

STATE OF IDAHO)
 : ss. Monday, April 1, 2024
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
Troy Lenhart- Road & Bridge Supervisor
Scott Reese- Emergency Services/Parks & Recreation
Sheri Landon- Court Supervisor
Laraine Pope- Human Resources Director
Jason Marlow- Building Maintenance
Tiffany Olsen- Planning & Development Director
Shawn Hill- Probation Director
Cody Lewis- Treatment Court
Julie Buck- Extension Office
Marnie Spender- Supervisor of Extension in Eastern Idaho
Matt Galloway- IT Department
Ryan Jolley- Prosecuting Attorney
Jordyn Nebeker- Chief Deputy Sheriff
Tanna Beal- County Treasurer

Excused: Jeff Gardner- Sheriff
Gordon Croft- Blackfoot Chief of Police
Marc Carroll- City of Blackfoot Mayor
Grahm Anderson- City of Blackfoot Treasurer
Jimmy Roberts- County Coroner
Danette Miller- Elections Office

The Commissioners met with department heads and Elected Officials for the April 2024 Staff Meeting. Chairman Manwaring conducted the Staff Meeting.

Pledge of Allegiance: Chairman Manwaring conducted.

Approval of Minutes for Staff Meeting held in March 2024: There were no changes to be made. Therefore, the Staff Meeting Minutes for March were approved as written.

Special Presentation: Matt Galloway gave a presentation in regards to the onboarding and offboarding of employees and provided each department head with a list of login accounts and emails that have not been accessed. Mr. Galloway asked that all department heads review the list and provide input as to who does or does not need an account. A brief discussion was also held in regards to how often an account should be logged into and if not when would suspension of account occur. Mr. Galloway stated if any department heads have input in regards to that matter, please advise himself or Laraine Pope.

Safety Concerns: None.

Employee Years of Service Recognition: Jordyn Nebeker recognized Leland "Kaigan" Young for five years of service to Bingham County. Jordyn stated Kaigan is a capable individual, is humble, driven and a pivotal role on the SWAT Team. He is currently a Corporal on Patrol as well. Other employees respect him and he has had a huge impact on the Sheriff's Office.

Jordyn Nebeker recognized Shirley Featherston for thirty years of service to Bingham County. Shirley stated that she started reserving in 1993 within Dispatch and did so for seventeen years. Shirley then moved into the Civil Department where she remains and is considered to be a management role. Jordyn stated that Shirley also assists with other Civil Offices throughout the State of Idaho and the way she is able to do that is she has formulated a curriculum to onboard civil employees. This started at a tri-county level, which is seventeen counties and it now is being utilized clear to Coeur d'Alene. Shirley is an employee that makes Bingham County well known for her hard work and if there was a way to go national she would make that happen. Shirley is a huge asset to Bingham County.

Shirley Featherston: Stated that the Civil Department intakes all legal documents from the Prosecutors Office, Clerks and Planning & Zoning. Those documents are input into the system and are then sent out for service to whom they need to be served upon. The Civil Department handles all garnishments with all employers within Bingham County and last year there was approximately \$1.8 Million in funding that was collected through garnishments. There were also close to 4,000 papers served last year. Chairman Manwaring added that Shirley also assisted in the upkeep of the County website for over thirteen years.

Sheri Landon recognized Tori Lambert for five years of service to Bingham County and stated that she started within the Magistrate Division working at the front window to assist the citizens. Tori did not have any legal experience when she started with the county, she learned to run the front window with customer service skills along with knowing everyone else's job throughout the Magistrate office. She then moved into the Criminal position and has now since moved to District Court where she is the main Clerk for Treatment Court, Search Warrants and other responsibilities. Sheri stated that Tori is smart, detail oriented, a problem solver and worked to find an answer when needed.

Tori Lambert: Stated that five years has gone by quick and the county is a great place to work.

Dusty Whited recognized Glen Dial for five years of service to Bingham County. Glen works within the Weed Department and is the only individual that he knows who has been able to pass the Weed Test Applicator test. Dusty stated that Glen is a hard worker and a benefit to Bingham County.

Scott Reese recognized Kaylee Gardner for five years of service to Bingham County. Scott stated that Kaylee started working in the park in Moreland and is now at North Bingham Park in Shelley. She is not afraid to enforce rules, is a hard worker and a great employee.

Commissioner Jackson: Had no updates at this time.

Chairman Manwaring: Stated the last three weeks there have been scouts that have come into Commission Meetings who are working on their Citizenship Badge and it has been fun to see them participate and listen to the meetings.

Commissioner Bair: Had no update at this time.

Clerk Pamela Eckhardt: Stated that the budget year is halfway through and when looking at the expenditure reports, there are some line items that are starting to go into the red. Clerk Eckhardt asked all department heads to be cautious and keep an eye on budgets. Next month budget packets will be dispersed. Clerk Eckhardt stated that the county budget has been in a good spot as there has been additional Federal and State funding but that will be going away. Therefore, the budget might need to be tightened during planning.

Laura Lora: Had no updates at this time.

Clerk Pamela Eckhardt added that Laura Lora has done an amazing job since she has taken on the role of Chief Deputy Clerk since Gina Perschon has retired. She is also completing payroll and is the Director of the Indigent Department.

Donavan Harrington: Had no updates at this time.

Dusty Whited: Had no updates at this time.

Scott Reese: Stated that the river will be high this spring and gave an update on water for Palisades.

Sheri Landon: Stated that she would like to thank Building Maintenance for their hard work with installing benches in Courtrooms 2 and 4.

Laraine Pope: Had no updates at this time.

Jason Marlow: Introduced the new Building Maintenance Specialist in his department, Jonathan Stimens.

Tiffany Olsen: Gave an update on the newly completed Goshen Wind Project.

Shawn Hill: Had no updates at this time.

Cody Lewis: Stated that Misdemeanor Drug Court Graduation is scheduled for April 25th at 4:00 and Felony Drug Court Graduation is scheduled for April 30th at 4:00.

Chairman Manwaring took a moment to give an update on the newly opened Center for Hope, wherein he stated there was a large turnout for the ribbon cutting. The county assisted with the project by using Opioid Funding to assist with startup cost.

Ryan Jolley: Had no updates at this time.

Jordyn Nebeker: Stated that he would like to thank Public Works for their hard work during the last snow storm in keeping the roads clear. Jordyn stated that there will be visible progress this month on the jail expansion project, which is moving along nicely. Lastly, Jordyn added that the initial point of contact by phone to the Sheriff's Office should go to the main Sheriff's Office line (Extension 3044) rather than the direct line to the Office Manager.

Tanna Beal: Stated we have received revenue from the wind energy projects for the past twelve years and that revenue goes to the schools and other taxing districts within the area in which the project resides.

Julie Buck: Stated that canning class has finished and went well. Reed Findlay is halfway through Master Gardener classes for this year and is currently working on test plots for alfalfa and barley.

Marnie Spencer: Stated that she would like to thank the Board for their continued support of the Extension Office.

Matt Galloway: Had no updates at this time.

Clerk Pamela Eckhardt gave a quick update on behalf of the Elections Office and stated the Primary Election is May 21, 2024.

Lastly, Jordyn Nebeker stated that the City of Blackfoot has acquired an evidence van through a grant that will also be utilized by the Sheriff's Office.

Chairman Manwaring stated next Staff Meeting is scheduled for Monday, May 6, 2024 at 8:30 a.m.

Nothing further.

