

STATE OF IDAHO )  
 : ss. Friday, September 1, 2023  
County of Bingham )

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

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

**CLAIMS**

Claims were approved in the amount of \$467,143.80.

**CASH WARRANT**

One (1) Cash Warrant was approved in the amount of \$19,330.04.

**PAYROLL**

Payroll was approved in the amount of \$745,174.58.

**PERSONNEL ACTION FORMS**

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

New Employee Status: Parks Worker  
Salary Increase Form: EOIT  
Building Inspector  
Scale House Operator

**COLLEGE OF SOUTHERN IDAHO**

One (1) Certificate of Residency was approved by the Board and sent to the College of Southern Idaho for the following Bingham County student: Keegan McGraw.

**COLLEGE OF EASTERN IDAHO**

One (1) Certificate of Residency was approved by the Board and sent to the College of Eastern Idaho for the following Bingham County student: Skyler G. Newsom.

**Decision: Commissioner Jackson moved to approve Cash Warrants, Claims, Administrative Documents and Personnel Action Forms for September 1, 2023. Commissioner Bair seconded. All voted in favor. The motion carried.**

**TAX INQUIRIES**

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

MH352S30TCC040	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP2092000	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1278701	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
MH353S09G10230	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1037800	Year 2023	Homeowner signed up for Homeowners Exemption in 2023

RP1083700	Year 2022	Homeowner signed up for Homeowners Exemption in 2023
RP4005700	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
MH0527204	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP0527204	Year 2023	Green's do own the Mobile Home
MH352S34PW0620	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1286800	Year 2023	Homeowner signed up for Homeowners Exemption in 2023

- Only one of 3 owners signed up- only 50% Homeowners Exemption

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

**DECISION REGARDING RANGE OF PAY FOR BUILDING INSPECTOR & PLANNER POSITIONS TO BE OFFERED**

Present: Laraine Pope- Human Resources  
Tiffany Olsen- Planning & Development Director

The Board met to make a decision regarding range of pay for Building Inspector and Planner positions to be offered.

Ms. Olsen explained that interviews were held with one candidate for each position, wherein both were very qualified and interviewed well. Ms. Olsen explained that she would like to offer the Planner position to Ashley Taylor at an N18, Step 4 (\$21.23). Ms. Olsen explained that she would like to offer the Building Inspector position to Trevor Hall at an N19, Step 2 (\$20.61). As soon as both have cleared the proper background check, they will begin.

Laraine Pope stated that she has no issues with the two proposed offers.

**Decision: Commissioner Jackson moved to allow the offer to be made on the Building Inspector at N19, Step 2 (\$20.61). Commissioner Bair seconded. All voted in favor. The motion carried.**

**Decision: Commissioner Jackson moved to allow the offer to be made on the Planner position at N18, Step 4 (\$21.23). Commissioner Bair seconded. All voted in favor. The motion carried.**

**FINAL DECISION REGARDING JAIL EXPANSION COST AND ANY POSSIBLE ALTERNATES**

Present: Brent Douglass- Headwaters Construction  
Jeff Gardner- Sheriff  
Kris Talbot- Sheriff's Office  
Jordyn Nebeker- Chief Deputy Sheriff  
Via Zoom: Ben Gallegos- Lombard Conrad Architects

The Board met to make a final decision regarding the jail expansion cost and any alternates to be approved. Chairman Manwaring welcomed all to the meeting and introductions were held.

Mr. Douglass reviewed the base bid, along with the alternative bids for the restroom remodel, District Court remodel and veteran services remodel, which totaled to \$11,792,584.00.

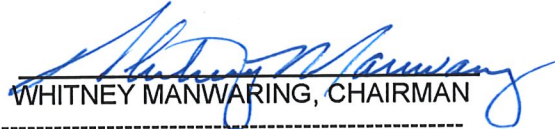
The bid amounts for each project were as follows:

Bingham County Jail Expansion	\$11,138,858.00
ADA Restroom Remodel	\$259,729.00
District Court Remodel:	\$294,730.00
Veteran Services Remodel:	\$99,267.00

**Decision: Commissioner Jackson moved to approve the final cost for the jail expansion and courthouse remodel project in the amount of \$11,792,584.00. Commissioner Bair seconded. All voted in favor. The motion carried.**

THE MOTION PASSED TO DISMISS UNTIL FRIDAY, SEPTEMBER 8, 2023

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

  
WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO        )  
                              : ss.           Friday, September 8, 2023  
County of Bingham    )

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

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

**CASH WARRANTS**

One Cash Warrant was approved in the amount of \$1,749.65.

**CLAIMS**

Claims were approved in the amount of \$163,695.80.

**COLLEGE OF EASTERN IDAHO**

One Certificate of Residency was approved by the Board and sent to the College of Eastern Idaho for the following Bingham County student: Gracie L. Hampton.

**Decision: Commissioner Jackson moved to approve Cash Warrants, Claims, Administrative Documents and Personnel Action Forms for September 8, 2023. Commissioner Bair seconded. All voted in favor. The motion carried.**

**APPROVAL OF COMMISSIONER MINUTES FROM AUGUST 1-11, 2023**

The Board met to approve Commissioner Minutes for August 1-11, 2023.

**Decision: Commissioner Bair moved to approve and sign the Commissioner Minutes for August 1-11, 2023 as written. Commissioner Jackson seconded. All voted in favor. The motion carried.**

**RESOLUTION 2023-48**

The Board met to approve Resolution 2023-48, a resolution reserving forgone for the Bingham County Ambulance District, County of Bingham, State of Idaho, in the amount of \$197.00.

**Decision: Commissioner Jackson moved to approve and sign Bingham County Resolution 2023-48, a resolution reserving forgone for the Bingham County Ambulance District, County of Bingham,**

State of Idaho, in the amount of \$197.00. Commissioner Bair seconded. All voted in favor. The motion carried and said resolution was approved as follows:

BINGHAM COUNTY  
RESOLUTION NO. 2023-48

A RESOLUTION RESERVING FORGONE  
FOR THE BINGHAM COUNTY AMBULANCE DISTRICT,  
COUNTY OF BINGHAM, STATE OF IDAHO

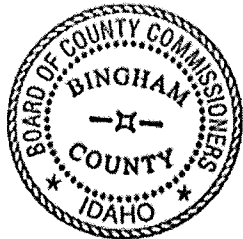
WHEREAS, Bingham County, Idaho intends to reserve forgone for the 2023 Dollar Certification of Budget Request in the amount of \$197.

WHEREAS, Bingham County, Idaho has met the notice and hearing requirements in Idaho Code §63-802 on reserving the forgone amount.

THEREFORE, BE IT RESOLVED by the majority vote taken by the Board of County Commissioners on September 8, 2023, that the above stated amount is to be included in the total forgone amount for use at a future date.

ADOPTED September 8, 2023.

BOARD OF COUNTY COMMISSIONERS



By: *Whitney Manwaring*  
Whitney Manwaring, Chairman

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

*Eric Jackson*  
Eric Jackson, Commissioner

ATTEST: *Pamela W Eckhardt*  
Pamela W Eckhardt  
Bingham County Clerk

RESOLUTION 2023-49

The Board met to approve Resolution 2023-49, a resolution reserving forgone for the County of Bingham, State of Idaho, in the amount of \$216,448.00.

**Decision: Commissioner Bair moved to approve Bingham County Resolution 2023-49, a resolution reserving forgone for the County of Bingham, State of Idaho, in the amount of \$216,448.00. Commissioner Jackson seconded. All voted in favor. The motion carried and said resolution was approved as follows:**

BINGHAM COUNTY  
RESOLUTION NO. 2023-49

A RESOLUTION RESERVING FORGONE  
FOR THE COUNTY OF BINGHAM, STATE OF IDAHO

WHEREAS, Bingham County, Idaho intends to reserve forgone for the 2023 Dollar Certification of Budget Request in the amount of \$216,448.

WHEREAS, Bingham County, Idaho has met the notice and hearing requirements in Idaho Code §63-802 on reserving the forgone amount.

THEREFORE, BE IT RESOLVED by the majority vote taken by the Board of County Commissioners on September 8, 2023, that the above stated amount is to be included in the total forgone amount for use at a future date.

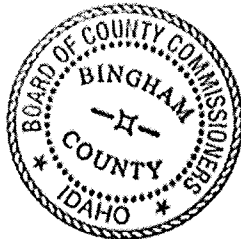
ADOPTED September 8, 2023.

BOARD OF COUNTY COMMISSIONERS

By: *Whitney Manwaring*  
Whitney Manwaring, Chairman

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

*Eric Jackson*  
Eric Jackson, Commissioner



ATTEST: *Pamela W Eckhardt*  
Pamela W Eckhardt  
Bingham County Clerk

APPROVAL OF CANVASS FOR THE AUGUST 29, 2023 ELECTION

Present: Danette Miller- Election Director  
Kelli Robbins- Election Clerk  
Pamela Eckhardt- County Clerk

The Board met to approve the CANVASS for the August 29, 2023 Election.

Ms. Miller presented the CANVASS for the August 29, 2023 Shelley Joint School District No.60 Supplemental Levy Election and the Bonneville Joint School District No. 93 Special General Obligation Bond Election.

**Decision: Commissioner Bair moved to approve the CANVASS for the August 29, 2023 Election as presented. Commissioner Jackson seconded. All voted in favor. The motion carried.**

**PRIOR APPROVAL- IT DEPARTMENT**

Present: Matt Galloway- IT Department

The Board met to discuss and make a decision in regards to the submitted Prior Approval for Major Purchase of WGV Server & Hard Drive Disks. Said purchase is in the amount of \$34,410.00 and is to be paid from Fund: 01-14-804-00.

