASSED TO DISMISS UNTIL FRIDAY, JULY 14, 2023

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

  
WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO        )  
                              : ss.           Friday, July 14, 2023  
County of Bingham    )

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

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

CLAIMS

Claims were approved in the amount of \$710,540.43.

PERSONNEL ACTION FORMS

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

New Employee Status Sheet:	Parks Assistant Emergency Communications Officer Patrol Deputy
Salary Increase Form:	Extension Office Manager
Employee Status Sheet:	Sergeant- Working Out of Class

**Decision: Commissioner Bair moved to approve Cash Warrants, Claims, Administrative Documents and Personnel Action Forms for July 14, 2023 as presented. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

APPROVAL OF RESOLUTION 2023-37, A RESOLUTION DECLARING SURPLUS PROPERTY AND DECISION REGARDING MINIMUM BIDS FOR PROPERTIES TO BE SOLD AT PUBLIC AUCTION ON AUGUST 15, 2023

The Board met to approve and sign Bingham County Resolution 2023-37, a resolution declaring surplus property and decision regarding minimum bids for properties to be sold at Public Auction on August 15, 2023.

**Decision: Commissioner Bair moved to approve and sign Bingham County Resolution 2023-37, a formal resolution declaring certain Bingham County property not necessary for use in Bingham County, Idaho, specifically for properties taken on Tax Deed and to be sold at auction. Commissioner Manwaring seconded. Both voted in favor. The motion carried and said Resolution was approved as follows:**

**BINGHAM COUNTY  
RESOLUTION NO. 2023-37**

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

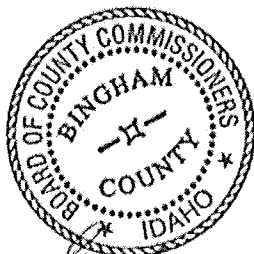
WHEREAS, The Bingham County Commissioners have the authority to manage county property, (Idaho Code §31-807);

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

<u>SALE</u> LOT	<u>PARCEL #</u>	<u>FORMER OWNER</u>	<u>LEGAL DESCRIPTION</u>	<u>ADDRESS</u>
1	RP3053800	Elizabeth Zamora	REDEEMED T5S R31E SEC 33 ABERDEEN BLK 118 LOT 3 (See Exhibit "A" available in the County Clerk's Office in the Bingham County Courthouse)	140 S 2 <sup>nd</sup> E Aberdeen, Idaho 83210  (Located within the Aberdeen City Limits)
2	RP7007200	Trudy Haggard	T4S R34E SEC 35 Fort Hall Blk 21 Lots 5 & 6 "Vac ST (See Exhibit "B" available in the County Clerk's Office in the Bingham County Courthouse)	1317 D Avenue, Fort Hall, Idaho  (Located within the Fort Hall Townsite)

**BINGHAM COUNTY COMMISSION**

ATTEST:



*Pamela W. Eckhardt*

Pamela W. Eckhardt  
Bingham County Clerk

*Whitney Manwaring*  
Whitney Manwaring, Chairman

*Mark R. Bair*  
Mark R. Bair, Commissioner

Eric Jackson, Commissioner

**Decision: Commissioner Bair moved to approve and sign the Notice for Publication, which includes minimum bids for each property. Commissioner Manwaring seconded. Both voted in favor. The motion carried and said Notice was approved as follows:**

**NOTICE OF PENDING SALE – BINGHAM COUNTY COURTHOUSE**  
August 15, 2023 at 1:30 p.m.

<u>SALE LOT</u>	<u>PARCEL #</u>	<u>FORMER OWNER</u>	<u>LEGAL DESCRIPTION</u>	<u>ADDRESS</u>	<u>MIN. BID</u>
1	RP3053800	Elizabeth Zamora	T5S R31E SEC 33 ABERDEEN BLK 118 LOT 3 (See Exhibit "A" available in the County Clerk's Office in the Bingham County Courthouse)	140 S 2 <sup>nd</sup> E Aberdeen, ID 83210  (Located within the Aberdeen City Limits)	\$2,506.87
2	RP7007200	Trudy Haggard	T4S R34E SEC 35 Fort Hall Blk 21 Lots 5 & 6 *Vac ST  (See Exhibit "B" available in the County Clerk's Office in the Bingham County Courthouse)	1317 D Avenue, Fort Hall, Idaho  (Located within the Fort Hall Townsite)	\$2,143.08

Bingham County will sell Sale Lots 1-2, acquired by tax deed, at public auction as outlined in Idaho Code §31-808.


The land shall be sold "as is" and subject to liens, encumbrances, and claims, whether the same are shown in the public record or established otherwise, including those which would be disclosed by an inspection or a survey of the subject land. Bingham County does not guarantee the accuracy of the acreage or square footage indicated for this land. *Photos of some of the properties are available in the Clerk's Office at 501 N. Maple, Blackfoot, Idaho.*  
\*Properties are subject to Open Range Laws\*

THE BOARD OF COUNTY COMMISSIONERS HEREBY RESERVES THE RIGHT TO REJECT ALL BIDS AND SHALL HAVE DISCRETIONARY AUTHORITY TO ACCEPT OR REJECT ANY BID WHICH MAY BE MADE FOR AN AMOUNT LESS THAN THE TOTAL AMOUNT OF ALL DELINQUENT TAXES, LATE CHARGES, COSTS AND INTEREST WHICH MAY HAVE ACCRUED AGAINST THE PROPERTY SO OFFERED FOR SALE INCLUDING THE AMOUNT SPECIFIED IN THE TAX DEED TO THE COUNTY.

TERMS OF PAYMENT: On Sale Lots 1 - 2, payment in full is required at time of purchase.

THEREFORE NOTICE IS HEREBY GIVEN that on August 15, 2023 at 1:30 p.m. at the Bingham County Courthouse, 501 N. Maple, Blackfoot, Idaho, in Commission Chambers, the Bingham County Commission will sell the above described real property at public auction to the highest bidder for cash in lawful money of the United States of America.