ALCOHOL LICENSE FOR JOURNEYS END GOLF COURSE

The Board met to approve and sign the Alcohol License for Journey's End Golf Course.

Decision: Commissioner Jackson moved to approve the Alcohol License for Journey's End Golf Course. Commissioner Bair seconded. All voted in favor. The motion carried.

APPROVAL & SIGNING OF PROCLAMATION FOR MAY BEING MILITARY CAREGIVER MONTH

Present: Pamela Eckhardt- County Clerk
Susan Denny- Indigent Services

The Board met to approve and sign a Proclamation for May being Military Caregiver Month. Pamela Eckhardt explained that this Proclamation was presented during the Idaho Association of Counties Conference, wherein her and Commissioner Bair were present for said presentation.

It was requested by Michelle Chadwick, Hidden Heros and Idaho State Society Daughters of the American Revolution that the County appoint a contact person in which she would have the ability to forward resources for military caregivers within Bingham County. The Board found that it would be beneficial to appoint Susan Denny, Veteran's Services Officer, to be that point of contact. The Commission Clerk will forward the pertinent information onto Ms. Chadwick for said point of contact.

Decision: Commissioner Bair moved to approve and sign the Proclamation declaring May as Military Caregiver Month in Bingham County and read said Proclamation into the record. Commissioner Jackson seconded. All voted in favor 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



PROCLAMATION

IN SUPPORT OF BINGHAM COUNTY'S MILITARY CAREGIVERS IN COLLABORATION WITH IDAHO'S DAR AND HIDDEN HEROES

WHEREAS, the series of wars and conflicts in which our nation has been engaged over time, since World War II, has resulted in 5.5 million military and veteran caregivers who are parents, spouses, siblings and friends, caring for those wounded, ill or injured who have served our nation, as documented by the 2014 RAND study commissioned by the Elizabeth Dole Foundation; and

WHEREAS, the daily tasks of these military and veteran caregivers can include bathing, feeding, dressing and caring for the injuries of wounded warriors, administering medications, providing emotional support, caring for the family and the home, and working outside the home to earn essential income; and

WHEREAS, the nation provides multi-faceted support to our wounded, ill and injured veterans and service members through public, private and philanthropic resources, but their caregivers receive little support or acknowledgement; and

WHEREAS, most military and veteran caregivers consider the challenging work they do as simply carrying out their civic and patriotic duty, without realizing they are, in fact, caregivers, and do not identify themselves as such; and

WHEREAS, an alarming number of military and veteran caregivers, according to research, are suffering numerous debilitating mental, physical and emotional effects as a result of their caregiving duties; and

WHEREAS, Bingham County desires to recognize and support those who are serving in these vital roles in our own community;

NOW, THEREFORE, BE IT RESOLVED

1. That Bingham County, announces its support of military and veteran caregivers in our communities.
2. That Bingham County seeks to identify military and veteran caregivers residing in our communities and determine the unique challenges they face.
3. That Bingham County will work to ensure that our government, organizations, employers and non-profits are aware of the unique challenges of military and veteran caregivers and are encouraged to create supportive environments and opportunities for assistance.

"Potato Capital"

4. That Bingham County encourages all who care for and support veterans and service members to extend that support to their caregivers.
5. That Bingham County shall designate a point of contact for our community, for citizens and organizations wanting to offer support and caregivers seeking that support.
6. That Bingham County uses the Elizabeth Dole Foundation's Military Caregiver Experience Map to understand the state of the military caregiver Journey and use it as a tool to encourage community understanding and support.
7. That Bingham County shall work in concert with the Idaho State Society, Daughters of the American Revolution (ISSDAR) to execute these tasks, thereby ensuring Idaho's Military Caregivers are identified, acknowledged for their service, and supported wherever possible.

DATED this 1st day of April, 2024.

ATTEST:


 Pamela W. Eckhardt
 Bingham County Clerk


 Whitney Manwaring, Chairman


 Mark R. Bair, Commissioner


 Eric Jackson, Commissioner



EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(d), to consider Records that are exempt from public disclosure. Commissioner Jackson moved to go into Executive Session pursuant to Idaho Code §74-206(1)(d), to consider records that are exempt from public disclosure. Commissioner Bair seconded. Both in favor. The Board moved into Executive Session at 10:06 a.m. Commissioner Bair moved to go out of Executive Session. Commissioner Jackson seconded. The Board moved out of Executive Session at 10:15 a.m.

Decision: Per the recommendation of Susan Denny, Indigent Services, Commissioner Bair moved to approve Indigent Cremation Case Number 2024-3, to Hawker Funeral Home in the amount of \$2,000.00. Commissioner Jackson seconded. All voted in favor. The motion carried.

BUILDING MAINTENANCE

Present: Jason Marlow- Building Maintenance Supervisor

The Board met with Jason Marlow to discuss updates within the Building Maintenance Division and other agenda requests.

Discussion was held in regards to the current pickup currently being used by Building Maintenance and the possibility of acquiring a newer and more reliable pickup. Jason Marlow explained that the current transmission in the current pickup has gone out and the cost to rebuild the transmission is approximately \$6,500 and for a used transmission it would be approximately \$4,000. Chairman Manwaring stated with the cost to repair or purchase a used one, it is not worth it and suggested that Mr. Marlow gather costs for potential purchases of a new pickup.

After discussion, the Board requested that Mr. Marlow gather quotes as to what it would cost for a pickup that would fit the needs of the Building Maintenance Division.

Nothing further at this time.

REQUEST FOR ISSUANCE OF CONDITIONAL CERTIFICATE OF OCCUPANCY PERMIT FOR THE HOME LOCATED AT 1385 NORTH 735 EAST IN SHELLEY, IDAHO- REQUEST SUBMITTED BY HAILEY ANDERSON- HOMEOWNER

Present: Hailey Anderson- Homeowner
Kevin Anderson- Homeowner
Tiffany Olsen- Planning & Development Director
Addie Jo Jackman- Planning & Development Assistant Director
Dusty Whited- Public Works Director
Via Phone: Randy Adams- Shelley/Firth Fire Chief

The Board met to discuss the request for issuance of Conditional Certificate of Occupancy Permit for the home located at 1385 North 735 East in Shelley, Idaho.

Kevin Anderson stated that he would like to thank all attendees for taking the time to meet and discuss the subject matter. Mr. Anderson stated that he knew full occupancy requires the legal access road but were under the impression that they would be allowed a Conditional Certificate of Occupancy, which has also been denied. Mr. Anderson stated that he has not closed on his loan and the builder actually financed the building of the home. Therefore, they need the funds to be able to pay the builder and to be able to build the legal access road. Mr. Anderson stated that he may be able to get away without Conditional Certificate of Occupancy, as he has been working on a solution to the matter and what is holding them up on loan closing is actually a requirement from the Title Company, not from the lender, for the occupancy. Therefore, they should be able to find a title company that will not require an occupancy and are in the process of curing that.

Mr. Anderson stated that he would like clarification as to the specifics of what the road is required to be. One of the proposed ordinances was part of the reasons as to why the road has not been completed and that would drastically reduce the width of the road. Mr. Anderson stated that he held a telephone call with Fire Chief Randy Adams, wherein he was advised that 16-feet would be sufficient and that is what he would like clarification on.

Commissioner Bair stated the road is a private road and the only condition should be is what Chief Adams would require for emergency services vehicle access. Tiffany Olsen stated that construction of the private road is left to the discretion of the appropriate Fire District and Mr. Adams has provided written direction to the Developer, Mr. Kaleb Phelps, that the road width would be 20-feet wide, to which Mr. Phelps agreed that he understood.