**Decision: Commissioner Jackson moved to approve the submitted Prior Approval for Major Purchase of WGV Server & Hard Drive Disks. Said purchase is in the amount of \$34,410.00 and is to be paid from Fund: 01-14-804-00. Commissioner Bair seconded. All voted in favor. The motion carried.**

THE MOTION PASSED TO DISMISS UNTIL MONDAY, SEPTEMBER 11, 2023



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO        )  
                              : ss.               Monday, September 11, 2023  
County of Bingham    )

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

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

**STAFF MEETING**

Present:               Pamela Eckhardt- County Clerk  
                              Laura Lora- Payroll/Indigent Services  
                              Donavan Harrington- County Assessor  
                              Debbie Cunningham- Chief Deputy Assessor  
                              Dusty Whited- Public Works Director  
                              Scott Reese- Emergency Services/Parks & Recreation  
                              Sheri Landon- Courts  
                              Jason Marlow- Building Maintenance  
                              Shawn Hill- Probation Department  
                              Mary Reyes- Probation Department  
                              Danette Miller- Election Director  
                              Tiffany Olsen- Planning & Development Director

Jeff Gardner- Sheriff  
Barbara Marlatt- Treasurers Office  
Jordyn Nebeker- Chief Deputy Sheriff  
Gordon Croft- City of Blackfoot Police Chief  
Paul Rogers- Prosecuting Attorney

Excused: Jimmy Roberts- County Coroner  
Grahm Anderson- City of Blackfoot Treasurer  
Marc Carroll- City of Blackfoot Mayor  
Cody Lewis- Treatment Court  
Tanna Beal- County Treasurer  
Julie Buck- Extension Office  
Laraine Pope- Human Resources Director

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

Pledge of Allegiance: Commissioner Jackson conducted.

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

Special Presentation: None.

Safety Concerns: None.

Employee Years of Service Recognition: Sheri Landon recognized Pamela Eckhardt for fifteen (15) years of service to Bingham County. Pam started as the Archivist, moved into the Magistrate Division where she worked with Small Claims and Infractions, after which she became the elected County Clerk and has been for the past nine (9) years. Pam has great customer service, boosts moral, initiates action, improves the working environment and represents all core values that are held here in Bingham County. Sheri stated that there have been many times that she has come to speak with Pam about an issue and there is already someone in her office. She is busy, people go to her and know that they can be heard and receive advice with the right amount of feedback to help do the job better. Sheri stated one of the biggest things that she admires about Pam is that she will never ask anyone to do something that she is not willing to do herself. Pam creates a place where every employee can feel safe, receive guidance and go on with their job.

Sheri read a quote that reminds her of Pam, which read as follows, "I have learned that people forget what you said. People will forget what you did but people will never forget how you made them feel"- Maya Angelou.

Clerk Eckhardt stated that she is blessed that Sara Staub and Tammy VanOrden took a risk on her because they could see she had skills but had no court experience. Clerk Eckhardt stated she does not take for granted that she was hired by Bingham County and truly appreciates working with everyone.

Sheriff Gardner recognized Mike Marvin for twenty (20) years of service to Bingham County and stated that Mike started in the 1980's, left to work in Salmon for a short time and came back to become the Animal Control Officer. Mike then worked through the Patrol Division and is now a Detective. Mike is one that never gives up until he gets an answer or completes a project. Sheriff stated that Mike has also volunteered and worked his way through the Elks Lodge, which Sheriff stated is truly appreciated, shows his character and the person he is.

Sheriff Gardner recognized Chad Morgan for twenty (20) years of service to Bingham County and stated that Chad came to Bingham County from the Shelley Police Department, worked through the Patrol Division and is now a Detective/Polygraphist. Chad has done polygraph tests for criminal cases and pre-employment for many Sheriff's Offices all over Southeast Idaho. His hard work and dedication are truly appreciated.



Shawn Hill recognized Maria Puente for twenty (20) years of service to Bingham County and stated that Maria began her career as the Secretary and worked her way into Juvenile Probation. She cares highly for the individuals that she supervises and does what she can to help get them back on track.

Shawn Hill recognized Mary Reyes for fifteen (15) years of service to Bingham County and stated that Mary started as a Spanish speaking Probation Officer and within one year was promoted to the position of Chief Administrator of Adult Misdemeanor Division. Mary works well with staff, is a great manager, does well with the caseload that she supervises and does what she can to help individuals be better.

Mary Reyes stated is has been a pleasure working for Bingham County.

Pamela Eckhardt recognized Danette Miller for ten (10) years of service to Bingham County and stated that Danette started as a part time employee in the Election Department after which she was promoted to the Elections Director. Clerk Eckhardt stated that Danette is organized but the quality that she appreciates most is her ability to connect with people and it does not matter if you work in the office, another office within the courthouse or throughout the community. Clerk Eckhardt stated she appreciates getting to work with Danette.

Danette Miller stated is a pleasure to meet so many different people and she loves working with everyone. She would like to thank everyone for their support and thanked Clerk Eckhardt for being the best boss and it is a pleasure working for her.

Commissioner Jackson: Spoke briefly about his attendance of the Water Summit Meeting in Boise and discussion held in regards to the water supply issue throughout the State of Idaho.

Chairman Manwaring: Held discussion in regards to Narcan and AED Machine Training. Chairman advised anyone who would like further training on each of those items, please contact the Sheriff. Jason Marlow will create a map showing the locations in which the AED Machines are located throughout the courthouse.

Commissioner Bair: Stated that Paul Rogers has submitted his resignation and he truly appreciates Paul and everything that he has done not only for the Commissioners but for Bingham County. Paul Rogers has done a great job and has been a great friend as well.

Clerk Eckhardt: Stated that she would like to thank everyone for the hard work during the budget process, which resulted in a 4% cost of living for the employees. This was accomplished due to the team work that occurred.

Laura Lora: Stated that comp time will be paid out at the end of September. Open Enrollment for Gem Plan is until the end of September and if there are any changes to be made, please contact Laraine Pope in Human Resources. Lastly, Life Map is changing over to a new provider but there will be no major changes. If there are changes to be made to beneficiaries, please contact Laraine Pope in Human Resources.

Donavan Harrington: Had no updates at this time.

Dusty Whited: Had no updates at this time.

Scott Reese: Stated that he would like to thank the Board for approval of a 4% cost of living increase. Mr. Reese stated that Tyler Draney has left and therefore, the Parks Foreman position is vacant. He would like to thank Jason Marlow and the Building Maintenance division for assisting with tree removal and lawn mowing while he is short handed in the Parks and Recreation Division. Mr. Reese also thanked Paul Rogers for all of his hard work and stated it has been a pleasure to work with him.

Discussion was held in regards to the positive test results for West Nile, wherein Scott Reese stated that he would like to remind everyone if they are having issues with mosquitos, please contact Vector and they will come do a barrier spray at any address requested within the county.

Sheri Landon: Stated that it was exciting to see how many county employees came to watch the arguments held before the Idaho Supreme Court Justices held in Courtroom #1. She would like to thank the Sheriff's Office for all of their hard work behind the scenes to be sure that the Court Justices could come to Bingham County.

Jason Marlow: Stated last week the chiller went down and the sensor needed is approximately eight (8) weeks out. Therefore, there could be some cooling issues but he is keeping an eye on it. If there are any issues, please let him know. Lastly, Mr. Marlow stated that he would like to thank the Sheriff's Office and Blackfoot Police Department for all of their hard work and great job they did during the fair.

Tiffany Olsen: Stated that Mariela Mejia has taken a position with an engineering firm. Therefore, that Planner position is vacant and would be posted in the near future. There is a newly hired Planner, who should hopefully start this week, as well as a new Building Inspector. Lastly, Ms. Olsen stated she would like to thank Paul Rogers for all of his hard work with the Planning & Development Division as he has spent a lot of time over the last three years working closely with her on several issues.

Shawn Hill: Had no updates at this time.

Paul Rogers: Stated there is a City Town Hall Meeting about Fentanyl, wherein he will be on the panel along with Chief Croft, Chief Deputy Sheriff Nebeker, Chris Atwood a US Attorney from Boise and an Addiction/Recovery Specialist from Bingham Memorial Hospital, to address any questions or concerns from the community.

Sheriff Gardner: Stated that fair week was a success with no major issues and stated again that he would like to thank the Blackfoot City Police for their great partnership. Sheriff thanked Paul Rogers for all of his support, hard work, being a source of strength for him during trying times over the last several years and that he appreciates his friendship.

Barbara Marlatt: Stated that the Treasurer's Office would also like to thank Paul Rogers for all of his hard work.

Danette Miller: Stated that Shelley School District held a Supplemental Levy Election, which passed and Candidate Filing just closed for the November Election, which includes City Officials and special districts. She would like to thank Paul Rogers for all of his support to the Election Department and Jason Marlow for his help in preparing for Elections. Lastly, she stated that she would like to thank the county and Elected Officials for their support after the loss of her father-in-law.

Chief Gordon Croft: Reminded everyone of the town hall meeting held at City Hall on September 13, 2023 at 7:00, to discuss the dangers of Fentanyl. There will be access via zoom for those that are unable to attend in person.

Commissioner Jackson stated next Staff Meeting is scheduled for Monday, October 2, 2023 at 8:30 a.m.

Nothing further.

#### PROBATION DEPARTMENT

Present:        Shawn Hill- Probation Director  
                  Mary Reyes- Probation Department  
                  Mark Gough- Probation Department  
                  Paul Rogers- Prosecuting Attorney  
                  Daniel Herrera- Probation Department

The Board met with Shawn Hill to discuss department updates and other agenda items.

First, Mary Reyes presented a Certificate of Misdemeanor Probation Post Completion to Daniel Herrera. Mr. Hill stated that Daniel Herrera is the first Probation Officer to attend and complete Post in twelve (12) years. This academy is a four (4) week long program and extremely stressful. Ms. Reyes congratulated Mr. Herrera and stated that this is a huge accomplishment.

Mr. Herrera stated that his favorite part of the program was the motivational interviewing. There was a lot of time spent learning and getting the opinion of others as to the best interviewing techniques.

Next, Mr. Hill explained the Prior Approval for Major Purchase of UA Testing devices in the amount of \$12,839.00, to be paid from Funds as follows: \$839.44 out of Juvenile Probation (06-55-742-00- Drug Testing) and \$12,000.00 out of Adult Misdemeanor Probation (06-54-742-01- Drug Testing).

**Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of UA testing devices in the amount of \$12,839.00, to be paid from Funds as follows: \$839.44 out of Juvenile Probation (06-55-742-00- Drug Testing) and \$12,000.00 out of Adult Misdemeanor Probation (06-54-742-01- Drug Testing). Commissioner Jackson seconded. All voted in favor. The motion carried.**

Next, discussion was held in regards to adding the two (2) secretary positions, back onto the cell phone stipend list. Mr. Hill explained that these positions were previously on the cell phone stipend list but were removed due to the request of the previous Commissioner who supervised the Probation Department. Mr. Hill explained that quite often when the Probation Officers are in court and need to relay information to the Secretary, whether a case is coming over that may have had issues in court or there is a special assignment to be noted in the probation plan. It is important that the secretary has the ability to communicate with the Probation Officer as they are unable to leave court to make a telephone call, therefore a text is best communication.