Dated this 14<sup>th</sup> day of July 2023

  
Whitney Manwaring  
Chairman of Bingham County Commissioners



APPROVAL OF REASON & DECISION FOR LILYA ESTATES SUBDIVISION

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

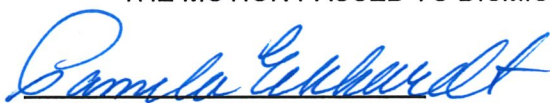
**Decision: Commissioner Bair moved to approve the Reason & Decision for Lilya Estates Subdivision as written. Commissioner Manwaring seconded. Both voted in favor. The motion carried.**

APPROVAL OF REASON & DECISION FOR BRENT VIEW SUBDIVISION

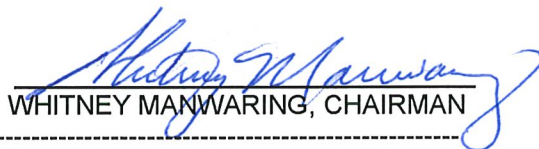
The Board met to approve the Reason & Decision for Brent View Subdivision.

**Decision: Commissioner Bair moved to approve the Reason & Decision for Brent View Subdivision as written. Commissioner Manwaring seconded. Both voted in favor. The motion carried.**

THE MOTION PASSED TO DISMISS UNTIL TUESDAY, JULY 18, 2023



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO )  
 : ss. Tuesday, July 18, 2023  
County of Bingham )

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

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

**FURTHER DISCUSSION & DECISION REGARDING THE FISCAL YEAR 2024 BUDGET**

Present: Jeff Gardner- Bingham County Sheriff  
Pamela Eckhardt- County Clerk  
Laraine Pope- Human Resources Director  
Jordyn Nebeker- Chief Deputy Sheriff  
Paul Rogers- Prosecuting Attorney  
Gina Perschon- Chief Deputy Clerk  
Tiffany Olsen- Planning & Development Director

The Board met to hold discussion and make a possible decision regarding the Fiscal Year 2024 budget, specifically the wage increases submitted and cost of living.

**EXECUTIVE SESSION**

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Jackson moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Bair seconded. All in favor. The Board moved into Executive Session at 12:30 p.m. The Board moved out of Executive Session at 1:52 p.m.

**Chairman Manwaring stated that various salary increases, which were as follows:**

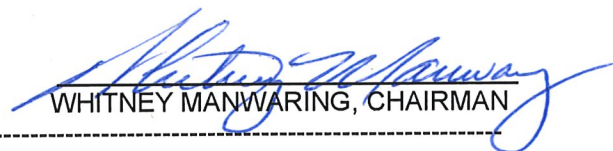
- 1) **\$150.00 per call out for the Deputy Coroners All Commissioners were in favor**
- 2) **Chief Deputy Prosecutor & 4 Deputy Prosecutors- requested 3% increase on top of the Cost of living increase. All Commissioners were in favor**
- 3) **Human Resources Director- Request increase to \$76,000.00 per year- All Commissioners were in favor.**
- 4) **Emergency Management/ Parks & Recreation Director- Request for a 3% increase- All Commissioners were in favor.**
- 5) **Requested Additional Planner position for Planning & Development- All Commissioners were in favor.**
- 6) **Building Official- Request was for a 3% increase- All Commissioners were in favor.**
- 7) **Planning & Development Director- Request was for a 3% increase- All Commissioners were in favor.**

- 8) Public Works Director- Request was for a 3% increase- All Commissioners were in favor.
- 9) Sheriff- Request was to increase to \$110,000.00 per year- All Commissioners were in favor.
- 10) Chief Deputy Sheriff & 3 Lieutenants- Clerk Eckhardt will meet with Sheriff Gardner to discuss the recommendation- All Commissioners were in favor of the recommendation that will be given.
- 11) Probation Director- Request was for a 3% increase- All Commissioners were in favor.
- 12) Two Probation employees- Chief Admin for Adult & Juvenile Probation- Request was for a 3% increase, which was previously figured within the budget- All Commissioners were in favor.
- 13) Weeds Supervisor- Reclassification will be completed, which was not figured into the budget. Chairman Manwaring stated Clerk Eckhardt will need to add the proper numbers into the publication for budget- All Commissioners would be in favor.
- 14) Drug Court Director- Commissioner Jackson needs to complete an evaluation but a 3% increase will be added for publication purposes. This does not mean that this will occur- All Commissioners were in favor.
- 15) 4 new Detention Deputy hire for the jail expansion- The Board is in favor of Clerk Eckhardt advertising with 2 of those positions and halfway through the budget season the additional 2 would be added- All Commissioners were in favor.
- 16) Personnel Board recommendation for all Elected Officials to receive a raise in salary- The estimated total is \$63,638.00 for increase that reflects from the personnel board- All Commissioners were in favor.
- 17) Cost of Living- The Board was in favor of publishing for 4% Cost of Living. Clerk Eckhardt will put together what the cost would be for both a 3% and 4%. This will be discussed further at a later time but would be published at 4%.

Decision: Commissioner Jackson moved to approve the proposed salary increases as discussed, to give Clerk Eckhardt the ability to publish the budget. Commissioner Bair seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY JULY 19, 2023

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

  
WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO        )  
                              : ss.                Wednesday, July 19, 2023  
County of Bingham     )

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

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

**CASH WARRANTS**

Cash Warrants were approved in the amount of \$190,000.00 and \$4,781.22, for a total of \$194,781.22.

**Decision: Commissioner Jackson moved to approve Cash Warrants and Claims for July 19, 2023. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

**APPROVAL & SIGNING OF BINGHAM COUNTY RESOLUTION 2023-38**

The Board met to approve and sign Bingham County Resolution 2023-38, a resolution regarding the destruction of Election records maintained by the Clerk's Office.

**Decision: Commissioner Jackson moved to approve Bingham County Resolution 2023-38 as written. Chairman Manwaring seconded. Both voted in favor. The motion carried and said Resolution was adopted as follows:**

BINGHAM COUNTY RESOLUTION 2023-38

RESOLUTION REGARDING THE DESTRUCTION OF ELECTION RECORDS  
MAINTAINED BY THE CLERK'S OFFICE

WHEREAS the Bingham County Clerk has requested permission to destroy certain election records; and,

WHEREAS Idaho Code §31-871 empowers the Board of County Commissioners with the responsibility for classifying records for purposes of retention and destruction; and

WHEREAS Idaho Code §34-217 specifically addresses election records; and

WHEREAS the Bingham County Clerk has represented that the records for which destruction is sought pertain to matters which have been concluded for the designated period of time allowed in the above-referenced sections of the Idaho Code; and

WHEREAS none of the records for which destruction is requested are required to be kept by the County permanently and indefinitely pursuant to Idaho Code §31-709.