Mr. Anderson stated his question would be that in speaking on the telephone with Chief Adams, he had mentioned 16-feet and asked if they are able to do so due to the cost. Chairman Manwaring stated it was discussed previously for another area, to do the 16 feet on private road so long as there is a crash gate and access. Chief Adams stated during a previous meeting held with the Phelps' and the Ricks', on the other road (750), the same discrepancy was had. When Bingham County adopted International Fire Code to private driveways, that forces his hand to stick to that, wherein the past he did not have to. Chief Adams

stated the road should be 20 feet. After discussion and trying to help the Ricks', where they had agreed to connect with a crash gate to the 26-foot road, it was decided that the 16 feet would suffice.

Mr. Anderson again stated that he had spoke with Chief Adams and he stated 16-feet would be acceptable. Chairman Manwaring asked Chief Adams if he in fact would be in agreeance of the 16-feet, wherein Chief Adams stated that if there is going to be two points of access he would be okay with 16-feet. His main concern is that the 1375 road was to be the 16 feet rather than the 20 feet and when he went to look at the road today, that road is still only at 12 feet. Chief Adams stated that he still would not be able to access that home further other than getting to the side of the road.

Ms. Olsen stated the agreement that Mr. Phelps had with Chief Adams was 20 feet for all private roads within Divisions 1, 2, 3, and 4 of River Run Estates Subdivision. As a County, the agreement is with the Developer, not with a homeowner within a subdivision that is yet to be developed. Therefore, Ms. Olsen stated there are two separate conversations to be had. If Chief Adams is agreeing to 16-foot-wide private roads within that 50-foot easement, that is okay but Mr. Phelps would need to agree that the section of the road from the beginning of 1400 North to the termination of the cul-de-sac, is 16 feet wide, not 20 feet wide, as that is the current agreement between the County, the Developer and the Fire Marshall. Ms. Olsen stated that it would need to be certain that the road is constructed prior to the occupancy being issued from 1400 North, with that cul-de-sac.

Chairman Manwaring stated that he is in favor of 16 feet road so long as Chief Adams is in agreeance as well. Chief Adams stated that it needs to be confirmed that 16 feet would only be conditional if there is still a full turnaround at the end of the road and the gate still continues through to a second access. Chief Adams stated that his concern is that access looks as though it will access a private lane to 734, where the other access was connected to a county road where no one could park or obstruct. Therefore, would leave the owner of 734 maintaining more road than they may want to. Ms. Olsen stated that would be Jacob Phelps' home.

Commissioner Bair stated that he understands what Mr. Anderson is saying and the road is long but if 20-foot road is required in other divisions, it is not fair to allow 16 feet on this portion.

Ms. Olsen stated the subdivision was approved with two crash gates, one at the subject location and the other separating the division right parcels owned by Phelps, Ricks and Vance, along with a second parcel that is currently being developed by Vance further to the west. There is one private road that has not been constructed in River Run Division 3 and she would anticipate if allowed to reduce to 16 feet in this division, there would be a request from the Developer, to reduce that easement to 16 feet as well.

Chief Adams stated there was a previous request from Mr. Ricks to not require 20 feet and he is unsure as to the outcome of that request. Ms. Olsen stated the Board of County Commissioners does not have a role to play in those requirements as those parcels are not in a subdivision and are treated differently than a subdivision would be. That was a private agreement between Mr. Adams, as the Fire Marshal and the landowners on what that width needed to be and the turnaround style. Ms. Olsen stated that she has not heard from Mr. Ricks in more than 8 months on the status of building that private road out. That is why Mr. Ricks and Mr. Phelps have Conditional Certificates of Occupancy is because they are not a part of the subdivision. The Board of County Commissioners signed a decision stating that none of the developments in River Run Divisions 1, 2, 3, or 4, could receive a Certificate of Occupancy, until their legal access was constructed and approved, that is why the parcel the Mr. Anderson purchased is within a subdivision and is treated differently.

Ms. Anderson read into the record an email that was received by Mr. Ricks in regards to why things hadn't progressed forward was because of the proposed ordinance. The email dated October 13, 2023 states, "as of right now, subject to change, driveways are required to be 12 feet clear width with minimum clear height of 13 feet, 6-inch pit run, gravel, with all statistics on the road". Specifically, with the width was because of the new ordinance, which has been in the works for some time now, but comes down to it costs a lot to put in this road. Ms. Anderson stated again that was the holdup is the wait for the ordinance.

Ms. Olsen stated when referring to the ordinance, it was a resolution adopting private road construction standards, which has been in the works for a while, has not been presented to the Board of Commissioners and specifically states for all new private roads, not to be grandfathered or applied to roads that have previously been accepted into a subdivision process. The point of it is, all of this in private road is between the lot owners and Developer and does not have a role with the county except for the county has a contract with the Developer to build what is platted. Therefore, how the road is paid for and what those specifications are, is something that the lot owner and Developer will need to work on.

Ms. Olsen stated that the agreement between the county and the Developer specifically states that the Developer should construct and install at the Developers own expense, all improvements that are listed. Therefore, this should be a conversation between Mr. Phelps and the Andersons. Ms. Anderson stated there have been so many changes throughout this subdivision plan and therefore does not hold weight. Ms. Anderson stated that things could change and would be a decision made by the Board.

After discussion, Ms. Olsen suggested that the Anderson's work with Mr. Phelps and Chief Adams to come up with an agreement as to the road width. If approved at the 16 feet, Mr. Adams would need to be specific and that the only reason why he is allowing a reduction from 20 feet is because there is a crash gate providing thru access in the event of an emergency, that is not the new standard and is very specific to the subject location. Having that written approval between Chief Adams and the Developer, would be simple for Ms. Olsen to bring to the Board of Commissioners and advise them of the negotiated agreement. There is a timeframe and the road is to be built by November 7th, which is the two year mark.

Chairman Manwaring asked Mr. Anderson to schedule a time to meet with the Developer and Chief Adams to come to a negotiated agreement. There will be a written document between the parties showing the negotiated agreement made. This agreement will be provided to Planning & Development and Ms. Olsen would present that agreement to the Board.

Commissioner Bair and Commissioner Jackson concurred.

Nothing further.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY, APRIL 3, 2024

	
PAMELA W. ECKHARDT, CLERK	WHITNEY MANWARING, CHAIRMAN
Lindsey Dalley- Commission Clerk-----	

STATE OF IDAHO)
 : ss. Wednesday, April 3, 2024
 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

Two (2) Cash Warrant's were approved in the amount of \$60.00 and \$136.00, for a total of \$196.00.

COLLEGE OF SOUTHERN IDAHO

One (1) Certificate of Residency was approved and sent to the College of Southern Idaho for the following Bingham County student: Jase P. Bradey.

Decision: Commissioner Bair moved to approve Cash Warrants, Claims and Administrative Documents for April 3, 2024. 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)(d), to consider Records that are exempt from public disclosure. Commissioner Jackson moved to go into Executive Session pursuant to Idaho Code §74-206(1)(d), to consider records that are exempt from public disclosure. Commissioner Bair seconded. Both in favor. The Board moved into Executive Session at 8:21 a.m. Commissioner Bair moved to go out of Executive Session. Commissioner Jackson seconded. The Board moved out of Executive Session at 8:34 a.m.

Decision: Per the recommendation of Susan Denny, Indigent Services, Commissioner Bair moved to approve Indigent Cremation Case Number's 2024-4 and 2024-5, to Hawker Funeral Home in the amount of \$2,000 per cremation. Commissioner Jackson seconded. All voted in favor. The motion carried.