**Decision: Commissioner Jackson moved to approve and place the two (2) probation secretary positions back onto the cell phone stipend list at \$20.00 per month. Commissioner Bair seconded. All voted in favor. The motion carried.**

#### FINAL DETERMINATION FOR SALE OF ODD LOT PROPERTY TO THOMPSON LAND LLLP

Present: Caitlin Cook  
Gwen Inskeep- County Surveyor  
Paul Rogers- Prosecuting Attorney  
Rick Thompson- Thompson Land LLLP

The Board met to approve the sale of odd lot property to Thompson Land LLLP.

Ms. Inskeep explained this property is the Rattlesnake Repeater Site, which is the odd-lot that is the last remaining piece. There have been easements granted to Ruka LLC and Hillside Properties LLC, who will have access to the properties to the South. Chairman Manwaring stated the total of acres is 1.01 acres more or less, at a fair value cost of \$68.00.

Mr. Thompson asked the Board for clarification in regards to maintenance of the easements and where he does not use the road, is the maintenance and upkeep under his liability although Ruka LLC has an easement. Ms. Inskeep stated there is State Code that Mr. Thompson could fall back on but typically it is whoever is using the easement will maintain the easement but that Mr. Thompson could not obstruct use of the easement.

**Decision: Commissioner Bair moved to approve and sign the Quit Claim Deed from Bingham County to Thompson Land LLLP as presented. Commissioner Jackson seconded. All voted in favor. The Motion carried and said Quit Claim Deed was recorded as Bingham County Instrument No. 75129.**

FINAL DETERMINATION FOR SALE OF ODD LOT PROPERTY TO JIM & AMY COOK AND JORDAN & CAITLIN COOK

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

The Board met to approve the sale of odd lot properties to both Jim & Amy Cook and Jordan & Caitlin Cook.

Ms. Inskeep explained that these properties are where there were encroachment issues on the south portion of North Bingham Park. These odd sales are to cure the issue prior to conveying that portion of North Bingham Park to the City of Shelley. Ms. Inskeep explained that two (2) parcels will go to Jim & Amy Cook and one (1) parcel will go to Jordan & Caitlin Cook, which total the amount of \$172.99.

**Decision: Commissioner Bair moved to approve and sign the Quit Claim Deed from Bingham County to Jordan Cook and Caitlin Cook, as well as the Quit Claim Deed from Bingham County to Jimmy Dean Cook and Amy Cook, as presented. Commissioner Jackson seconded. All voted in favor. The motion carried and said Quit Claim Deed was recorded as Bingham County Instrument No. 757128 and Instrument No. 757127.**

APPROVAL & SIGNING OF THE BINGHAM COUNTY FISCAL YEAR 2024 INDIGENT DEFENSE FINANCIAL AGREEMENT

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

The Board met to approve and sign the Bingham County Fiscal Year 2024 Indigent Defense Financial Agreement.

Clerk Eckhardt stated this agreement is signed yearly accepting the amount that the State Public Defense Commission gives Bingham County to assist with Indigent Defense. The total award amount of \$182,333.00.

**Decision: Commissioner Jackson moved to approve and sign the Bingham County Fiscal Year 2024 Indigent Defense Financial Agreement as presented. Commissioner Bair seconded. All voted in favor. The motion carried.**

BUILDING MAINTENANCE

Present: Jason Marlow- Building Maintenance Supervisor

The Board met with Jason Marlow to discuss department updates, which included current maintenance projects throughout the courthouse and review of the Building Maintenance Budget status.

ASSESSOR'S OFFICE

Present: Donovan Harrington- County Assessor  
Debbie Cunningham- Chief Deputy Assessor

The Board met with Donovan Harrington to discuss department updates.

APPROVAL & SIGNING OF THE SUICIDE AWARENESS PREVENTION MONTH PROCLAMATION

The Board met to approve and sign the Suicide Awareness Prevention Month Proclamation. Commissioner Jackson read said Proclamation for the record.

**Decision: Commissioner Bair moved to approve and sign the Suicide Awareness Prevention Month Proclamation. Commissioner Jackson seconded. All voted in favor. The motion carried and said proclamation was signed as follows:**

# BINGHAM COUNTY COMMISSIONERS

Whitney Manwaring, Chairman

Mark R. Bair

Eric Jackson



Lindsey Dalley, Commission Clerk  
501 N. Maple Room 204  
Blackfoot, ID 83221  
Phone (208) 782-3013  
Fax (208) 785-4131

## SUICIDE PREVENTION MONTH PROCLAMATION

**WHEREAS**, September is known around the United States as National Suicide Prevention Awareness Month, which is intended to raise mental health awareness and proactive suicide prevention resources; and

**WHEREAS**, Suicidal thoughts and mental health concerns can affect anyone; and

**WHEREAS**, According to the Centers for Disease Control and Prevention, more than 48,000 people die by suicide each year; and

**WHEREAS**, Suicide is the eleventh leading cause of death among adults in the United States and the third leading cause of death among people ages 10-24; and

**WHEREAS**, Bingham County supports those who work in the fields of mental health, education and first responders; and

**WHEREAS**, Bingham County encourages all residents to join in helping to prevent suicide in our community; and

**WHEREAS**, Bingham County encourages all residents to educate themselves about mental health and take active steps to care for their own mental health; and

**WHEREAS**, Bingham County recognizes the importance of having conversations regarding the destigmatization of such topics and helping connect people with available resources; and


**NOW, THEREFORE, WE, the undersigned, do hereby proclaim the month of September to be:**

## SUICIDE PREVENTION AWARENESS MONTH

DATED this 11<sup>th</sup> day of September, 2023.

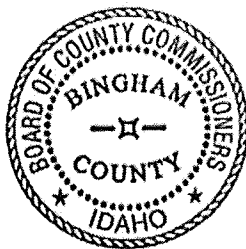
ATTEST:

  
Pamela W. Eckhardt  
Bingham County Clerk

  
Whitney Manwaring, Chairman

  
Mark R. Bair, Commissioner

  
Eric Jackson, Commissioner



“Potato Capital”

PRIOR APPROVAL- NARCAN KITS FOR SNAKE RIVER HIGH SCHOOL

Present: Pamela Eckhardt- County Clerk

The Board met to review and make a decision regarding the submitted Prior Approval for Major Purchase of Narcan Kits for the Snake River High School. Said purchase is in the approximate amount of \$2,000.00 for forty-eight (48) kits and is to be paid from Fund: 49-00-559-00- OPIOID Fund.

Ms. Dalley explained that she had been working through the Southeast Idaho Public Health Department in order to obtain the requested amount of kits. Currently a medical provider is required to sign off on any orders for any orders that are not for First Responders but Ms. Dalley was advised that would change as of October 1<sup>st</sup>. Once that occurs, Ms. Dalley will get the kits ordered and they would ship within two-three business days and come directly to the Courthouse, after which the Board would deliver to the Snake River High School.

The Board had no major concern in regards to the Prior Approval Request.

**Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase submitted by Lindsey Dalley, Commission Clerk, for purchase of forty-eight (48) Narcan Kits for the Snake River High School. Said purchase would be in the approximate amount of \$2,000.00 and would be paid from Fund: 49-00-559-00- OPIOID Fund. Commissioner Bair seconded. All voted in favor. The motion carried.**

DISCUSSION & POSSIBLE DECISION REGARDING PLACEMENT OF TOWERS FOR VISION WIFI- REQUESTED BY JOSH PRESTON

Present: Tiffany Olsen- Planning & Development Director  
Josh Preston- Vision Wifi  
Audrey Preston- Vision Wifi  
Paul Rogers- Prosecuting Attorney  
Terry Fowler- Property Owner  
Dusty Whited- Public Works Director

The Board met to hold discussion and make a decision in regards to the placement of towers for Vision Wifi, which was requested by Josh Preston.

Josh Preston explained that Vision Wifi is a wireless internet service provider and started in 2015. Mr. Preston stated he previously worked with Allen Jensen in the Planning & Zoning Department, wherein Mr. Jensen informed Mr. Preston that they would be exempt from having to procure a Building Permit but never mentioned Residential/Agriculture Zoning. Therefore, Mr. Preston has been placing 80-foot monopoles originally that are now 98-foot monopoles. Mr. Preston stated that he does have engineering specs for both sizes of towers and advised that he did leave a copy of the engineering documents with Mr. Jensen in reference to the 86-foot monopoles when this issue was originally discussed.

Mr. Preston stated that he spoke with Mr. Jensen recently and unaware that Mr. Jensen no longer worked for Bingham County and now is in the situation of trying to come up with a plan to proceed with putting up towers in Residential/Agriculture Zoning Districts and continue to run his business. Chairman Manwaring asked Mr. Preston if there was an agreement put in place when Mr. Jensen informed him of the exemption from the requirements, to which Mr. Preston stated there was no documentation signed and it was merely a verbal agreement. Mr. Preston stated the only restriction given by Mr. Jensen was that the towers should be less than 130 feet and 5-feet on the setback.

Mr. Preston referred to Lava Ridge Cove Subdivision and stated that a 50-foot relay station was installed that will provide high speed internet via fiber to the houses within the subdivision. Therefore, there will be one pole, with one dish that will relay to the main tower and delivered via fiber through the neighborhood. Mr. Preston stated that the innerduct is ran already but fiber has not been pulled as of yet. Mr. Preston

stated Vision Wifi is also working with Steve VanOrden for the Rose River Estates Subdivision to have a similar setup. Mr. Preston stated that after speaking with HLE, they informed him that the problem with the steel poles is that they need to be engineered. After which the steel pole was removed and he spoke with Idaho Power who informed him there are no issues with placing a wooden pole, wherein they would hook power directly to that pole and a dish can be placed at the top to bring in internet service. Mr. Preston stated that he was informed by Ms. Olsen that they would not be providing high speed internet to that location because it is within a Residential/Agriculture Zoning District, which is against County Ordinance Section 10-5-3, Land Use Chart.