THEREFORE, it is hereby resolved:

That the following **March 14, 2023** Supplemental Levy Elections records may be disposed of pursuant to Idaho Code §34-217(4) as being at least sixty (60) days from the date the records were created:

**Unused ballots, spoiled ballots, official ballot stamps, voter sequence charts, absentee voted ballot envelopes, supply envelopes, locks, computer mapper voter lists, and duplicate poll books.**

That the following **May 16, 2023** Library Board Member Election records may be disposed of pursuant to Idaho Code §34-217(4) as being at least sixty (60) days from the date the records were created:

**Unused ballots, spoiled ballots, official ballot stamps, voter sequence charts, absentee voted ballot envelopes, supply envelopes, locks, computer mapper voter lists, and duplicate poll books.**

That the following **February 21, 2021** purge records may be disposed of pursuant to Idaho Code §34-217(2) (a-g) as being at least two years, from the date the records were created:

**Voter lists used to do purge and election registration drawer cleanup.**

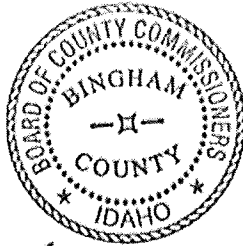
That the following **July 25, 2018** purge records may be disposed of pursuant to Idaho Code §34-217(2) (a-g) as being at least two years, from the date the records were created:

**Voter lists used to do purge and election registration drawer cleanup.**

Furthermore, such records may be destroyed after July 14, 2023.

Signed and dated this 19 day of July, 2023.

BINGHAM COUNTY COMMISSIONERS



ATTEST:

*Pamela Eckhardt*  
Pamela W. Eckhardt, Clerk

*Whitney Manwaring*  
WHITNEY MANWARING, Chairman

MARK R. BAIR, Commissioner

*Eric Jackson*  
ERIC JACKSON, Commissioner

APPROVAL OF COMMISSIONER MINUTES FOR JUNE 1-16, 2023

The Board met to approve Commissioner Minutes for June 1-16, 2023.

**Decision: Commissioner Jackson moved to approve Commissioner Minutes for June 1-16, 2023 as written. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

SHERIFF'S OFFICE

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

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

Discussion was held in regards to the request from the Contractors on the jail expansion/courthouse project, that when doing work for an entity that has their own transfer station, the fees are normally waived, which is also a way to keep cost down.

The Board had no issue with this request.

**Decision: Commissioner Jackson moved to approve the waiver of fees at the Central Transfer station pertaining to the jail expansion/courthouse project. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

Sheriff Gardner stated that the jail population is currently 106 and an update was given in regards to Bancorp.

## PUBLIC WORKS

Present:       Dusty Whited- Public Works Director  
                  Lori Gardner- Citizen  
                  Bart Gardner- Citizen  
                  Gwen Inskeep- County Surveyor  
                  Paul Rogers- Prosecuting Attorney  
                  Donavan Harrington- County Assessor  
                  Vaughn Cornelison- Citizen  
Excused:       Commissioner Bair

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

Discussion was held in regards to drone footage along East River Road for possible decision on culvert placement to avoid future flooding.

Mr. Whited stated that he and Ms. Inskeep tried to come up with the locations that they felt would be the best potential placement spots for a culvert. Mr. Whited and Ms. Inskeep further explained the possible locations of the same.

The Board reiterated to all attendees that the county is not able to render funding to purchase and place the culvert and the property owner would be responsible for the cost.

Discussion was held in regards to the county possibly cutting the road, paving the road back once the project is complete and the property owner would cover all other costs. Mr. Whited stated if the county can determine that the project will protect the road, they would help for the road but he wanted to be sure that law is followed and tax payers' funds are used properly.

Mr. Rogers stated that the county is unable to assist individuals with project due to the fact if there is an issue and something occurs, the county could be liable.

Mr. Rogers lastly added that the county has no obligation to assist with this project as they are not causing damage currently.

## UPDATE MEETING WITH TRAIL CREEK PROPERTIES

Present:       Karrie- Trail Creek Properties  
                  Jason Marlow- Building Maintenance

The Board met with Karrie from Trail Creek Properties to discuss updates with the county rental properties.

Discussion was held in regards to inspections and things that need to be updated within each rental property.

## CONTINUED PUBLIC WORKS

Mr. Whited explained the proposed speed limit change on 1300 North from the City Limits to 900 East, which was requested by the City of Shelley.

Mr. Whited stated this request was submitted by the City of Shelley, wherein they would change the speed limit on Center Street to 25 mph and would like to reduce the speed all the way to Butte Road 900 East to be consistent. Mr. Whited stated he has no issues with this request and he would be in favor. The City of Shelley will place the speed limit signage and possibly the speed reduced ahead sign. Mr. Whited will confirm that with the City of Shelley.

**Decision: Commissioner Jackson moved to approve the speed limit reduction request from 35 mph to 25 mph, from Taylor Highway to 900 East. Chairman Manwaring seconded but added that the City of Shelley will place the speed limit signage.**

Next, discussion was held in regards to the submitted Prior Approval for Major Purchase of a new road grader. Said purchase is in the amount of \$393,823.83, to be paid from the Road & Bridge Reserves. Mr. Whited further explained that this was not a planned purchase but they had received notice that another agency had purchased one last September and did not end up taking it and it is in stock/ready for pickup. If waiting until October to purchase one, the price would increase to \$431,290.00 and therefore, Mr. Whited stated he would recommend purchasing this road grader while it is available at a lesser cost.

Within the budget, \$250,000.00 was budgeted for a new truck, which they would be willing to forego if needed and the remaining funds could be paid from reserves from this year. Currently there is \$4 Million in reserves. Clerk Eckhardt stated there would be no issue in expending this purchase. Chairman Manwaring stated that he would rather the entire amount be paid from reserves this year and remove the \$250,000.00 from next years budget. Mr. Whited stated he has reviewed the projected revenue which goes directly into Road & Bridge. If the full amount for the grader is paid out of reserves, he would like to keep the \$250,000.00 that was budgeted for a truck in next years budget. Mr. Whited added this is an opportunity for the county to save a large amount of money.