SHERIFFS OFFICE

Present: Jeff Gardner- Sheriff
Jordyn Nebeker- Chief Deputy Sheriff
Kris Talbot- Detention Lieutenant

The Board met to discuss updates within the Sheriffs Office, which included jail population and update on the jail expansion/courthouse remodel project.

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
Dan Eldridge- Shelley Hillcrest Cemetery

The Board met to discuss updates within the Public Works Division and other agenda requests.

Discussion was held in regards to the requested submitted by Dan Eldridge in regards to the Shelley Hillcrest Cemetery purchasing three-quarter road base from the county. Mr. Eldridge stated they have expanded the Shelley Hillcrest Cemetery and is requesting to purchase three-quarter road base from Bingham County. Mr. Eldridge stated he would need approximately 10 loads of gravel.

Mr. Whited stated there is no government rate for the gravel but to haul the gravel, it would be at the new FEMA Rate (\$108.34) for a dump truck per load hourly rate. Mr. Whited will gather quotes to provide to Mr. Eldridge for his review.

In the past when this was done, an MOU was signed between the county and the other entity, which will need to be done if approved. Mr. Eldridge stated that he would gather a few quotes and decide what would work best for their cemetery budget prior to making a final decision.

Decision: Commissioner Jackson moved to approve the request submitted by Dan Eldridge for Shelley Hillcrest Cemetery for 10 loads of reject or road base, with a condition of signing an MOU between the Shelley Hillcrest Cemetery and Bingham County. Commissioner Bair seconded.

Chairman Manwaring added that this would be dependent on cost and what would be best for the budget of the Shelley Hillcrest Cemetery. All voted in favor. The motion carried.

PUBLIC HEARING- PURSUANT TO IDAHO CODE SECTION 63-1311A, REGARDING ADDITION OF FEES FOR THE PUBLIC WORKS DEPARTMENT AND DECISION REGARDING THE SAME

Present: Dusty Whited- Public Works Director

The Board held a Public Hearing pursuant to Idaho Code Section 63-1311A, in regards to the addition of fees for the Public Works Department and a decision regarding the same. Chairman Manwaring welcomed all to the meeting and introductions were held.

Mr. Whited stated that he has received a request for deer crossing signage to be placed within a specific location. In the past this has not been done and therefore, is before the Board of Commissioners to see if this is a process that the Board would like to do and to add the fee into the fee schedule. Mr. Whited stated that this would be treated similar to the engine brake signage and if the individual felt they would like signage placed, they would submit an application and pay the initial cost of the signage and the work to install said signage. After the signage, the county would maintain the sign in the future if there is any damage done to the sign.

If approved, the cost to be added to the fee schedule is as follows:

Application for installation of Deer and Elk Crossing Signage:

Deer and ELK Crossing Zone requires (2) 30" x 30" standard regulatory signs required for each zone. Cost per zone is \$200.00 for a total of \$400.00, which includes labor, equipment and materials for installation.

Chairman Manwaring asked if there was any testimony in favor. There was none.

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

Chairman Manwaring asked if there was any testimony in opposition. There was none.

The Public Hearing was closed to testimony and the Boards deliberation was held.

Chairman Manwaring stated this was discussed previously and he has no issues regarding the fee addition.

Commissioner Bair and Commissioner Jackson concurred.

Decision: Commissioner Bair moved to approve and sign Bingham County Resolution 2024-15, which is a resolution adding fees for the Bingham County Public Works Department. Commissioner Jackson seconded. All voted in favor. The motion carried and said resolution was adopted and signed as follows:

BINGHAM COUNTY
RESOLUTION NO. 2024-15

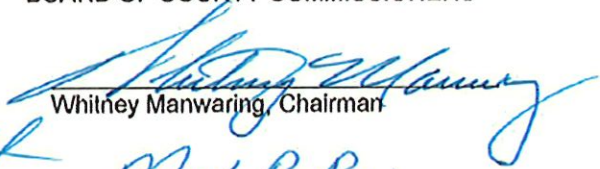
A RESOLUTION ADDING FEES FOR THE BINGHAM COUNTY PUBLIC WORKS DEPARTMENT.

Whereas, the Bingham County Commissioners met on the 3rd day of April, 2024, and approved the following fees provided by the Bingham County Public Works Department, pursuant to Idaho Code §63-1311A.

Be it hereby resolved that the fee addition for the Bingham County Public Works Department, which is attached as Exhibit A, which will be effective immediately.

ADOPTED this 3rd day of April 2024.

BOARD OF COUNTY COMMISSIONERS


Whitney Manwaring, Chairman

ATTEST: 
Pamela Eckhardt
Bingham County Clerk


Mark R. Bair, Commissioner


Eric Jackson, Commissioner



EXHIBIT A to Resolution 2024-15



BINGHAM COUNTY PUBLIC WORKS DEER AND ELK CROSSING SIGN INSTALLATION APPLICATION

Application for installation of Deer and Elk Crossing Signage:

Deer and ELK Crossing Zone requires (2) 30" x 30" standard regulatory signs required for each zone. Cost per zone is \$200.00 for a total of \$400.00, which includes labor, equipment and materials for installation.

PUBLIC WORKS CONTINUED

Next, discussion was held in regards to the submitted Prior Approval for Major Purchase of MAG Chloride. Said purchase is in the amount of \$18,640.00 and is to be paid from Fund: 32-00-659-01 (Road & Bridge-Special Projects- Dust Abatement).

Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of MAG Chloride. Said purchase is in the amount of \$18,640.00 and is to be paid from Fund: 32-00-659-01 (Road & Bridge- Special Projects- Dust Abatement). Commissioner Jackson seconded. All voted in favor. The motion carried.

Next, discussion was held in regards to the Prior Approval for Major Purchase of materials for repair of the Moreland Shop, specifically three pieces of metal siding. Said purchase is in the amount of \$1,829.21 and is to be paid from Fund: 02-47-445-06 (Road & Bridge Shop- Building Property Maintenance).

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of materials for repair of the Moreland Shop, specifically three pieces of metal siding. Said purchase is in the amount of \$1,829.21 and is to be paid from Fund: 02-47-445-06 (Road & Bridge Shop-Building Property Maintenance). Commissioner Bair seconded. All voted in favor. The motion carried.

Next, discussion was held in regards to the speed limit change for North Wapello Road from 100 East to Highway 91, Blackfoot, Idaho and approval of Bingham County Resolution 2024-13, regarding the same.

Mr. Whited stated this was discussed previously but there was a small error that needed to be corrected. The speed limit would change from 55 mph, as it is currently an unposted road, to 40 mph.

The Board had no concerns in regards to the proposed speed limit change.

Decision: Commissioner Bair moved to approve and sign Bingham County Resolution 2024-13, a resolution and order decreasing the speed limit for North Wapello Road from 100 East to Highway 91, Blackfoot, Idaho. Commissioner Jackson seconded. All voted in favor. The motion carried and said Resolution was signed as follows:

**BINGHAM COUNTY
RESOLUTION 2024-13**

RESOLUTION AND ORDER DECREASING THE SPEED LIMIT FOR NORTH WAPELLO ROAD FROM 100 EAST TO HIGHWAY 91, BLACKFOOT, IDAHO.