Ms. Olsen stated that Planning & Development received a complaint, which is what started the review of the towers. Ms. Olsen stated there is a provider of same or similar services in the area that applied for a Conditional Use Permit. In that process, Ms. Olsen asked for engineered plans to show that the structure is self-collapsible and he pointed out three or four parcels that have towers on them and requested to see the engineering those parcels. At this time, the individual completed a records request and Ms. Olsen found that there were no permits were completed for those tower structures. Mr. Preston stated there should be one tower that has a permit as he paid for it. Ms. Olsen stated that she has been unable to find any documentation on the tower referred to by Mr. Preston.

Ms. Olsen stated she held a telephone call with Mr. Preston, which was short but he was advised that she would be sending him an email with the regulations and verification from the county Prosecuting Attorney and Building Official, Cody Gordon, wherein they disagreed with Mr. Jensen's position regarding fiber towers not being required to follow the zoning permitting process provided for in Bingham County Code or the building permit application and approval process pursuant to the International Building Code.

Ms. Olsen explained that on August 11, 2023, the Planning & Development Division received a complaint about a tower that had been erected on the property owned by Terry and Penny Fowler, located in a Residential/Agriculture Zoning District. The individual that complained stated they had not received notice that the tower was to be placed through Public Hearing. Ms. Olsen stated that a field inspection was conducted, wherein a wireless communication tower was located on the northwest corner of the Fowler property. Ms. Olsen stated the following day, she had conversation with Mr. Fowler in regards to the tower, wherein Mr. Fowler advised her that the portion of land in which the tower is placed is leased to Vision Wifi, who erected the tower on August 14, 2023. Mr. Fowler stated if the county had concerns, they could address those concerns with Vision Wifi, which was done via a letter sent certified mail return receipt requested and is dated August 29, 2023. A letter was also provided to Mr. Fowler to inform him that within County Code it does specify any conduct or construction on an individual's property is the responsibility of the property owner.

Ms. Olsen stated that discussion was held with Mr. Preston wherein he was advised of the regulations and requirements pertaining to towers but Mr. Preston disregarded and erected the tower anyway. Ms. Olsen stated there are efforts to cure an issue within County Code and how to proceed, which was set out for Mr. Preston to review locations of all fiber tower structures that have been placed to be sure they are properly placed and beginning in June 1<sup>st</sup>, going through the proper permitting for those structures. Ms. Olsen requested that in effort to cure, Mr. Preston provide information for each and every tower erected by Vision Wifi, poured a concrete pad for, or have in the design phase, within the jurisdiction of Bingham County. The requested information was as follows:

1. Landowner name and address;
2. Zoning district of the address;
3. Date the tower was erected;
4. A site plan depicting the location of the tower;
5. Tower height;
6. If the tower is in the flood plain;
7. If the tower has been reported to the Federal Communications Commission (FCC); and
8. If the tower is within an Airport Layout Area or Airport Overlay, please provide a copy of the FAA Notice Criteria Tool.



Mr. Rogers asked Mr. Preston how many poles have been erected, wherein Mr. Preston stated there are about 19 monopoles and they started building them between 2016 and 2014. Mr. Preston stated the last pole erected was on August 10, 2023. Mr. Rogers asked Mr. Preston how many poles have been erected since 2019, wherein Mr. Preston stated 12 poles.

A brief discussion was held in regards to the one tower in which Mr. Preston stated he received a permit, wherein Mr. Preston explained there was an issue on 1200 West and 450 North, wherein a permit was rendered just to be safe, due to there being an individual in the area that had filed numerous complains for other matters as well. Commissioner Bair stated he remembers when that meeting was held. Mr. Preston stated that was in either 2016 or 2017.

Mr. Rogers referred to Bingham County Code Section 10-7-35: Tower; Broadcast, Cell or Telecommunication, wherein there are certain parameters that are required. Mr. Rogers asked Mr. Preston if he had read the emails sent to him from Ms. Olsen, to which Mr. Preston stated he had not.

Mr. Rogers stated overall, he is unsure as to what is being requested within this meeting as the requirements are specific within Bingham County Code, which was update in 2012 and Allen Jensen has been gone since 2019. Therefore, Mr. Rogers asked Mr. Preston when he spoke with Mr. Jensen last, which Mr. Preston stated approximately one week ago after receiving the letter from Ms. Olsen. Mr. Preston stated that Vision Wifi has been operating on all specifics that were given by Mr. Jensen and that as a wireless internet service, they were exempt from having to follow County Code.

Next, Mr. Rogers referred to Bingham County Code Section 10.5.3: Land Use Chart, which shows which zoning districts allow for wireless towers.

Mr. Preston stated while he understands the discussion being held, it does not help his current situation and assist in moving forward because it sounds as though most of the monopoles are in fact located within a Residential/Agriculture Zone.

Mr. Rogers stated it would be helpful to know which towers are within which zoning districts and which zoning district they would fit in, after which Mr. Preston could apply for a Zone Change. If approved, Mr. Preston could proceed with a Conditional Use Permit, which could take several months. Mr. Rogers further stated that Mr. Preston should properly follow the process for the 19 towers that have been erected.

Chairman Manwaring stated it could also be a possibility that Mr. Preston could request a change in the Ordinance to allow a tower in a Residential/Agriculture Zoning District.

Mr. Rogers stated rather than forcing Mr. Preston to remove all 19 towers, the Board has the ability to allow Mr. Preston to follow the proper process to get the permits needed. Ms. Olsen stated that she would concur and that within her letter sent to Mr. Preston on August 29, 2023, it was stated that a list should be provided of all towers, where they are placed and several other questions specifically listed within the letter. Ms. Olsen explained that Mr. Preston was put on notice August 4, 2023 and there were towers erected after said date. There cannot be any further towers placed without the proper permits.

Mr. Rogers proposed that the Board could decide a deadline to work towards to be sure that the proper process is followed. Ms. Olsen stated that information requested by Planning & Development has a deadline of September 29, 2023 and asked Mr. Preston if that date was sufficient, which he confirmed.

Mr. Rogers stated due to the history and the amount of structures that have been built, he would advise the Board give Mr. Preston one year to cure the issues or code enforcement would be conducted as is. This would give Mr. Preston one year to do research and go through the proper procedure. Mr. Rogers stated it seems that the best and most beneficial route for the county would be to go through a change to the ordinance because if the towers are only working within a Residential area, that should be the easiest route. Mr. Olsen added that a Conditional Use Permit would be needed.

**Decision: Commissioner Bair moved that in order to comply with County Code, require the one tower in question (Fowler Property located at 134 North 150 West, Blackfoot, Idaho) to be taken down until a decision can be made on whether that is a proper location. Also allow Mr. Preston or Vision Wifi, one year to either complete a Zone Change or Ordinance Change.**

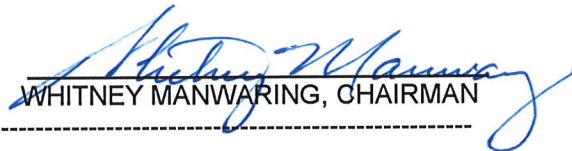
**Chairman Manwaring confirmed that the due date for the tower to be taken down is September 29, 2023, and seconded the motion. All in favor- Chairman Manwaring and Commissioner Bair. All opposed- Commissioner Jackson.**

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY, SEPTEMBER 13, 2023



PAMELA W. ECKHARDT, CLERK

Lindsey Dalley- Commission Clerk-----



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO        )  
                              : ss.                Wednesday, September 13, 2023  
County of Bingham    )

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

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

CLAIMS

Claims were approved in the amount of \$2,336.00.

COLLEGE OF SOUTHERN IDAHO

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

**Decision: Commissioner Jackson moved to approve Cash Warrants, Claims and Administrative Forms for September 13, 2023. Commissioner Bair seconded. All voted in favor. The motion carried.**

SHERIFF'S OFFICE

Present:                Jeff Gardner- Sheriff  
                              Jordyn Nebeker- Chief Deputy Sheriff  
                              Pamela Eckhardt- County Clerk  
                              Paul Rogers- Prosecuting Attorney  
                              Troy Lenhart- Road & Bridge Supervisor

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

Sheriff Gardner explained that the STAR Program has previously used the airport for motorcycle program training, which was too small and often interfered with planes landing and taking off. He has since been approached by the city to see if the use of fairground parking lot could be used for this training. Chairman Manwaring advised Sheriff Gardner to touch base with the Eastern Idaho State Fair to be sure there are no issues and a waiver of liability may need to be signed. Commissioner Bair added that Road and Bridge could sweep the area to decrease the amount of loose rocks.

**Decision Commissioner Bair moved to allow the use of the county's portion of the fair parking lot for motorcycle training for the STAR Program. There will be a liability waiver from the fairgrounds and each individual participating. Commissioner Jackson seconded. All voted in favor. The motion carried.**

Next, discussion was held in regards to the vacant county owned house located at 56 Airport Road. Chairman Manwaring explained that he had gone over to look at the rental home with Clerk Eckhardt and Jason Marlow, Building Maintenance Supervisor, wherein it was concluded that it would cost a significant amount of funding to repair the home. In speaking with Chief Howell, Blackfoot Fire, it was relayed that the home could not be used as a training opportunity for the Fire Department as it is too close to the other rental home. Therefore, it was proposed to use the home for training within the Sheriff's Office and their K-9 unit. Sheriff Gardner stated the house would be great not only for the K-9 units to train but for other patrol training as well.

Discussion was held in regards to the current yard at this rental could be used as additional parking for the Detective Division, due to the lack of parking during morning testing for Probation Division. The grass would be removed and gravel would be laid in its place.

Jason Marlow would begin to winterize the rental located at 56 Airport Road, wherein water would be shut off but the power would be left on.

**Decision: Commissioner Jackson moved to approve using the rental house at 56 Airport Road, as a training house for law enforcement for one year. Also, the lawn area would be cleared and gravel placed in order to provide additional parking for the Detectives. Commissioner Bair seconded. All voted in favor. The motion carried**

Lastly, Sheriff Gardner gave an update regarding jail population and update regarding vehicle leasing through Bancorp.

## PUBLIC WORKS

Present: Troy Lenhart- Road & Bridge Supervisor

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

First, Mr. Lenhart referred to the request to waive the Right-of-Way permit fees for 400 N Road and W 200 S (Hahn Road), wherein he stated this is for the bridge project. This is to waive the county fees but would like permission from the Board to do so as LHTAC will conducting the inspection on the bridges. Said fees are in the amount of approximately \$200.00.