**Decision: Commissioner Jackson moved to approve Prior Approval for Major Purchase of a new road grader in the amount of \$393,823.33, to be paid from Road & Bridge Reserves. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

#### PUBLIC HEARING TO RECEIVE PUBLIC COMMENT IN REGARDS TO THE PROPOSED INCREASE OF AMBULANCE FEES

Present: Bryon Howell- Blackfoot Fire Chief  
Marc Carroll- City of Blackfoot Mayor  
Grahm Anderson- City of Blackfoot Treasurer  
Paul Rogers- Prosecuting Attorney  
Via Zoom: Commissioner Bair

The Board held a Public Hearing to receive public comment in regards to the proposed increase of ambulance fees. Chairman Manwaring welcomed all to the hearing and introductions were held.

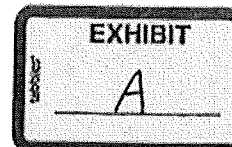
Chief Howell gave a review of the proposed increases, which was as follows:



Bingham County Ambulance Fee Comparison  
 Standard Fees Effective 06/01/2023  
 Major Payor Fees Effective 06/15/2023

CPU CODE	DESCRIPTION	Idaho Falls		Madison		Proposed Change	percent change	Standard Fee	ID Medicare	Blue Cross	Blue Shield	Proposed % for 2023			UNMS Proposed Change	2015 Fee's	2015 to now % Diff
		Fees	Medicare	Fees	Medicaid							ID Medicare	Blue Cross	Blue Shield			
A0425	1 BLS PASSENGER / HWY CODE	36.00	15.15	36.00	15.15	36.00	38.53%	36.00	779	6.63	5.98	7.50	31.26	13.01	38.00	5.0%	11
A0426	1 BLS NON-EMERGENCY IN DISTRICT	481.00	575.00	475.00	367.50	475.00	29.15%	367.50	216.80	202.12	286.10	281.46	327.63	420.84	546.00	49%	350
A0429	2 BLS EMERGENCY IN DISTRICT	378.00	676.00	755.00	554.25	755.00	38.78%	554.25	350.08	334.40	451.77	370.35	537.35	631.27	876.00	59%	525
A0428	1 BLS NON-EMERG OUT OF DISTRICT	670.00	670.00	555.00	525.00	555.00	81.90%	525.00	218.80	202.12	286.10	231.46	327.63	420.84	546.00	48%	650
A0427	1 BLS EMERGENCY OUT OF DISTRICT	1,026.00	792.00	1,115.00	682.50	1,115.00	63.37%	682.50	359.08	343.40	431.71	370.35	537.35	631.27	876.00	67%	500
A0426	2 ALS 1 NON-EMERGENCY IN DISTRICT	797.00	859.00	898.00	656.25	898.00	37.04%	656.25	415.72	384.03	543.50	439.78	622.51	791.51	1,038.00	57%	605
A0431	2 ALS 1 AT LEAST 3 ADMIN OR 1 ALS PRO	1,316.00	915.00	1,295.00	840.00	1,295.00	37.04%	840.00	601.70	558.84	786.79	636.53	902.01	1,082.19	1,483.00	57%	900
A0415	2 ALS 1 NON-EMERGENCY OUT OF DISTRICT	1,168.00	1,045.00	1,150.00	840.00	1,150.00	36.90%	840.00	415.72	384.03	543.50	439.78	622.51	791.51	1,038.00	57%	900
A0417	2 ALS 2 EMERGENCY ALS ASSIST OUTDUS	1,115.00	1,115.00	1,295.00	1,181.25	1,295.00	9.63%	1,181.25	601.70	558.84	786.79	636.53	902.01	1,082.19	1,483.00	57%	1,125
50207	2 ALS INTERCEPT SERVICE	1,100.00	1,100.00	1,100.00	1,000.00	1,100.00	10.00%	1,000.00	-	-	-	-	-	-	-	21.2%	200
A0338	3 TREAT & RELEASE NON-TRANSPORT (SIMPLE)	215.00	265.00	200.00	157.50	200.00	38.08%	157.50	-	-	-	-	-	-	-	0.0%	400
A0308	3 TREAT & RELEASE NON-TRANSPORT (COMPLEX)	413.00	400.00	400.00	400.00	400.00	-	400.00	-	289.77	-	-	-	-	-	0.0%	820
A0434	4 SPECIALTY CARE TRANSPORT	1,597.00	2,255.00	1,320.00	861.00	1,320.00	75.38%	861.00	711.10	656.90	925.84	750.26	1,064.82	985.99	1,726.00	52%	-
A0383	NON-CVSD AMB MILES BEYOND THE NGE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
A0384	UNLISTED AMB SERVICE ALIST DESCRIBE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
A0989	INSUFFICIENT FUNDS CHECK FEE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
99987	NO CHARGE INTEREST/AMSC CHARGES	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
99998	COLLECTION AGENCY	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

22  
 RLS and ALS mileage Non-incident  
 Working Time  
 stand by  
 Per hr 182  
 Per hr 116



Chairman Manwaring asked if there was any testimony in favor of the proposed fee increase. Chairman confirmed that there were no additional public in attendance for the Public Hearing.

Mayor Carroll stated, on behalf of the City, he is in favor of the proposal. There have been very few increases in fees over the last several years and due to the increase in costs there has been issues with the ambulance budget. The increase being proposed today gives the opportunity to recoup the costs.

Chairman Manwaring confirmed there was no testimony in neutral nor in opposition.

Commissioner Bair stated that he has no input and is in favor of the proposed increase but suggested to Chief Howell that in the future to gradually increase to keep up with inflation, rather than one large increase every several years.

Commissioner Jackson stated that he is in favor of the proposed increase.

**Decision: Commissioner Jackson moved to approve the increase in ambulance fees proposed by Chief Howell. Commissioner Bair seconded. All voted in favor. The motion carried.**

**Commissioner Jackson moved to approve Bingham County Resolution 2023-39, a resolution setting ambulance fees for the Bingham County, Idaho Ambulance District, Effective July 19, 2023. Commissioner Bair seconded. All voted in favor. The motion carried and said resolution was adopted as follows:**

BINGHAM COUNTY  
RESOLUTION NO. 2023-39

A RESOLUTION SETTING AMBULANCE FEES FOR THE BINGHAM COUNTY, IDAHO AMBULANCE DISTRICT, EFFECTIVE JULY 19, 2023.