WHEREAS, pursuant to Idaho Code §49-105(D)(11), 49-207(2), 49-654 (1)&(2), which allows local authorities, in their respective jurisdictions, to determine and declare a responsible and safe maximum speed limit; and

WHEREAS, the Manual on Uniform Traffic Control Devices states the main criteria for determining the proper speed limits on public roads is the 85th percentile speed; and

WHEREAS, the 85th percentile for the specified section of road is 40 mph, which is well below the state statute of an unposted road of 55 mph. The lane width, the bridges, the sight distance of the approaches, the ADT, the number of county approaches and intersections, were all factored in the traffic investigation in maintaining a safe road area for the public while keeping free flow of traffic; and

NOW THEREFORE BE IT RESOLVED, the Bingham County Commissioners find it in the best interest of the citizens of Bingham County to decrease the speed limit in North Wapello, along with other roads west of the Wapello Townsite, specifically 400 N. Wapello Road, 100 E Hancock Road, 350 N S. Wapello Road and 200 E Wicks Road, 40 mph. There is currently no speed limit posted.

Passed and approved by the Board of County Commissioners, County of Bingham, State of Idaho, in a public meeting held on February 21, 2024.

Dated this 3rd day of April, 2024.



BINGHAM COUNTY COMMISSION


Whitney Manwaring, Chairman


Mark R. Bair, Commissioner


Eric Jackson, Commissioner

ATTEST:


Pamela W. Eckhardt
Bingham County Clerk

Next, discussion was held in regards to the contract with Idaho Asphalt Supply, Inc, in regards to year 2024 road oils, which piggybacks the pricing awarded to the Commissioners of the Power County Highway District and will remain firm for the 2024 season.

Said contract is for the cost as follows:

PRODUCT	QUANTITY (Tons)	UNIT PRICE Excluding Sales Tax	Effective Thru	FREIGHT Per Ton	F.O.B.
GRS-2	1,790.00	\$568.00	10/31/2024	\$20.00	Blackfoot
CSS-1-DIL 50/50	25.00	\$440.00	10/31/2024	\$20.00	Blackfoot
Quickseal 50	560.00	\$425.00	10/31/2024	\$20.00	Blackfoot
MC-500	25.00	\$845.00	10/31/2024	\$13.25	Blackfoot
CSS-1	20.00	\$568.00	10/31/2024	\$13.25	Blackfoot
0.50%/TOA Morlife 6000	25.00	\$24.00	10/31/2024	\$0.00	Blackfoot
DISTRIBUTOR SERVICE \$2,000.00 Minimum Charge		\$56.00/TON or \$250.00/HR (Whichever is Greater)			

Decision: Commissioner Jackson moved to approve and sign the contract with Idaho Asphalt Supply, Inc., as presented. Commissioner Bair seconded. All voted in favor. The motion carried.

PRIOR APPROVAL- PLANNING & DEVELOPMENT

Present: Tiffany Olsen-Planning & Development Director
 Matt Galloway- IT Director

The Board met with Tiffany Olsen to discuss the submitted Prior Approval for Major Purchase of two tablets for the Building Division.

Tiffany Olsen gave a summary of the issues that the Building Division is currently experiencing with regards to the tablets purchased in 2020. These tablets are used daily in varying temperatures. Per the request of the Board, she has put together a synopsis of the current issues being had with the tablets, which has been provided to the Board. The main issue is that the tablets are using charge quite quickly. Ms. Olsen stated in visiting with Mr. Galloway they reviewed options, which were relayed to the Board. At this time, Ms. Olsen would like to request to purchase two Samsung Galaxy TabActive 10.1" 128GB Wi-Fi Work Tablets. This tablet is more of a rugged tablet and is something similar to what Law Enforcement uses but in a tablet version.

Ms. Olsen stated she spoke with Mr. Galloway to see if there were funds within the IT Budget that could assist with the purchase of these tablets, to which there is not. Ms. Olsen stated originally, she would pay for these items from is the Professional Services- Engineering, Tech/GIS Fund, which is cost overrun in that line.

Mr. Galloway gave an explanation as to the proposed tablets to be of best use within the Building Division.

Decision: Commissioner Jackson moved to approve the request from Planning & Development to purchase two tablets in the amount of \$659.99 per tablet. Said purchase will come from Fund: 01-21-484-00 (Planning & Development- Prof. SVC-ENG.-Tech/GIS). Commissioner Bair seconded. All voted in favor. The motion carried.

Next, discussion was held in regards to the request to terminate the maintenance contract with Yost for the Planning & Development Services Copier. Ms. Olsen explained the current copy machine they have was purchased prior to her time working for the county and they have been paying a maintenance contract fee quarterly for color and black/white use. Ms. Olsen stated she spoke with Clerk Eckhardt in regards to the inefficiency of paying for a maintenance contract on that machine. The machine within the Clerks Office was moved from a maintenance contract to paying for service calls and toner, wherein she has found a savings there within the budget.

Ms. Olsen stated that as of the end of October, replacement parts for the current copier in Planning & Development Division, will no longer be available and she had anticipated coming before the Board at that

time to discuss termination of the maintenance contract because there is no point in continuing that if the parts that are needed, are no longer available.

However, Ms. Olsen stated she reached out to Yost in regards to the maintenance contract in regards to termination, with the next quarterly payment being the last, to which was acceptable with no early termination fee. Therefore, the ending of the contract would end as of April 1st, which would be their last maintenance bill.

Planning & Development would get their toner through the IT Department and will continue using this machine until it is no longer functioning. When the time comes, Ms. Olsen stated that she would work with the IT Department to procure a new machine and plans to address that during the upcoming budget cycle.

The Board had no concern in regards to the proposal.

Decision: Commissioner Bair moved to approve the termination of the maintenance contract with Yost upon payment of the next quarterly payment, wherein there will be no penalty fee for ending this contract. Commissioner Jackson seconded. All voted in favor. The motion carried.

HUMAN RESOURCES

Present: Laraine Pope- Human Resources Director

The Board met to discuss updates within the Human Resources Division, which included current vacancies, recent hires and upcoming interviews.

DISCUSSION WITH JON GREGORY REGARDING A REQUEST TO ALLOW A 50-FOOT INGRESS/EGRESS EASEMENT, TO BE PRIVATELY CONSTRUCTED, FROM ARCHERY RANGE ROAD IN AN EASTERLY DIRECTION TO PARCEL NO. RP0291600 CONSISTING OF APPROXIMATELY 53.39 ACRES, AS THE PARCEL IS LANDLOCKED, WITH POTENTIAL DECISION

Present: Jon Gregory- Landowner
Tiffany Olsen- Planning & Development Director
Dusty Whited- Public Works Director
Gwen Inskeep- County Surveyor
Joe Seamons- Blackfoot River Bowman
Travis Butler- Blackfoot River Bowman President
Chad Mitchell- Blackfoot River Bowman Range Manager
Lee Nelson- Blackfoot River Bowman
Amber Crapo- Blue Ridge Archers Coach

The Board met to hold discussion in regards to the request submitted by Jon Gregory to allow a 50-foot ingress/egress easement, to be privately constructed, from Archery Range Road in an Easterly Direction to Parcel No. RP0291600, consisting of approximately 53.39 acres, as the parcel is landlocked. Chairman Manwaring welcomed all to the meeting and introductions were held.

Chairman Manwaring stated this topic has been before the Board previously and in speaking with Legal Counsel in regards to the property being landlocked, as the individual purchased the property and it is landlocked, the county has no responsibility to provide access.

Mr. Gregory asked what could be done in order to gain access to the property. Chairman Manwaring stated at the time discussion as held previously Mr. Waring owned the property but Gale Lim has since purchased that property and plans on putting a school there. Chairman Manwaring stated that the first portion into the pond and a portion of the road is state owned and once it reaches the back portion it becomes county property.