**Decision: Commissioner Bair moved to waive the Right-of-Way permit fees for 400 North Road and W 200 S (Hahn Road), for the estimated cost of \$200.00. Commissioner Jackson seconded. All voted in favor. The motion carried.**

Next, discussion was held in regards to the Prior Approval for Major Purchase of a Kenworth Dump Truck, which was originally in the proposed budget for FY 2024. Said purchase is in the amount of \$241,585.56, to be paid from Fund 02-40-803-00 (Capital-Heavy Equipment).

**Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of a Kenworth Dump Truck, which was originally in the proposed budget for FY 2024. Said purchase is in the amount of \$241,585.56, to be paid from Fund 02-40-803-00 (Capital-Heavy Equipment). Commissioner Bair seconded. All voted in favor. The motion carried.**

Next, discussion was held in regards to the Prior Approval for Major Purchase of a culvert for Presto Bench. Said purchase is in the amount of \$5,564.40, to be paid from Fund: 32-00-728-03 (Pavement Management).

**Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of a culvert for Presto Bench. Said purchase is in the amount of \$5,564.40, to be paid from Fund: 32-00-728-03 (Pavement Management). Commissioner Jackson seconded. All voted in favor. The motion carried.**

Next, discussion was held in regards to the Prior Approval for Major Purchase of an AC Machine to fill the vehicles. The current machine is outdated and will not recycle the refrigerant. This purchase was budgeted within the tool budget.

**Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of an AC Machine in the amount of \$5,406.00, to be paid from Fund: 02-47-449-04 (Tools). Commissioner Bair seconded. All voted in favor. The motion carried.**

Next, discussion was held in regards to the Prior Approval for Major Purchase of renewal of Drone License, which is split by being paid 1/3 from Road and Bridge, 1/3 from Solid Waste and 1/3 from GIS (Assessor). Said purchase is in the amount of \$12,000.00 and would be split as follows:

Fund: 02-40-689-00	Road & Bridge	\$4,000.00
Fund: 23-70-757-03	Solid Waste	\$4,000.00
Fund: 20-01-500-14	GIS	\$4,000.00

**Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of Renewal of Drone License. Said purchase is in the amount of \$12,000.00 and would be split between three funds as discussed. Commissioner Bair seconded. All voted in favor. The motion carried.**

Lastly, discussion was held in regards to the Prior Approval for Major Purchase for tractor tires. Said amount is in the amount of \$4,420.12, to be paid from Fund: 27-60-899-09 (Capital-Other).

**Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of tractor tires in the amount of \$4,420.12, to be paid from Fund: 27-60-899-09 (Capital-Other). Commissioner Jackson seconded. All voted in favor. The motion carried.**

**APPROVAL OF REASON & DECISION FOR PARRIS SUBDIVISION**

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

The Board met to review and sign the Reason & Decision for Parris Subdivision.

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

**APPROVAL OF REASON & DECISION FOR WOODSY ACRES AT CREEK COVE SUBDIVISION**

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

The Board met to review and sign the Reason & Decision for Woodsy Acres at Creek Cove Subdivision.

**Decision: Commissioner Jackson moved to approve and sign the Reason & Decision for Woodsy Acres at Creek Cove Subdivision. Commissioner Bair seconded. All voted in favor. The motion carried.**

MEETING TO REVIEW & EXECUTE THE ADDENDUM TO THE DEVELOPMENT AGREEMENT FOR ROSE RIVER ESTATES SUBDIVISION- REQUESTED BY TIFFANY OLSEN

Present: Tiffany Olsen- Planning & Development Director

The Board met to review and execute the Addendum to the Development Agreement for Rose River Estates Subdivision.

Ms. Olsen explained the Addendum to the Development Agreement before the Board today, incorporates the updated construction plans that do not include ribbon curbing as well as engineered bridge and appurtenance design within the Rose River Estates Subdivision. At the time the subdivision was approved, the original Development Agreement did not include the bridge design and HLE did not have the design prepared.

The Board had no major concerns.

**Decision: Commissioner Bair moved to approve and sign the addendum to the Development Agreement for Rose River Estates Subdivision as presented by Ms. Olsen. Commissioner Jackson seconded. All voted in favor. The motion carried.**

REQUEST TO REIMBURSE HOMEOWNERS FOR REPLACEMENT OF ADDRESS SIGN RELATED TO ERROR IN ASSIGNING ADDRESS- REQUESTED BY TIFFANY OLSEN

Present: Tiffany Olsen- Planning & Development Director

The Board met to hold discussion and make a decision in regards to the request to reimburse homeowners for replacement of address sign related to error in assigning their address.

Ms. Olsen explained a request from Jamie Holm, Landowner, who resides within Deer Meadows 2 Subdivision. As the Board may recall, there was an error made during the addressing process, which caused additional cost to fix signage pertaining to her home address.

Ms. Olsen stated there were two other landowners that had errors made on their address as well but that Ms. Holm was the only individual requesting to be reimbursed by the county for the error made, in order to fix the decorative home address sign.

The Board had no issues with the submitted request for reimbursement.

**Decision: Commissioner Jackson move to reimburse Jamie Holm with \$98.43, located at 33 S 56 W, due to an error being made in assigning an address. Commissioner Bair seconded. All voted in favor. The motion carried.**

APPROVAL & SIGNING OF QUIT CLAIM DEED FOR A PORTION OF NORTH BINGHAM PARK TO THE CITY OF SHELLEY

Present: Gwen Inskeep- County Surveyor  
Paul Rogers- Prosecuting Attorney  
Ryan Jolley- Chief Deputy Prosecuting Attorney

The Board met to review and sign the Quit Claim Deed for a portion of North Bingham Park to the City of Shelley.

Mr. Rogers explained that Lindsey Dalley, Commission Clerk, was listening to the Shelley City Council Meeting via Facebook when there were concerns addressed in regards to the Quit Claim Deed. Ms. Dalley quickly contacted him and let him know of the issues and that the City of Shelley was not going to sign the document. At that time Mr. Rogers was able to get ahold of Adam French, City Councilman, and give

clarification on their concerns. Once clarification was made, the City Council approved and signed the Quit Claim Deed.

**Decision: Commissioner Bair moved to approve and sign the Quit Claim Deed and the Agreement with the City of Shelley in regards to the transfer of a portion of North Bingham Park. Commissioner Jackson seconded. All voted in favor. The motion carried. Once the Quit Claim Deed is recorded, Ms. Dalley will get a copy of the documentation to the City of Shelley.**

**DISCUSSION & POSSIBLE DECISION REGARDING THE REQUEST TO HIRE AN ADDITIONAL ADULT MISDEMEANOR PROBATION OFFICER- REQUESTED BY SHAWN HILL**

Present:           Shawn Hill- Probation Department  
                  Mary Reyes- Probation Department  
                  Mark Gough- Probation Department  
                  Laraine Pope- Human Resources Director  
                  Pamela Eckhardt- County Clerk

The Board met to hold discussion and make a possible decision in regards to the request to hire an additional Misdemeanor Probation Officer.

Mr. Hill referred to his letter before the Board today in regards to request approval for an additional Adult Misdemeanor Probation Officer position to the Misdemeanor Probation Division. Mr. Hill stated within the last six years, there has been a steady increase in misdemeanor cases being sent for supervision. In 2017, there was an average department caseload size of 287 individuals on probation throughout the year. Mr. Hill stated there are three full time Misdemeanor Probation Officers. One of those Probation Officers supervises the Misdemeanor Drug Court, which is the highest and most intense level of supervision. According to the National Association of Drug Court Professionals and Adult Drug Court Best Practice Standards- Volume II, a Misdemeanor Probation Office supervising the Misdemeanor Drug Court Program should have no more than 50 individuals under their supervision due to the nature of the intensity with the drug court program. This Probation Officer was carrying a caseload of approximately 65 in 2017. The Chief Administrator, in addition to her administrative duties was carrying a small caseload of Spanish speaking individuals in 2017. This left approximately 212 cases divided between the two Probation Officers.

Mr. Hill stated as of today, there are currently 419 cases under supervision of the Misdemeanor Probation Division. The Administrator is carrying a caseload of 34. The Probation Officer carrying the Drug Court caseload has 118, Daniel Herrera has a caseload of 112 and Jeff Nelson has a caseload of 129.

The challenges faced when the caseloads are excessive are listed below in no specific order:

- Caseload Management suffers meaning cases fall through the cracks and documentation is not maintained as it should be.
- Home visits are not being conducted unless it is of the utmost importance.
- The risk of burnout increases significantly, leading to unnecessary stress and a decrease in productivity.
- The overall consistency in effective supervision declines for the entire department.

The reasons for the increase in numbers can be attributed to the several factors, which are as follows:

- Covid-19 led to a minimal increase but balanced out by a decrease at the on-set as cases were being held up in the courts.
- According to the Uniformed Crime Report published by the Idaho State Police, crime in Bingham County saw an increase in 2021.
- The biggest factor of all has been a change in Judges and their practices and philosophies. This factor will not be changing anytime soon and even if it did, it would take 5-7 years for numbers to decrease at all.


Mr. Hill stated in addition to the challenges and problems described herein, the implementation of the State Data Base System referred to as Odyssey has created additional case management responsibilities for all Misdemeanor Probation Officers and Administrators. Another key factor that should be considered is the fact that Bingham County, the Misdemeanor Probation Officers are required to be in Court for Evidentiary Hearings, urinalysis testing for the judges and for the purposes of meeting with individuals outside the Courtroom after they have been sentenced and placed on probation. This time commitment accounts for about 4-7 hours per week.

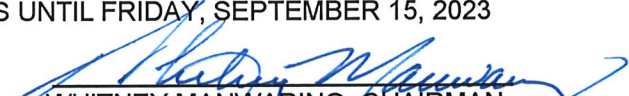
The current status of the Adult Misdemeanor Probation Department and the size of the department caseload clearly established the need for an additional Probation Officer.