Whereas, the Bingham County Commissioners held a Public Hearing on the 19<sup>th</sup> day of July, 2023, in order to take testimony and evidence regarding the increase of fees charged for ambulance services in Bingham County pursuant to Idaho Code §31-3904.

Whereas, there was no testimony or evidence presented against increasing the Bingham County Ambulance District Fees as presented and shown on the attached "Exhibit A"

Whereas, the Bingham County Commissioners found that there is a need to increase the fees for ambulance services to allow for the service to continue to run effectively and efficiently.

NOW THEREFORE, BE IT RESOLVED by the Commissioners of Bingham County the increase of the fees charged for ambulance service mileage provided in the Bingham County Ambulance District, as shown on the attached "Exhibit A", which will become effective immediately (July 19, 2023). All previous fees for the Bingham County Ambulance District are repealed as of July 19, 2023.

ADOPTED this 19<sup>th</sup> day of July, 2023

BOARD OF COUNTY COMMISSIONERS

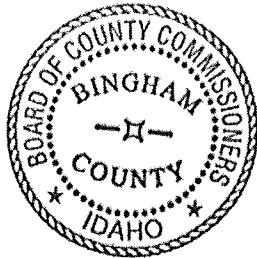
By: *Whitney Marwaring*  
Whitney Marwaring, Chairman

*Mark R. Bair*

Mark R. Bair, Commissioner

*Eric Jackson*  
Eric Jackson, Commissioner

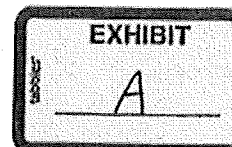
ATTEST: *Pamela Eckhardt*  
Pamela Eckhardt  
Bingham County Clerk



**Bingham County Ambulance Fee Comparison**  
 Standard Fees Effective 06/01/2023  
 Major Payer Fees Effective 06/15/2023

CPU CODE	DESCRIPTION	Idaho Falls		Madison		Proposed		percent change	Standard Fee	ID Medicare	Blue Shield Cross	Blue Shield 2023	Blue Cross 2023	Proposed Change 2023	UMS Change	2015 Fee's	2015 to now % Diff
		Fees	Fees	Fees	Change												
A0425	1 BLS MILEAGE / NEW CODE	25.00	15.55	15.55	27.70	15.55	38.53%	15.55	27.70	6.63	11.55	31.29	11.55	11.55	11	5.0%	
A0426	1 BLS HIGH EMERGENCY IN DISTRICT	451.00	575.00	575.00	215.80	575.00	29.35%	575.00	215.80	202.17	367.50	327.63	367.50	367.50	350	5.0%	
A0428	2 BLS EMERGENCY IN DISTRICT	778.00	678.00	678.00	350.00	678.00	38.78%	678.00	350.00	333.40	551.77	537.35	551.77	551.77	525	5.0%	
A0429	1 BLS HIGH EMERG. CALL OF DISTRICT	778.00	678.00	678.00	218.40	678.00	81.90%	678.00	218.40	202.12	285.13	317.63	317.63	317.63	660	-10.2%	
A0430	1 BLS EMERGENCY OUT OF DISTRICT	3,016.00	793.00	793.00	1,600.00	793.00	63.37%	793.00	1,600.00	833.40	451.77	502.85	502.85	502.85	500	36.53%	
A0431	2 ALS 1 NON EMERGENCY IN DISTRICT	757.00	757.00	757.00	262.56	757.00	37.14%	757.00	262.56	242.55	343.32	309.68	309.68	309.68	500	3.0%	
A0432	2 ALS 1 EMERGENCY ALS ASSIST IN DISTRICT	913.00	859.00	859.00	415.72	859.00	36.84%	859.00	415.72	384.03	543.50	478.07	478.07	478.07	625	5.0%	
A0433	2 ALS 2 AT LEAST 3 ADMIN OR 1 ALS PRO	1,316.00	915.00	915.00	601.70	915.00	37.94%	915.00	601.70	555.84	786.75	945.00	945.00	945.00	900	5.0%	
A0434	2 ALS 1 NON EMERGENCY OUT OF DISTRICT	1,168.00	1,168.00	1,168.00	415.72	1,168.00	36.90%	1,168.00	415.72	384.03	543.50	478.07	478.07	478.07	800	5.0%	
A0435	2 ALS 1 EMERGENCY ALS ASSIST OUTD'S	1,045.00	1,045.00	1,045.00	601.70	1,045.00	36.90%	1,045.00	601.70	555.84	786.75	945.00	945.00	945.00	800	5.0%	
A0436	2 ALS 1 EMERGENCY OUT OF DISTRICT	1,115.00	1,115.00	1,115.00	1,000.00	1,115.00	10.00%	1,115.00	1,000.00	-	-	-	-	-	1125	5.0%	
A0437	2 ALS INTERCEPT SERVICE	215.00	250.00	250.00	-	250.00	16.88%	250.00	-	-	-	-	-	-	200	-2.0%	
A0438	3 TREAT & RELEASE NON-TRANSPORT (SMPLE)	415.00	415.00	415.00	188.72	415.00	43.00%	415.00	188.72	-	-	-	-	-	400	0.0%	
A0439	4 SPODIARY CARE TRANSPORT	1,557.00	1,557.00	1,557.00	711.10	1,557.00	35.38%	1,557.00	711.10	656.90	929.84	881.00	1,064.82	881.00	620	5.0%	
A0440	NON-COVED AMB MILES BEYOND THE NAF																
A0441	INSUFFICIENT FUNDS CHECK FEE																
A0442	NO DRUG/INTEREST/TRANS CHARGES																
A0443	COLLECTION AGENCY																

10  
 BLS and ALS mileage Non-resident  
 Waiting Time  
 Stand by



PRIOR APPROVAL- BUILDING MAINTENANCE

Present: Jason Marlow- Building Maintenance Supervisor

The Board met to approve/deny the submitted Prior Approval for Major Purchase of a drinking fountain/water bottle filler for the second floor of the Courthouse. There were two quotes provided, wherein one is for a regular drinking fountain and the other is a water bottle filler. Mr. Marlow stated since there is a working drinking fountain on the second floor already he would propose to purchase a water bottle filler. Said purchase is in the amount of \$1013.40 and is to be paid from Fund: 01-10-443-01- ADA Improvements.

**Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of a filtered bottle filler on the second floor. Said purchase is in the amount of \$1,013.40, to be paid from Fund: 01-10-443-01- ADA Improvements. Commissioner Bair seconded. All voted in favor. The motion carried.**

Next, discussion was held in regards to the submitted Prior Approval for Major Purchase of a pump and motor for the cooling tower. Said purchase is in the amount of \$24,719.86, to be paid from Fund: 01-10-0494-00- Repairs/Maintenance Building Fixtures. Mr. Marlow stated currently the water tower circulation comes from the pump and motor, which is getting older and gave issues at the beginning of the year when started up. Mr. Marlow stated that he would propose to purchase a new one and have the current equipment could be sent to be rebuilt, which could act as a spare if needed.

**Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of a pump and motor for cooling tower. Said purchase is in the amount of \$24,719.86, to be paid from Fund: 01-10-0494-00- Repairs/Maintenance Building Fixtures. 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 in favor. The Board moved into Executive Session at 2:02 p.m. The Board moved out of Executive Session at 3:05 p.m.

**Decision: Discussion was held in regards to an issue with the Park Manager for Sportsman's Park, wherein Laraine Pope and Paul Rogers will work together to draft a cease letter on what is currently being done at the park, which is to be mailed within the next few days. Nothing further at this time.**

THE MOTION PASSED TO DISMISS UNTIL FRIDAY JULY 21, 2023



PAMELA W. ECKHARDT, CLERK

Lindsey Dalley- Commission Clerk-----



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO )  
 : ss. Friday, July 21, 2023  
County of Bingham )

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

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

**CLAIMS**

Claims were approved in the amount of \$286,860.41.

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

**APPROVAL OF COMMISSIONER MINUTES FOR JUNE 20-30, 2023**

The Board met to approve Commissioner Minutes for June 20-30, 2023 as written.

**Decision: Commissioner Jackson moved to approve the Commissioner Minutes for June 20-30, 2023 as written. Commissioner Bair seconded. All voted in favor. The motion carried.**

**REVIEW & SIGN THE ROSE RIVER ESTATES SUBDIVISION FINAL PLAT**

Present: Tiffany Olsen- Planning & Development Director  
Chris Street- HLE  
Steve VanOrden- Rose River Estates

The Board met to sign the Rose River Estates Subdivision Plat.

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

**REVIEW & SIGN THE CEDAR ESTATES DIVISION 3 FINAL PLAT**

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

The Board met to sign the Cedar Estates Division 3 Final Plat.

**Decision: Commissioner Jackson moved to approve and sign the Final Plat for Cedar Estates Division 3 Final Plat. Commissioner Bair seconded. All voted in favor. The motion carried.**

**PRIOR APPROVAL-BUILDING MAINTENANCE**

Present: Jason Marlow- Building Maintenance Supervisor

The Board met to approve/deny the submitted Prior Approval for Major Purchase of ceiling tiles to be replaced in the kitchen area of the jail. Said purchase is in the amount of \$1,800.00, to be paid from Fund: 01-10-506-00-Jail Repairs.



Mr. Marlow stated that he had a drywall specialized company come in and provided the bid to complete this project, which reflected from the jail inspection.

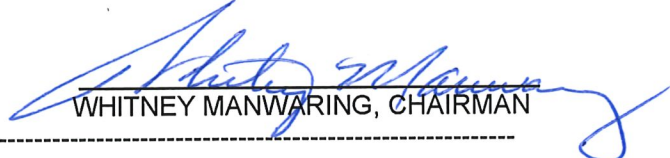
**Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of ceiling tiles to be replaced in the kitchen area of the jail. Said purchase is in the amount of \$1,800.00, to be paid from Fund: 01-10-506-00: Jail Repairs. Commissioner Bair seconded. All voted in favor. The motion carried**

Next, discussion was held in regards to the submitted Prior Approval of Major Purchase of tree removal by the Detective Office and rental house. Said purchase is in the amount of \$3,800.00, to be paid from 01-10-701-05-Rental Houses.

**Decision: Commissioner Jackson moved to approve the Prior Approval for tree removal for trees by the Detective Office and rental house. Said purchase is in the amount of \$3,800.00, to be paid from 01-10-701-05- Rental Houses. Commissioner Bair seconded. All voted in favor.**

THE MOTION PASSED TO DISMISS UNTIL TUESDAY JULY 25, 2023

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

  
WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO        )  
                              : ss.                Tuesday, July 25, 2023  
County of Bingham    )

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

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

**PRIOR APPROVAL-PROSECUTORS OFFICE**

Present via telephone: Paul Rogers- Prosecuting Attorney  
Excused:                Commissioner Bair

The Board met to approve/deny the submitted Prior Approval for Major Purchase of a new desk for the Prosecutors Office. Said purchase is in the amount of \$1,291.41, to be paid from Fund: 01-07-802-0050-Capital Equipment.

**Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of a new desk for the Prosecutors Office. Said purchase is in the amount of \$1,291.41, to be paid from Fund 01-07-802-0050- Capital Equipment. Commissioner Bair voted in favor. The motion carried.**

**PLANNING & DEVELOPMENT**

Present:                Tiffany Olsen- Planning & Development Director  
                              Dusty Whited- Public Works Director

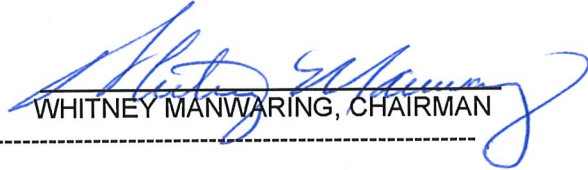
The Board met with Tiffany Olsen to discuss department updates and other agenda items.

Discussion was held in regards to the roles and responsibilities of both Planning & Development and Public Works pertaining to private ditch and road easements.

THE MOTION PASSED TO DISMISS UNTIL THURSDAY JULY 27, 2023



PAMELA W. ECKHARDT, CLERK  
Lindsey Dalley- Commission Clerk



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO )  
 : ss. Thursday, July 27, 2023  
County of Bingham )

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

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

CASH WARRANTS

The Board approved Cash Warrants in the amount of \$1,480.00 & \$31,875.06, for a total of \$33,355.06.