Chairman Manwaring stated that he is not sure if the county even has an easement through the states portion of the property, which that will need to be looked into.

Chairman Manwaring stated that his suggestion would be to getting an easement on the north side but Mr. Gregory would need to work with the state in order to do so and after that is completed, Mr. Gregory will work with the county.

Chairman Manwaring stated that he appreciates individuals from Blackfoot River Bowman Archery Range being present and that the county has just signed another five-year lease. Due to the safety issues, the county is not willing of approving access on either side of the archery range.

Mr. Gregory stated that he has not spoken with Gale Lim but would do so in regards to this matter. Chairman Manwaring added that to gain access, Mr. Gregory would need to work with the state.

Nothing further.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY, APRIL 5, 2024

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

WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Friday, April 5, 2024
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

One (1) Cash Warrant was approved in the amount of \$418.65.

CLAIMS

Claims were approved in the amount of \$329,811.91.

PERSONNEL ACTION FORMS

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

Salary Increase Forms: Weed Tech II
 Deputy Court Clerk
 Park Manager

New Employee Status Sheet: Detention Deputy

Employee Status Sheet: Patrol Deputy to Building Maintenance Specialist

Decision: Commissioner Jackson moved to approve Cash Warrants, Claims, Administrative Documents and Personnel Action Forms for April 5, 2024. Commissioner Bair seconded. All voted in favor. The motion Carried.

APPROVAL & SIGNING OF LETTER OF SUPPORT FOR THE IDAHO SCIENCE & TECHNOLOGY CHARTER SCHOOL

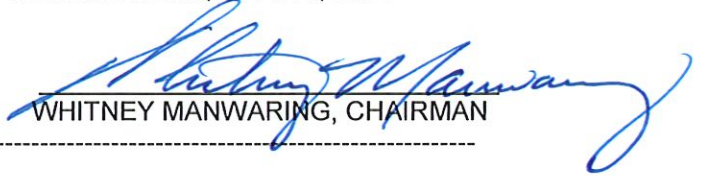
The Board met to approve and sign a Letter of Support for the Idaho Science & Technology Charter School, showing the support of the Board of County Commissioners in building a new facility.

Decision: Commissioner Bair moved to approve and sign the Letter of Support for the Idaho Science & Technology Charter School in regards to building a new facility. Commissioner Jackson seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL MONDAY, APRIL 8, 2024



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Monday, April 8, 2024
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

PRIOR APPROVAL- CLERK ECKHARDT & JASON MARLOW- BUILDING MAINTENANCE SUPERVISOR

Present: Pamela Eckhardt- County Clerk
 Jason Marlow- Building Maintenance Supervisor

The Board met to discuss and make a decision in regards to the submitted Prior Approval for trimming and evaluation of health of large trees at the Courthouse and pruning of trees at Patriot Field.

Clerk Eckhardt stated that she is proposing for pruning of trees at both Patriot Field and around the courthouse. There would be trimming and health evaluation of three Ash Threes and one Honey Locust around the courthouse, along with pruning for twenty trees Patriot Field. The trees at Patriot Field are in their 8th year and need juvenile tree pruning to shape and correct branching of the trees and evaluate health. This pruning guides the tree as it continues to grow. First pruning was done in 2019 by Intermountain Tree Service.

Intermountain Tree Service has certified arborists as opposed to a lawn mowing company or uncertified tree trimming companies.

The Board had no concerns in regards to the submitted request.

Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of tree trimming and evaluation of health of three large Ash Trees and one Honey Locust Tree at the Courthouse, in the amount of \$2,800.00 and trimming of twenty trees at Patriot Field, in the amount of \$1,200.00, for a total of \$4,000.00. \$2,800 is to be paid from Fund: 01-10-449-00 (Building Maintenance) and the \$1,200 is to be paid from Fund: 18-00-689-00 (Parks & Recreation). Commissioner Jackson seconded. All voted in favor. The motion carried.

PRIOR APPROVAL- JAIL EXPANSION PROJECT

Present: Kris Talbot- Detention Lieutenant

The Board met with Kris Talbot to hold discussion and make a decision in regards to the submitted Prior Approval for Major Purchase documentation submitted by Lieutenant Talbot.

Discussion was held in regards to the Prior Approval for Major Purchase of a new drinking fountain for the booking area within the jail. Said purchase is in the amount of \$4,300.00 and is to be paid from Fund: 51-00-559-00 (ARPA- American Recovery Plan). Lieutenant Talbot explained that the previous drinking fountain had been lost during demolition for the remodel project.

Decision: Commissioner Jackson moved to approve the Prior Approval for major purchase of a new drinking fountain for the booking area in the jail. Said purchase is in the amount of \$4,300.00 and is to be paid from Fund: 51-00-559-00 (ARPA). Commissioner Bair seconded. All voted in favor. The motion carried.

Next, discussion was held in regards to the submitted Prior Approval for Major Purchase of a toilet/sink combo for the new restroom within the booking overflow area. Said purchase is in the amount of \$7,820.93 and is to be paid from Fund: 51-00-559-00 (ARPA) Lieutenant Talbot explained that this will be a combination steel that is the same as other holding cells.

Decision: Commissioner Jackson moved to approve the submitted Prior Approval for Major Purchase of a toilet/sink combo to be placed within the booking overflow area within the jail. Said purchase is in the amount of \$7,820.93 and is to be paid from Fund: 51-00-559-00 (ARPA). Commissioner Bair seconded. All voted in favor. The motion carried.

ASSESSORS OFFICE

Present: Gwen Inskeep- County Surveyor
Wendy Mecham-
Tiffany Olsen- Planning & Development Director
Donavan Harrington- County Assessor
Debbie Cunningham- Chief Deputy Assessor
Laraine Pope- Human Resources Director
Ryan Jolley- Prosecuting Attorney

The Board met with Donovan Harrington to discuss updates within the Assessors Office and other agenda items.

Discussion was held in regards to adding property tax to any county owned/leased property. Mr. Harrington stated per Title 63, Chapter 6 (63-602(a)), and felt as though there was an unfair advantage if the property owner that leased farm ground from the county, that it should somehow be subject to taxes. Mr. Harrington stated that he thought maybe fee in lieu of taxes, which is what Fish and Game pays but the fee in lieu of taxes is very specific to Fish and Game. Therefore, there is no way to add that tax or assessment value to the property. Mr. Harrington stated that he was trying to understand how to better be sure that everyone is treated equally and that it is fair to all parties involved.

Chairman Manwaring stated several weeks ago while reviewing Tax Exemption Applications it became a thought to him and that is why the discussion was held and that he was curious if the county property should be taxed. Chairman Manwaring stated if the farm ground is rented, should the county take a portion of the rent and place into the proper taxing district, wherein Mr. Harrington stated something to consider in moving forward and counsel would need to weigh in but, in the future, rent paid will go back into whichever fund the property purchase was made from. The county should possibly consider collecting a higher amount of rent because that individual will not be paying taxes. Mr. Harrington stated the fee in lieu of taxes would not apply based on the fact of ownership because it is not based on the renter or lessee.

Nothing further and there was no decision made.

Next, discussion was held in regards to charging other county departments for printing costs associated with larger printing projects. Mr. Harrington explained the proposed fee for making copies of larger pictures or documents.