Mr. Hill stated that ha has worked with Human Resources and Clerk Eckhardt to be sure there is proper funding for this additional position. Mr. Hill requested this position be advertised at an N20, Step 1 (\$20.80)

**Decision: Commissioner Jackson moved to approve the request to advertise for an additional Adult Misdemeanor Probation Officer, at an N20, Step 1 (\$20.80 per hour). Commissioner Bair seconded. All voted in favor. The motion carried.**

THE MOTION PASSED TO DISMISS UNTIL FRIDAY, SEPTEMBER 15, 2023

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

  
WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO        )  
                              : ss.               Friday, September 15, 2023  
County of Bingham    )

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

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

**CLAIMS**

Claims were approved in the amount of \$853,606.29

**CASH WARRANTS**

Cash Warrants were approved in the amount of \$50.00 and \$98.43, for a total of \$148.43.

**COLLEGE OF EASTERN IDAHO**

Two (2) Certificate of Residency documents were approved by the Board and sent to the College of Eastern Idaho for the following Bingham County student's: Brooklyn Marie Stewart and Brecker S. Williams.

**PERSONNEL ACTION FORMS**

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

New Employee Status Sheet:                               Planner  
  4-H Secretary  
  Detention Deputy

Salary Increase Form:

Emergency Communications Officer  
Database/Records Clerk  
Motor Vehicle Supervisor  
Detention Deputy

**Decision: Commissioner Bair moved to approve Cash Warrants, Claims, Administrative Documents and Personnel Action Forms for September 15, 2023. Commissioner Jackson seconded. All voted in favor. The motion carried.**

**APPROVAL OF THREE ALCOHOL CATERING PERMITS FOR THE SHOSHONE BANNOCK HOTEL & CASINO**

The Board met to approve and sign three Alcohol Catering Permits for the Shoshone Bannock Hotel & Casino for September 16, 2023, September 23, 2023 and September 30, 2023.

**Decision: Commissioner Jackson moved to approve and sign the three Alcohol Catering Permits for the Shoshone Bannock Hotel on September 16, 2023, September 23, 2023 and September 30, 2023. Commissioner Bair seconded. All voted in favor. The motion carried.**

**DECISION REGARDING SOLID WASTE CREDIT APPLICATION FOR 208 DUMPSTERS**

Present: Kevin Coles- 208 Dumpsters  
Darin Krael- 208 Dumpsters

The Board met to discuss and make a decision in regards to the submitted Solid Waste Credit Application for 208 Dumpsters.

The Board had no issues with the Solid Waste Credit Application.

**Decision: Commissioner Bair moved to approve the Solid Waste Credit Application for 208 Dumpsters, for the amount of \$2,500.00 per month. Chairman Manwaring seconded. All voted in favor. The motion carried.**

**APPROVAL & SIGNING OF LHTAC/LOCAL AGREEMENT LEADING IDAHO BRIDGE PROGRAM**

The Board met to approve and sign the LHTAC/Local Agreement Leading Idaho Bridge Program.


**Decision: Commissioner Bair moved to approve and sign the LHTAC/Local Agreement Leading Idaho Bridge Program. Commissioner Jackson seconded. All voted in favor. The motion carried.**

**EXECUTIVE SESSION**

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider Personnel matters. Commissioner Bair moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Jackson seconded. All in favor. The Board moved into Executive Session at 8:32 a.m. The Board moved out of Executive Session at 9:44 a.m.

**Decision: Chairman Manwaring stated that the Board asked Ms. Pope to re-advertise the Building Inspector Position for Planning & Development.**

THE MOTION PASSED TO DISMISS UNTIL TUESDAY, SEPTEMBER 19, 2023

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

  
WHITNEY MANWARING, CHAIRMAN



STATE OF IDAHO )  
 : ss. Tuesday, September 19, 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 L-1 CERTIFICATION OF LEVIES- REQUESTED BY CLERK ECKHARDT**

Present: Pamela Eckhardt

The Board met to approve and sign the L-1 Certification of Levies documentation. Clerk Eckhardt explained this is governed by Title 63, Chapter 8 and explained the process followed.

The Board had no concerns.

**Decision: Commissioner Bair moved to approve the L-1 Certification of County Levies for Bingham County as presented by Clerk Eckhardt. Commissioner Jackson seconded. All voted in favor. The motion carried.**

**PUBLIC HEARING TO RECEIVE THE PLANNING & ZONING COMMISSIONERS RECOMMENDATION TO APPROVE THE ZONING MODIFICATION FROM AGRICULTURE TO RESIDENTIAL AGRICULTURE AND THE COMPREHENSIVE PLAN MAP DESIGNATION FROM AGRICULTURE TO RESIDENTIAL/RESIDENTIAL AGRICULTURE FOR 132 AND 142 SOUTH 900 WEST, BLACKFOOT, IDAHO OWNED BY SHERI PECK**

Present: Tiffany Olsen- Planning & Development Director  
Chris Street- HLE  
Sheri Peck- Applicant  
Paul Rogers- Prosecuting Attorney  
Dawn Bingham- Property Owner  
Richard Bingham- Property Owner

At the onset of the Public Hearing, Commissioner Jackson recused himself due to the subject property located close to his home. Chairman Manwaring and Commissioner Bair both agreed. Commissioner Jackson was removed from the decision making at that time.

Requested Action: The Public Hearing was held pursuant to Bingham County Code Section 10-3-6(A)(11) where the Board held a Public Hearing, using the same notice and hearing procedures as the Commission, on the Application for an Amendment to the Zoning Designation.

In accordance with Bingham County Code 10-3-6, Notice of the Boards Public Hearing was provided as follows:

- a. Sent to 41 Government Agencies on August 22, 2023 (CC-3 List of Government Agencies and Notice)
- b. Published in the Bingham News Chronicle on August 25, 2023 (CC-2: Affidavit of Publication)
- c. Sent to 8 property owners within 300' of this property on August 22, 2023. (CC-4 Property Owners Mailing List and Notice)

- d. Site was posted on August 24, 2023 (CC-5 Notice of Posting)

Testimony received prior to the Boards Public Hearing was provided as follows:

(CC-10) Testimony in opposition from Alan Stander received on 9/8/2023.

(CC-11) Testimony in opposition from Alicia & Justin Clark and Brian and Charlotte Carper, received on 9/18/2023.

With no additional questions for Staff after presentation of the Staff Report, the Public Hearing was opened. The Board received testimony as follows:

(CC-12) Applicant's Representative, Chris Street- Professional Surveyor with HLE, 800 W., Blackfoot, Idaho, stated the zoning amendment request meets all criteria and fits the subject area. Mr. Street stated originally for the Planning & Zoning Commission Public Hearing, there was only one water sample out of Ms. Peck's home. After which, two additional samples were taken and came back non-detectable for nitrates. Mr. Street stated the Applicant is working with the Health Department to do additional test hole sampling, in order to be prepared for the subdivision application that would be forthcoming. The Applicant is also working with the Department of Environmental Quality on the requirements needed to proceed further.

Commissioner Bair asked Mr. Street if there are water rights for the property, to which Mr. Street stated there are water rights that will stay with the property. Mr. Street also added that a delivery system will be proposed during the Subdivision Application.

Commissioner Bair stated within the Staff Reports, it stated that concrete was buried, to which Commissioner Bair asked Mr. Street how deep said concrete was buried. Mr. Street stated he believes it was buried at approximately 10-feet.

Testimony received in favor of the Application was as follows:

(CC-13) Applicant, Sheri Peck, 142 S 900 W, Blackfoot, Idaho, submitted a letter of her testimony into the record as Exhibit CC-13A. Ms. Peck stated that concrete was buried directly in front of her home, which is located to the East side of her home and there would not be a home built. Further, Ms. Peck stated that the application conforms with Bingham County Code and the Comprehensive Plan area.

There was no testimony in a neutral position offered.

Testimony in Opposition:

(CC-14) Dawn M. Bingham, 903 W 200 S, Blackfoot, Idaho, stated that she lives south of the subject property and has since 1977. Ms. Bingham stated the major concern that she has is the water, which is exactly what the Department of Environmental Quality stated in their testimony letter. Ms. Bingham stated when they moved to the area, a post hole could not be dug without having water fill the hole. Ms. Bingham stated that they have a shallow water system and when you start adding septic systems, it will cause major issues.

(CC-15) Jeanne Isom, 150 S 900 W, Blackfoot, Idaho, submitted a photograph into the record as Exhibit CC-15A, which shows the major hole dug, wherein concrete was buried, is deeper than the 10-feet referred to by Mr. Street and shows a large amount of moisture and puddles of water. Ms. Isom stated that she would like to acknowledge that the property owner has rights but her concern is what has been done with the facility recently and over the years.

Commissioner Bair stated in the Planning & Zoning Commission Public Hearing, Ms. Isom mentioned having the well at her home tested and asked if that had been done. Ms. Isom stated she did have the well tested, which came back negative. Ms. Isom added that she currently purchased another piece of property nearby, also tested, which tested high for nitrates but she did not have the documentation in her possession for the Boards review.

Chairman Manwaring asked Ms. Isom if there is sub water, to which Ms. Isom stated there has been but it depends on the flow of the water.

**Applicant's Rebuttal:**

(CC-12) The Applicant's Representative, Chris Street, provided a rebuttal response to the testimony and questions by stating during the Planning & Zoning Commission Public Hearing, the water level was discussed and there are well logs showing the depths of the water and static water levels. Mr. Street stated within the next three (3) weeks, the Health Department would be digging test holes for further testing and monitoring of the water level.

Mr. Street stated if and when there is a Subdivision Application submitted, if there are concerns with surrounding property owners, he would encourage them to get their wells tested. Mr. Street stated that Ms. Peck does not want to damage aquifers nor does she want to damage the neighbors water supply and the more information they have as an engineering firm, the better the decision will be made.