COLLEGE OF SOUTHERN IDAHO

A Certificate of Residency was approved by the Board and sent to the College of Southern Idaho for the following Bingham County student: Jake M. Ketter.

COLLEGE OF EASTERN IDAHO

Several Certificate of Residency documents were approved by the Board and sent to the College of Northern Idaho for the following Bingham County student's: McKae A. Malcom, Chase D. Moulton, Taya Robbins and Marsa W. Shoaf.

NORTH IDAHO COLLEGE

A Certificate of Residency was approved by the Board and sent to the North Idaho College for the following Bingham County student: Hailey J. Hillman.

**Decision: Commissioner Jackson moved to approve Cash Warrants, Claims and Administrative Documents for July 27, 2023. Commissioner Bair seconded. All voted in favor. The motion carried.**

PUBLIC WORKS

Present: Paul Rogers- Prosecuting Attorney  
Troy Lenhart- Road & Bridge Supervisor  
Dusty Whited- Public Works Director  
Laraine Pope- Human Resources Director

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



Discussion was held in regards to the Memorandum of Agreement between Bingham County and Phil & Shirley Christensen for permission to enter the Christensen's' property in order to mine, crush, and remove gravel from the property for the public roads in the mountains. Said Agreement is signed yearly and the Board has no issues with approving and signing the same for this year.

**Decision: Commissioner Jackson moved to approve and sign the Memorandum of Agreement between Bingham County and Phil & Shirley Christensen for mining, crushing and removing gravel from the property for the public roads. Said Agreement is for no less than 6,500 cubic yards and no more than 13,000 cubic yards at a cost payment price of \$1,000.00 per cubic yard to the owners. Commissioner Bair seconded. All voted in favor. The motion carried.**

Next, Chairman Manwaring stated that the next Memorandum of Agreement with Dan Eldredge "The Kelly Pit" is signed along with the Christensen Agreement, in order to store and stockpile gravel on the property. Bingham County Public Works has agreed to provide Dan Eldridge compensation in the form of five (5) loads of crushed gravel product which will be left on the property.

**Decision: Commissioner Jackson moved to approve the Memorandum of Agreement with Dan Eldredge for the purpose of storing and stockpiling gravel on the property for use in restoring the county roads. Commissioner Bair seconded. All voted in favor. The motion carried.**

Next, discussion was held in regards to placing a fence around the county lot at Airport and Royal Street. Mr. Whited explained that an individual who lives close by has been storing vehicles on the lot and therefore makes it hard for the county to spray for weeds. The Board was in favor of placing fence around the lot but not to exceed the cost of \$1,500.00.

**Decision: Commissioner Jackson moved to approve that a fence be placed around the county lot at Airport and Royal Street, not to exceed the cost of \$1,500.00. Commissioner Bair seconded. All voted in favor. The motion carried**

Next, discussion was held in regards to seal coating the walking path from County Line to Rose Ponds, wherein it was previously recommended to be paid for out of the Public Works Reserve. Mr. Whited stated he spoke with Clerk Eckhardt and she found it to be better paid out of Parks & Recreation Reserve. Clerk Eckhardt stated there is currently \$180,000.00 in the Parks & Recreation Reserves and Mr. Whited stated the project would cost approximately \$22,000.00. Mr. Reese joined the meeting and stated that he has no issue with this project being paid from the Parks & Recreation Reserves.

**Decision: Commissioner Jackson moved to approve to seal cost the walking path from County Line to Rose Ponds. Said project will cost \$22,000.00 and is to be paid from Parks & Recreation Reserves. Commissioner Bair seconded. All voted in favor. The motion carried.**

Next, a brief discussion was held in regards to the Agreement with Primetime Auctions in regards to the surplus equipment from Road & Bridge. Mr. Whited stated that Primetime Auctions would keep 10% of the final amount collected after the auction.

**Decision: Commissioner Jackson moved to approve and sign the contract with Primetime Auctions as presented. Commissioner Bair seconded. All voted in favor. The motion carried.**

Lastly, discussion was held in regards to the proposed Resolution 2023-40, for surplus property. Mr. Whited stated this is for a 2009 Ford F55 that is no longer needed for use in Bingham County.

**Decision: Commissioner Jackson moved to approve Bingham County Resolution 2023-40, a formal resolution declaring certain Bingham County property not necessary for use in Bingham County, Idaho. Commissioner Bair seconded. All voted in favor. The motion carried and said resolution was adopted as follows:**

**BINGHAM COUNTY  
RESOLUTION NO. 2023-40**

**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);

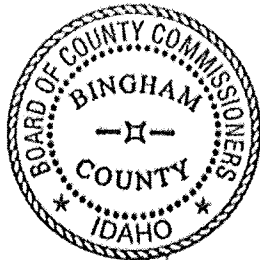
**THEREFORE BE IT HEREBY RESOLVED**, by the Board of County Commissioners, Bingham County, Idaho, that the following items may be sold as excess property:

**BINGHAM COUNTY ROAD & BRIDGE**

**2009 Ford CB F55**

**Vin: 1FDAX57Y99EB26023**

**DATED this 27<sup>th</sup> day of July 2023.**



**ATTEST:**

*Pamela Eckhardt*  
Pamela W. Eckhardt  
Bingham County Clerk

**BINGHAM COUNTY COMMISSION**

*Whitney Manwaring*  
Whitney Manwaring, Chairman

*Mark R. Bair*

Mark R. Bair, Commissioner

*Eric Jackson*  
Eric Jackson, Commissioner

## HUMAN RESOURCES

Present: Laraine Pope- Human Resources  
Dusty Whited- Public Works Director  
Troy Lenhart- Road & Bridge Supervisor  
Paul Rogers- Prosecuting Attorney

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

Ms. Pope gave a brief update regarding current recruitments and vacant positions.

First, discussion was held in regards to the proposed request to reclassify the Road & Bridge Mechanic wage. Ms. Pope stated that Mr. Whited had requested reclassification for the Road & Bridge Mechanic's due to the constant vacancy for the last several years. Chairman Manwaring stated if the reclassification is approved, it may affect the kinds and levels chart for current employees as well. Mr. Whited stated he does not feel that it would affect the kinds and levels chart for the county nor Public Works because the Mechanic position cannot be compared to any other position within the county as no other position has the same type of duties and responsibilities that a mechanic has.