Commissioner Bair stated there is not a policy regarding the ability to charge other county offices for such costs. Mr. Harrington stated the intent of cost is to recapture the costs associated with making those copies and that they are not collecting anything more than that. Mr. Harrington stated that Planning & Development had requested copies of blueprints (28 pages- at 48 x 36).

Chairman Manwaring stated that he would be more in favor of tracking those costs and possibly during budget time, the department that requested those copies, could assist with cost of toner or other cost associated.

Ms. Olsen stated that she has received an invoice for \$280.00 and she knows that Planning & Development has utilized the Assessors Office in the past at no cost. Ms. Olsen stated potentially there was misunderstanding that they would be charged at \$10.00 per copy. Ms. Olsen stated she has reached out to Modern Printing who stated it would be \$6.00 per page but was for black and white and does believe some of the copies requested were in color. At the time she was working with Modern Printing for a quote, she was unsure how many color copies were needed and therefore was unable to gather an accurate quote to provide to the Assessor, showing what the cost would be if using an outside agency. In the future, there will not be an issue with asking the individual who submits those types of plans with their building permit, to provide larger copies but it has just been past practice and easier for their department to utilize connections within the courthouse. Again, in moving forward that will part of the building application and copies would come through the applicant.

Mr. Harrington stated that he would be in favor of tracking the cost that may incur and address during budget planning.

The Board was in favor of tracking how many copies were printed and possibly having that department assist with toner cost or any other cost associated to that large printer.

Nothing further.

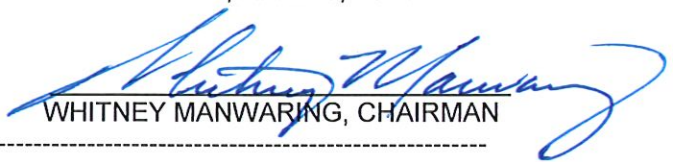
EXECUTIVE SESSION

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. Both in favor. The Board moved into Executive Session at 2:57 p.m. Commissioner Bair moved to go out of Executive Session. Commissioner Jackson seconded. The Board moved out of Executive Session at 3:20 p.m.

Decision: Commissioner Jackson moved to approve the new position of Assistant Office Manager at Grade N17, Step 10 (\$25.61) and reclassify the Office Manager for the Prosecutors Office at Grade N20, Step 10 (\$27.93) as requested. Commissioner Bair seconded. All voted in favor. The motion carried. Chairman Manwaring reiterated that this would be in effect as of April 21, 2024.

THE MOTION PASSED TO DISMISS UNTIL TUESDAY, APRIL 9, 2024


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
: ss. Tuesday, April 9, 2024
County of Bingham)

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

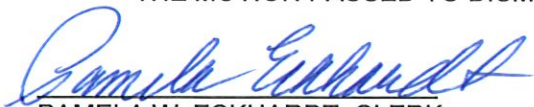
PRESENT: Chairman Manwaring
Commissioner Bair
Commissioner Jackson
Lindsey Dalley- Commission Clerk

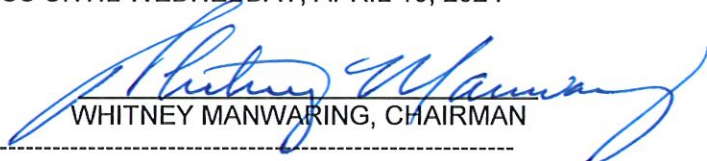
EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(f), to communicate with legal counsel regarding pending/imminently-likely litigation. Commissioner Jackson moved to go into Executive Session pursuant to Idaho Code §74-206(1)(f), to communicate with legal counsel regarding pending/imminently-likely litigation. Commissioner Bair seconded. Both in favor. The Board moved into Executive Session at 1:32 p.m. Commissioner Bair moved to go out of Executive Session. Commissioner Jackson seconded. The Board moved out of Executive Session at 2:07 p.m.

Decision: Commissioner Bair moved to draft County Code for the reconsideration process. After that is completed and the Ordinance is adopted, the Board would grant and hold a re-hearing on the Donald and Loretta Anderson Zone Change Application. Commissioner Jackson seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY, APRIL 10, 2024


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
: ss. Wednesday, April 10, 2024
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

COLLEGE OF WESTERN IDAHO

The Board approved two (2) Certificate of Residency documents for the following Bingham County student's: Braden J. Peterson and Hudson Q. Moore.

Decision: Commissioner Bair moved to approve Cash Warrants, Claims and Administrative Documents for April 10, 2024. Commissioner Jackson seconded. All voted in favor. The motion carried.

SHERIFF'S OFFICE

Present: Jeff Gardner- Sheriff
Jordyn Nebeker- Chief Deputy Sheriff
Laraine Pope- Human Resources

The Board met with Sheriff Gardner to discuss updates within the Sheriffs Office, jail population, Bancorp and an update on the jail expansion project.

PUBLIC WORKS

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

The Board met with Dusty Whited to discuss updates within the Public Works Division, along with other agenda requests.

Discussion was held in regards to the Chipping Crew Truck Driver/Seasonal Position proposal, wherein Mr. Whited explained there has been interest shown from individuals that are wanting to work a couple of months throughout the summertime and it was decided to create a seasonal position to assist with summer road maintenance. Mr. Whited stated that Human Resources has spoken with ICRMP, who has no issues with the proposed new position.

A brief discussion was held in regards to the possibility of adding a sign on bonus for the vacant positions within the Road and Bridge Department. Commissioner Bair suggested a portion be given to the individual at the time of hire and a portion after a six month of hiring, or something similar to help attract to these positions. Laraine Pope stated that she would be in favor of the sign-on bonus, which could be changed or removed at any time.

Discussion was held in regards to salary for this position, wherein Mr. Whited proposed a range of \$20.00 to \$24.00, as there are no health benefits for this position. All Commissioners were in favor of this proposal.

Commissioner Bair referred to page two of the job description, which states that a High School Diploma is required and proposed to remove this requirement. Mr. Whited stated in the past if an individual does not have a High School Diploma, it has not been an automatic disqualification. All were in favor of removing this requirement from the job description.

Decision: Commissioner Jackson moved to approve the job description for the Chipping Crew Truck Driver Seasonal position with the pay range of \$20.00 to \$24.00 per hour with no health benefits. Also, the requirement to have a High School Diploma will be removed from the job description. Commissioner Bair seconded. All voted in favor. The motion carried.

Next, discussion was held in regards to the proposed Truck Driver in Training position, wherein Mr. Whited stated that most of the job duties and responsibilities are the same as a Truck Driver. There are a few changes made but other than that everything is the same. The main difference is on page three, which states that the prerequisite to this position would be taking the written test and having a CDL Learners

Permit and have applied for the LAUNCH Federal Grant Program, along with being approved for that. The LAUNCH Federal Grant Program will pay 80% of training through an accredited truck driving training program and the county would pay the remaining 20%, up to \$1,500. Any payment towards school tuition from the county may be required to be re-paid, pro-rated based on the number of months, by the Truck Driver in Training if they leave county employment within the first year of hire. Upon receiving a Class A CDL, the Truck Driver in Training may be eligible for the position of Truck Driver.

Discussion was held in regards to pay range for this position, wherein Mr. Whited proposed starting at N15 Grade (Step 1- \$18.01). The Board had no concerns and agreed with the proposal.

Decision: Commissioner Bair moved to approve the Truck Driver in Training position, starting at N15 Grade and the hire would be in training until they pass CDL testing within 90 days. The requirement to have a High School Diploma would also be removed from this position. Commissioner Jackson seconded. All voted in favor. The motion carried.