Public testimony was closed and the Board moved into discussion and deliberation which was held and the Board hereby finds:

Bingham County Code Section 10-4-2(C) which states that the purpose of the "R/A" Zone in that parcel meets the following criteria:

1. Suitability of parcel for agricultural purposes.  
The Board found no concerns and that the 8.83 acres of property was previously utilized for the agricultural purpose of operating a dairy, however, there is no longer a desire for dairy operations. Chairman Manwaring stated that an individual would still have the opportunity to have a garden or have a few animals; and
2. Proximity to existing areas of similar population density.  
The Board found no concerns and that the Application is similar to the recently rezoned lands created for the Furniss Estates Subdivision (adjacent to the Applicants land) and The Acres Subdivision (approximately ¼ mile to the North). Both subdivisions were zoned Agriculture and had a Comprehensive Plan Map designation of Agriculture and received amendments to a Residential/Agriculture Zoning District with a Comprehensive Plan Map designation of Residential/Residential Agriculture; and
3. Lot size compatible with existing lot sizes in the immediate area.  
The Board found no concerns and that Exhibit S-6 displayed a number of subdivisions in the immediate area that are currently zoned Residential/Agriculture, therefore being compatible with existing lot sizes in the immediate area; and
4. Compatible with the existing uses in the immediate area.  
The Board found no concerns and that surrounding uses are a mixture of agricultural operations and residential parcels; and
5. Protection from incompatible uses.  
The Board found no concerns and that a zoning amendment to Residential/Agriculture would protect from incompatible uses as it would not allow for an industrial or manufacturing type use, which would not be compatible with surrounding uses; and

6. **Accessibility to adequate utilities**  
The Board found no concerns as there are existing culinary wells on the property, irrigation water shares, accessibility and power along 900 W.
7. **Adequate service by roadways.**  
The Board found no concerns and that 900 W is adjacent to the property on the East boundary which can provide access. The Bingham County Public Works Director stated that 900 W has a Functional Classification of a Local Road and did not express any concern with the Application, nor did the Bingham County Sheriff.

Chairman Manwaring stated after his review of the documentation within the Planning & Zoning Commission Staff Report, something that really stuck out to him was within testimony from Alan Stander, and the concerns with water but it also states the property is not suitable for farm ground. With a Residential/Agriculture area, it would allow for an individual to have a garden or a few cattle. Chairman Manwaring stated if the zoning on one side of the four sides is contiguous to that particular zone, he is in favor.

Commissioner Bair stated there were several concerns in regards to water, which would be further discussed in the Subdivision Application process in the future, if approved. Commissioner Bair added there were no individuals through testimony that stated they were against the Zone Change but had issues with the possibility of a subdivision.

**Decision: Commissioner Bair moved to uphold the decision of the Planning & Zoning Commission to approve the zoning amendment requested by Sheri Peck from "A" Agriculture to "R/A" Residential/Agriculture on approximately 12.21 acres at approximately 132 & 142 S 900 W, Blackfoot, Idaho, and a Comprehensive Plan Amendment from Agriculture to Residential/Residential Agriculture. Said decision is based upon the Reason & Decision of the Planning & Zoning Commission, the record as presented by staff and the discussion held today. Chairman Manwaring seconded. Commissioner Jackson recused himself due the subject property being close to his home, therefore, making a conflict. Both Chairman Manwaring and Commissioner Bair voted in favor. The motion carried.**

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

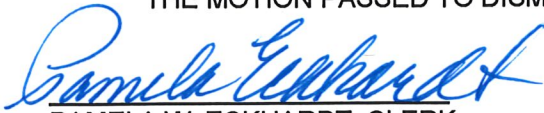
**Regulatory Takings:** Additionally, the Applicant may request a regulatory takings analysis as per Idaho Code Section 67-8003. An affected person aggrieved by a final decision concerning matters identified in Section 67-6521(1)(a), Idaho Code may within twenty-eight (28) days after all remedies have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

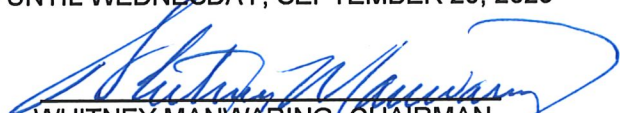
## PLANNING & DEVELOPMENT

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

The Board met with Tiffany Olsen to discuss updates within the Planning & Development Division, which included upcoming Public Hearing items for the Planning & Zoning Commission, updates regarding the Building Division and to date revenue.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY, SEPTEMBER 20, 2023

  
PAMELA W. ECKHARDT, CLERK  
Lindsey Dalley- Commission Clerk

  
WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO )  
 : ss. Wednesday, September 20, 2023  
County of Bingham )

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

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

CASH WARRANTS

Cash Warrants were approved in the amount of \$26,443.33, \$124.00 and \$750.00, for a total of \$27,317.33.

**Decision: Commissioner Jackson moved to approve Cash Warrants, Claims and Administrative Documents for September 20, 2023. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

APPROVAL OF TAX INQUIRY DOCUMENTS

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

RP1005700	Year 2023	Homeowner signed up for Homeowners Exemption
RP1032000	Year 2023	Homeowner signed up for Homeowners Exemption
RP0534500	Year 2023	Homeowner signed up for Homeowners Exemption
RP0509703	Year 2023	Homeowner signed up for Homeowners Exemption
RP0226906	Year 2023	Homeowner signed up for Homeowners Exemption
RP1274100	Year 2023	Homeowner signed up for Homeowners Exemption
RP7002100	Year 2023	Homeowner signed up for Homeowners Exemption
MH7002100	Year 2023	Homeowner signed up for Homeowners Exemption

**Decision: Commissioner Jackson moved to approve the Tax Inquiry Documents submitted by the County Assessor as presented. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

APPROVAL OF POLLING LOCATIONS & BALLOT NUMBERS FOR THE NOVEMBER 7<sup>TH</sup> ELECTION

Present: Danette Miller- Elections  
Pamela Eckhardt- County Clerk  
Megan Kearsley- Elections  
Kelli Robbins- Elections

The Board met to approve Polling Locations and Ballot Numbers for the November 7<sup>th</sup> Election.

**Decision: Commissioner Jackson moved to approve the Polling Locations and Ballot Numbers at 40% of registered voters for the November 7<sup>th</sup> Election. Chairman Manwaring seconded. Both voted in favor.**

#### APPROVAL OF ALCOHOL LICENSE'S

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

Mimi's Market Mexican Store  
Hard Times Quick Stop  
Smokin Gun BBQ  
El Mirador  
Gas & Scrub  
Walmart #1905  
Our Place Quick Stop  
Blackfoot Elks Lodge  
Stokes Fresh Food Market  
Valley Country Store

**Decision: Commissioner Jackson moved to approve Alcohol Licenses as presented for the business presented. Chairman 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

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

Discussion was held in regards to the request for reclassification of the Part-Time Evidence Tech for the Sheriff's Office. Chief Deputy Nebeker explained this was identified early on during the budget process and initially was going to be a band change but in speaking with Ms. Pope, it was decided the request before the Board should be a reclassification of the position itself. Chief Deputy Nebeker stated the original request was to reclassify the Part-Time Evidence Technician to an N11, Step 1 (\$16.03), from an N4 (entry level pay after October 1, 2023 is \$13.10). After further review from Ms. Pope, she recommended that this position would be more appropriate at an N12 with an entry at step 1 (\$16.50).

The Board had no major concerns in regards to the proposal.

**Decision: Commissioner Jackson moved to approve the request for reclassification of the Part-Time Evidence Technician to an N12, Step 1 (\$16.50). Chairman Manwaring seconded. Both voted in favor. The motion carried. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

Sheriff Gardner gave an update on the jail expansion project, Bancorp Leases and stated the current jail population is 88 inmates.

#### PRIOR APPROVAL- IT DEPARTMENT

Present: Matt Galloway- Out of Class IT Director

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

First, Mr. Galloway explained the Prior Approval for Major Purchase of CIS Security Outlook Device, which is the company used for security purposes of the network. Said purchase is in the amount of \$16,200.00 and it to be paid from Fund: 01-14-524-01 (Software-Renewals).

**Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of CIS Security Outlook Device. Said purchase is in the amount of \$16,200.00, to be paid from Fund: 01-14-524-01 (Software-Renewals). Chairman Manwaring seconded. Both voted in favor. The motion carried.**

Next, Mr. Galloway explained the submitted Prior Approval for Major Purchase of Password State-Click Studios, which is the current password manager/information storage for the IT Department anytime changes are made and keeps updated notes. Said purchase is in the amount of \$1,807.00 and is to be paid from Fund: 01-14-524-01 (Software-Renewals).

**Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of Password State-Click Studios. Said purchase is in the amount of \$1,807.00 and is to be paid from Fund: 01-14-524-01 (Software-Renewals). Chairman Manwaring seconded. Both voted in favor. The motion carried.**

Next, Mr. Galloway explained the submitted Prior Approval for Major Purchase of ESRI GIS Software Renewal, which is an annual renewal for desktop license used in the GIS Department. Said purchase is in the amount of \$2,200.00 and is to be paid from Fund: 01-14-524-01 (Software-Renewals).

**Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of ESRI GIS Software. Said purchase is in the amount of \$2,200.00 and is to be paid from Fund: 01-14-524-01 (Software-Renewals). Chairman Manwaring seconded. Both voted in favor. The motion carried.**

Next, Mr. Galloway explained the submitted Prior Approval for Major Purchase of What's Up Gold Annual Renewal, which is used for Network Monitoring. Said purchase is in the amount of \$2,450.00 and is to be paid from Fund: 01-14-524-01 (Software-Renewals).

**Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of What's Up Gold Annual Renewal. Said purchase is in the amount of \$2,450.00 and is to be paid from Fund: 01-14-524-01 (Software-Renewals). Chairman Manwaring seconded. Both voted in favor. The motion carried.**

Lastly, Mr. Galloway explained the submitted Prior Approval for Major Purchase of Enghouse Interactive Annual Renewal, which is the telephone directory used on the county computers. Said purchase is in the amount of \$6,361.92 and is to be paid from Fund: 01-14-524-01 (Software-Renewals).

**Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of Enghouse Interactive Annual Renewal. Said purchase is in the amount of \$6,361.92 and is to be paid from Fund: 01-14-524-01 (Software-Renewals). Chairman Manwaring seconded. Both voted in favor. The motion carried.**

#### EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider Personnel matters. Commissioner Jackson moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Chairman Manwaring seconded. All in favor. The Board moved into Executive Session at 9:23 a.m. The Board moved out of Executive Session at 10:00 a.m.

**Decision: Commissioner Jackson moved to move the current individual in the IT Support Specialist position to the IT Network Specialist Administrator, at a salary of N22, Step 5, to be in effect as of October 1, 2023. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

**Also, Ms. Pope will advertise the vacant position of IT Specialist**

**ONLINE PRESENTATION FOR GOGOV MOBILE APPLICATION**

Present: Pamela Eckhardt- County Clerk  
Paul Rogers- Prosecuting Attorney  
Jeff Gardner- Sheriff

The Board met with Emily Goczan with GOGov Mobile Application to receive a presentation as to the functions of the application and how it could benefit Bingham County.