Commissioner Bair asked if the Mechanics do more jobs than what is included in their job description, specifically since technology has changed. Mr. Whites stated the job description is a basic outline of what a mechanic completes.

Chairman Manwaring stated that he would like further documentation put together by Mr. Whited, which will outline specifics for the request for reclassification. That documentation should go through Human Resources once completed. After Ms. Pope reviews the documentation, she will submit it to the Board along with her recommendation.

## PRIOR APPROVAL- IT DEPARTMENT

Present: Matt Galloway- Sheriff's Office/IT Department

The Board met with Matt Galloway to approve/deny Prior Approval documentation for the IT Department.

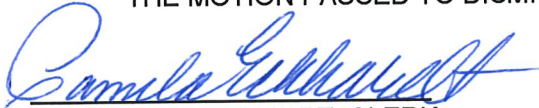
First, Mr. Galloway explained the Prior Approval for Major Purchase of five (5) replacement cameras throughout the courthouse and three (3) camera replacements for Patriot Field.

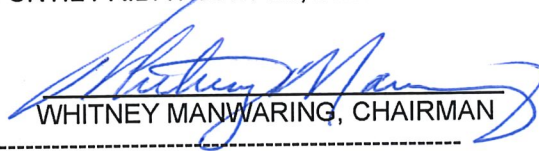
After a brief discussion, this matter was placed on hold to allow Commission Clerk, Lindsey Dalley, to speak with Clerk Eckhardt in regards to the possibility of covering this cost with the safety grant submitted for.

Next, discussion was held in regards to the Prior Approval for Major Purchase of eight (8) Avtech RoomAlert 12SR IT equipment room monitors. These monitors provide emergency notification of temperature, moisture, or other problems that can affect server and network equipment uptime. Currently, there are four (4) in service in several IT server rooms but four (4) more are needed to cover all network equipment rooms. The four (4) that are in service now were end of life in May 2021 and no longer receive security updates or bug fixes. The company used, Avtech, will provide a 26% trade-in discount for the four (4) currently being used and a 5% discount on the new monitors. Said purchase is in the amount of \$5,361.00, to be paid from 01-14-492-00- Back Up.

**Decision: Chairman Manwaring moved to approve the Prior Approval for Major Purchase of eight (8) Avtech RoomAlert 12SR IT equipment room monitors in the amount of \$5,361.00, to be paid from 01-14-492-00-Back Up. Commissioner Bair seconded. All voted in favor. The motion carried.**

THE MOTION PASSED TO DISMISS UNTIL FRIDAY JULY 28, 2023

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

  
WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO        )  
                              : ss.            Friday, July 28, 2023  
County of Bingham     )

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

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

CLAIMS

Claims were approved in the amount of \$1,112,291.76.

PAYROLL

Payroll was approved in the amount of \$775,736.26.

CASH WARRANTS

One Cash Warrant was approved in the amount of \$278,031.92.

PERSONNEL ACTION FORMS

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

New Employee Status Sheet:	Road Side Mower
Salary Increase Form:	SW Lead/Operator
	SW Lead/Operator

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: Michaela R. Rupe.

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

DECISION REGARDING SOLID WASTE CREDIT APPLICATION

Present:                Dusty Whited- Public Works Director.

The Board met to review and approve/deny the Solid Waste Credit Application submitted by Justin Oleson. The Board had no issues with the Credit Application. There was no credit limit requested on the form and therefore, the Board agreed on the amount of \$1,000.00.

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

**TAX INQUIRY DOCUMENTS**

The Board met to approve Tax Inquiry documentation submitted by the Assessor's Office, which were as follows:

RP1319423	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP2093600	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP0214300	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP4018900	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP0212603	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP0628702	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP1144100	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP1390800	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP0503102	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP2084700	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP7056200	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP1257500	Year 2023	Homeowner signed up for Homeowners Exemption for 2023
RP1037500	Year 2023	Homeowner signed up for Homeowners Exemption for 2023

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

**MEETING WITH KALEB PHELPS TO DISCUSS AREAS OF CONCERN IN REGARDS TO RIVER RUN ESTATES DEVELOPMENT**

Present:       Dusty Whited- Public Works Director  
                  Paul Rogers- Prosecuting Attorney  
                  Kaleb Phelps- Developer

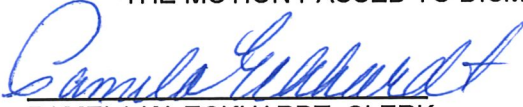
The Board met with Kaleb Phelps to discuss his areas of concern in regards to River Run Estates Development, which were listed out by Mr. Phelps as follows:

- 1) Financial effects that resulted from mishandling of the River Run Estates Development.
- 2) Requirement to make their road right of way 60 feet.
- 3) Information presented at the January 5, 2023 Planning & Zoning Commission Meeting, which Mr. Phelps stated was incorrect.
- 4) Discussion regarding change of location to 1376 N 695 E, long established legal access

CLAIMS FOR THE PREVIOUS MONTH WERE APPROVED AS FOLLOWS:

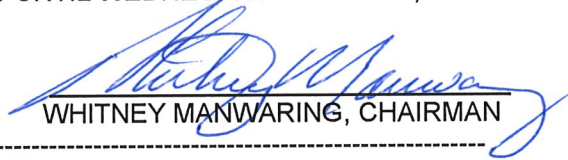
Current Expenses .....	\$346,857.63	Weeds .....	\$49,887.66
Road & Bridge .....	\$427,528.30	Emergency Communication.....	\$95,993.41
Airport.....	\$47.09	Road & Bridge Special	
Justice Fund .....	\$408,425.86	Projects.....	\$64,836.74
District Court.....	\$131,065.81	Waterways.....	\$4,983.38
Preventative Health.....	\$7,900.00	ARPA Funds.....	\$4,741.27
Parks & Recreation .....	\$18,613.09	Treatment Court Fund .....	\$3,810.71
Revaluation.....	\$30,202.87	Junior College Fund.....	\$35,850.00
Solid Waste.....	\$244,826.40	Consolidated Elections.....	\$3,169.23
Tort.....	\$3,000.00		
Veterans Memorial.....	\$2,469.18		

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY AUGUST 2, 2023



PAMELA W. ECKHARDT, CLERK

Lindsey Dalley- Commission Clerk-----



WHITNEY MANWARING, CHAIRMAN