No decision was made.

**HUMAN RESOURCES**

Present: Laraine Pope- Human Resource Director

The Board met with Laraine Pope to discuss updates within the Human Resource Department, which included current vacancies and recruitments.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY, SEPTEMBER 22, 2023



PAMELA W. ECKHARDT, CLERK  
Lindsey Dalley- Commission Clerk



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO )  
: ss. Friday, September 22, 2023  
County of Bingham )

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

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

**CASH WARRANTS**

Cash Warrants were approved in the amount of \$245.00 and \$816.57, for a total of \$1,061.57.

**CLAIMS**

Claims were approved in the amount of \$163,273.16.

**COLLEGE OF EASTERN IDAHO**

One Certificate of Residency was approved by the Board and sent to the College of Eastern Idaho for the following Bingham County student: Cherleen Fletcher.



PERSONNEL ACTION FORMS

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

Salary Increase Form: Director Parks & Rec/ Emergency Services  
 Director Planning & Development  
 Chief Admin Juvenile Probation  
 Chief Admin Adult Probation  
 Director Probation Services  
 Director Public Works  
 Deputy Clerk/Elections Assistant

Employee Status Sheet: Weeds Superintendent  
 Director HR/Risk Management  
 Property & Evidence Clerk  
 IT Support Specialist to System Support Specialist

**Decision: Commissioner Jackson moved to approve Cash Warrants, Claims, Administrative Documents and Personnel Action Forms for September 22, 2023. Commissioner Bair seconded. All voted in favor. The motion carried.**

TAX INQUIRY DOCUMENTS

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

RP1002500	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1322441	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1312440	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1312438	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1312436	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1419945	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1419932	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1312448	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1312447	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1312446	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1312445	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1312444	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1312443	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1312442	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP0035704	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1312428	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1312427	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1308529	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1300142	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1300135	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1300134	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1300132	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1300128	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP8271745	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP8270960	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP8270670	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP8269800	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP8267730	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP2168870	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP2168810	Year 2023	Homeowner signed up for Homeowners Exemption in 2023

RP2168800	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1312434	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1312433	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1312432	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1312431	Year 2023	Homeowner signed up for Homeowners Exemption in 2023
RP1312430	Year 2023	Homeowner signed up for Homeowners Exemption in 2023

MH352S30TCE030 Year 2023 Homeowner signed up for Homeowners Exemption in 2023

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

**APPROVAL & SIGNING OF FINAL PLAT FOR RIVER RUN ESTATES DIVISIONS 1 AND 2**

Present: Tiffany Olsen- Planning & Development Director

The Board met to approve and sign the Final Plat for River Run Estates Divisions 1 and 2.

**Decision: Commissioner Jackson moved to approve and sign the Final Plat for River Run Estates Divisions 1 and 2. Commissioner Bair seconded. All voted in favor. The motion carried.**

**DISCUSSION & APPOINTMENT OF PROSECUTING ATTORNEY**

Present: Ryan Jolley- Chief Deputy Prosecuting Attorney  
Paul Rogers- Prosecuting Attorney  
Lori Jorgensen- Prosecutors Office  
Jessica Evans- Prosecutors Office  
Traci Byrne- Prosecutors Office  
Desiree Figg- Prosecutors Office  
Tanna Beal- Treasurer  
Jeff Gardner- Sheriff  
Jordyn Nebeker- Chief Deputy Sheriff  
Scott Reese- Park & Recreation/Emergency Management  
Tiffany Olsen- Planning & Development Director  
Gwen Inskeep- County Surveyor  
Jared Anderson- Deputy Prosecuting Attorney  
Cammie Wood- Deputy Prosecuting Attorney  
Ollie Wimbish- Deputy Prosecuting Attorney  
Jason Chandler- Applicant for Prosecuting Attorney  
Jan Neish- Journalist  
Donavan Harrington- County Assessor  
Gordon Croft- City of Blackfoot Chief of Police  
Amanda Jolley- Wife to Ryan Jolley  
Pamela Eckhardt- County Clerk

The Board met with the two candidates, Ryan Jolley and Jason Chandler, who were recommended by the Bingham County Republican Central Committee, to ask a series of questions and appoint a new Prosecuting Attorney.

Paul Rogers stated there will be a vacancy at 12:00 p.m., and administration of Oath to the new Prosecuting Attorney will occur at 1:00 p.m., in Commission Chambers.

Chairman Manwaring stated the appointed individual would do so through the end of the term for Paul Rogers, which is January 2025.

The two candidates had the opportunity to present their credentials and each Commissioner had the opportunity to ask questions.

**Decision: Commissioner Bair moved to select Ryan Jolley to complete the Prosecuting Attorney term through 2025. Commissioner Jackson seconded. All voted in favor. The motion carried.**

**APPROVAL & SIGNING OF ACCEPTANCE DOCUMENTATION FOR THE FISCAL YEAR 2024 IDAHO PUBLIC SAFETY COMMUNICATIONS COMMISSION GRANT FUNDING**

Present: Scott Reese- Parks & Recreation/Emergency Management  
Jeff Gardner- Sheriff

The Board met to approve and sign the acceptance documentation for the Fiscal Year 2024 Idaho Public Safety Communications Commission Grant funding for E911 Funding.

**Decision: Commissioner Jackson moved to approve and sign the acceptance documentation for the Fiscal Year 2024 Idaho Public Safety Communications Commission Grant. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

THE MOTION PASSED TO DISMISS UNTIL FRIDAY, SEPTEMBER 29, 2023



PAMELA W. ECKHARDT, CLERK

Lindsey Dalley- Commission Clerk-----



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO        )  
                              : ss.               Friday, September 29, 2023  
County of Bingham    )

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

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

**CASH WARRANTS**

Cash Warrants were approved in the amount of \$34,845.63, \$5,823.00 and \$91,243.47, for a total of \$131,912.10.

**CLAIMS**

Claims were approved in the amount of \$484,384.86.

**PAYROLL**

Payroll was approved in the amount of \$838,912.28.

**PERSONNEL ACTION FORMS**

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

Salary Increase Form: Senior Equipment Operator  
Emergency Communication Officer  
Patrol Deputy  
Deputy  
Lead Scale House Operator  
Truck Driver  
Truck Driver  
EOIT  
Truck Driver  
Truck Driver  
Truck Driver  
Truck Driver  
Truck Driver  
Truck Driver  
Truck Driver  
Drug Court Coordinator  
Treasurers Clerk  
Deputy Court Clerk

**Decision: Commissioner Jackson moved to approve Cash Warrants, Claims, Administrative Documents and Personnel Action Forms for September 29, 2023. Commissioner Bair seconded. All voted in favor. The motion carried.**

APPROVAL OF COMMISSIONER MINUTES FROM AUGUST 14-31, 2023

The Board met to approve Commissioner Minutes from August 14-31, 2023.

**Decision: Commissioner Bair moved to approve Commissioner Minutes for August 14-31, 2023. Commissioner Jackson seconded. All voted in favor. The motion carried.**

PRIOR APPROVAL- SHERIFF'S OFFICE

Present: Kris Talbot- Sheriff's Office Lieutenant  
Jordyn Nebeker- Chief Deputy Sheriff  
Ryan Jolley- Prosecuting Attorney  
Ollie Wimbish- Deputy Prosecuting Attorney  
Gwen Inskeep- County Surveyor  
Darrell Fellows- Sheriff's Office Lieutenant  
Pamela Eckhardt- County Clerk  
Laraine Pope- Human Resource Director

The Board met to address several Prior Approval for Major Purchase documentations for the Sheriff's Office.

Lieutenant Talbot explained the submitted Prior Approval for Major Purchase of two (2) Milnor M96P 95LB Capacity Natural Gas Dryers to update the 13-year old dryers and upgrading capacity for the upcoming jail expansion. Said purchase is in the amount of \$29,140.00 and is to be paid from Fund: 05-03-800-01 (Capital Jail Expenditures).

**Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of two (2) Milnor M96P 95 LB Capacity Natural Gas Dryers. Said purchase is in the amount of \$29,140.00 and is to be paid from Fund: 05-03-800-01 (Capital Jail Expenditures). Commissioner Bair seconded. All voted in favor. The motion carried.**

Next, discussion was held in regards to the Prior Approval for Major Purchase of lease payments to be made to Bancorp on behalf of the Sheriff's Office. Said Prior Approval is in the amount of \$91,243.47 and

is to be paid from the following Funds: 05-02-801-00 (Capital Vehicles) \$63,000.00, 05-09-801-00 (Capital Vehicles-Aberdeen) \$26,900.00 and 9137-00-86-00 (Sheriff's Trust) \$1,343.47.

**Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of lease payments to be made to Bancorp on behalf of the Sheriff's Office. Said Prior Approval is in the amount of \$91,243.47 and is to be paid from the following Funds: 05-02-801-00 (Capital Vehicles) \$63,000.00, 05-09-801-00 (Capital Vehicles-Aberdeen) \$26,900.00 and 9137-00-86-00 (Sheriff's Trust) \$1,343.47. Commissioner Jackson seconded. All voted in favor. The motion carried.**

CLAIMS FOR THE PREVIOUS MONTH WERE APPROVED AS FOLLOWS:

Current Expenses .....	\$328,083.30	Weeds .....	\$12,095.44
Road & Bridge .....	\$663,270.60	Emergency Communication.....	\$33,119.80
Airport.....	\$27.08	Road & Bridge Special	
Justice Fund .....	\$515,192.17	Projects.....	\$532,438.36
District Court.....	\$127,711.14	Waterways.....	\$4,148.13
Historical Society & Museum....	\$11,250.00	ARPA Funds.....	\$431.59
Parks & Recreation .....	\$15,298.00	Treatment Court Fund.....	\$3,483.08
Revaluation.....	\$39,410.14	Junior College Fund.....	\$250.00
Solid Waste.....	\$368,204.68	Consolidated Elections.....	\$3,284.44
Veterans Memorial.....	\$1,160.87		

THE MOTION PASSED TO DISMISS UNTIL MONDAY, OCTOBER 2, 2023

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

WHITNEY MANWARING, CHAIRMAN