Next, discussion was held in regards to the request to allow Public Works to purchase the Ford F150, which is the current Commissioners Truck. Mr. Whited stated this would be beneficial for his department and that the buyout price is cheaper than purchasing from a dealership.

Decision: Commissioner Jackson moved to allow Public Works to purchase the current Ford F150 that is the Commissioners Truck. Dusty Whited will complete a Prior Approval for Major Purchase showing that 60% of the cost will be paid from Road and Bridge Budget and the remaining 40% will be paid out of Solid Waste. Commissioner Bair seconded. All voted in favor. The motion carried.

Next, discussion was held in regards to the 2024 Road Maintenance Plan Program, wherein Mr. Whited explained the plan for chip seal and road maintenance.

Next, discussion was held in regards to the Preliminary Bridge designs for County Club Road Bridge, Hahn Road Bridge and North Wapello Road Bridge. Mr. Whited stated that the preliminary designs were made by JUB. Mr. Whited stated that he needs approval from the Board in order to proceed with final designs.

Decision: Commissioner Jackson moved to approve the Preliminary Design for Country Club Road Bridge, Hahn Road Bridge and North Wapello Road Bridge per the recommendation of Mr. Whited. Commissioner Bair seconded. All voted in favor. The motion carried.

Lastly, discussion was held in regards to the General Notice to Destroy Weeds, which is required to be published within the newspaper. Mr. Whited stated upon approval and signature by the Chairman, the Commission Clerk will publish the document.

Decision: Commissioner Bair moved to approve and sign the General Notice to Destroy Weeds, to be published within the designated county newspaper. Commissioner Jackson seconded. All voted in favor. The motion carried.

TAX EXEMPTION APPLICATION'S

Present: Pamela Eckhardt- County Clerk
Debbie Cunningham- Chief Deputy Assessor
Audrey Barzee- Assessors Office

The Board met to review and approve submitted Tax Exemption Applications.

Debbie Cunningham asked the Board to consider exempt properties under Idaho Code Section 63-602B, Religious Limited Liability Companies, Corporations or Societies, which were as follows:

Roman Catholic Diocese of Boise

RP1051801 Building next to church leased
to SEICCA at \$1,000/month.
RP1066104 Parrish pavilion and grounds
RP1066106 grounds behind church
RP1052300 St Bernard's Church and education center campus
RP1052700 Parrish office and meeting rooms
Church in
RP3082100 Aberdeen
RP3080000 Church grounds in Aberdeen
RP7001500 Church in Fort Hall
RP0139401 Church in Pingree

Lutheran Church

RP1315601 1110 Parkway Dr. Blackfoot (property has been split from last year)

Calvary of Blackfoot, Inc

RP1160000 689 S Fisher Ave, Blackfoot
RP1262402 adjacent lot

Decision: Commissioner Jackson moved to approve the Tax Exemption Applications pursuant to Idaho Code Section 63-602B, Religious Limited Liability Companies, Corporations or Societies, as presented. Commissioner Bair seconded. All voted in favor. The motion carried.

Next, Ms. Cunningham asked the Board to consider exempt properties under Idaho Code Section 63-602C, Fraternal, Benevolent, or Charitable Societies, which were as follows:

Heart 2 Hand Bingham Food Pantry Inc.

RP2018200 190 S Holmes Ave, Shelley

Stewart Hoover Post No 23 American Legion

RP1286000 Blackfoot

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

Lastly, Ms. Cunningham asked the Board to consider Tax Exemption Applications pursuant to Idaho Code Section 63-602GG, Low-income housing owned by non-profit organizations, which were as follows:

Eastern Idaho Special Services Agency Inc.

RP1082000 1560 Camas
RP1139802 1420 Camas

Decision: Commissioner Jackson moved to approve the Tax Exemption Applications pursuant to Idaho Code Section 63-602GG, Low-income housing owned by non-profit organizations. Commissioner Bair seconded. All voted in favor. The motion carried.

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(f), to communicate with legal counsel regarding pending/imminently-likely litigation. Commissioner Bair moved to go into Executive Session pursuant to Idaho Code §74-206(1)(f), to communicate with legal counsel regarding pending/imminently-likely litigation. Commissioner Jackson seconded. Both in favor. The Board moved into Executive Session at 10:31 a.m. Commissioner Bair moved to go out of Executive Session. Chairman Manwaring seconded. The Board moved out of Executive Session at 10:54 p.m.

Chairman Manwaring stated discussion was held with Legal Counsel and County Coroner, Jimmy Roberts, in regards to the current Agreement between Bingham County and both Nalder Funeral Home and Hawker Funeral Home in regards to the transport of decedents to autopsy.

Due to research completed by Legal Counsel and the fact that the County Coroner was not present during discussion or approval of this agreement, the County Coroner has the ability to get out of the agreement. The County Coroner will need to send a letter to both Nalder Funeral Home and Hawker Funeral Home giving the required 90-day notice to end the agreement. Mr. Roberts will also propose having the Funeral Homes being backup if needed in the future.

Decision: Commissioner Jackson moved to allow the County Coroner, Jimmy Roberts, to send a withdraw letter and notification to Nalder Funeral Home and Hawker Funeral Home to withdraw from the Agreement for Transport of Decedents to Autopsy. Chairman Manwaring seconded. All in favor- Commissioner Jackson and Chairman Manwaring. All opposed- Commissioner Bair.

DISCUSSION & POTENTIAL DECISION REGARDING THE REMAINDER OF THE CORONER/AUTOPSY BUDGET FOR FISCAL YEAR 2024- REQUESTED BY JIMMUY ROBERTS- COUNTY CORONER

Present: Jimmy Roberts- County Coroner
Via Phone: Ryan Jolley- Prosecuting Attorney

The Board met to discuss and make a potential decision in regards to the remainder of the Coroner/Autopsy Budget for Fiscal Year 2024.

DISCUSSION & DECISION REGARDING "NO TRESPASSING" SIGNAGE ON COUNTY LEASED PROPERTY

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

The Board met to hold discussion and make a decision in regards to "No Trespassing" signage on county leased property.

Ms. Olsen stated that during lease negotiations, Mr. Blaine Hillman requested that the property he leases from the county be posted with "no trespassing" signage as he was concerned that the public be allowed to enter onto the property since it was owned by Bingham County. In that same discussion, he also stated that he had often been asked by bird hunters if his lands and the county leased land can be hunted on. Knowing the lease is for farming and grazing purposes only, he asked if "no hunting" signage could be placed as well. The Board agreed with his concerns. Similar concerns are present on the land that is currently leased to other entities/individuals.

After discussion, the Board concurred that said signage should be placed on the Hillman Property, McDonaldville Property and Thurston Property.

Decision: Commissioner Jackson moved to approve the placement of “no trespassing/no hunting”, on county leased properties. Specifically, the Hillman Property, McDonaldville Property and Thurston Property. Road and Bridge will purchase signage and will complete a Prior Approval document showing that this cost will be paid from PILT. Commissioner Bair seconded. All voted in favor. The motion carried.

REVIEW CONFLICTS BETWEEN BINGHAM COUNTY CODE SECTION 10-14-11 AND 10-14-8 (C) AND PROVISIONS WITHIN THE COUNTY’S DEVELOPMENT AGREEMENT

Present: Tiffany Olsen- Planning & Development Director
Gwen Inskeep- County Surveyor
Dusty Whited- Public Works Director
Via Phone: Ryan Jolley- Prosecuting Attorney

The Board met to review conflicts between Bingham County Code Sections 10-14-11 and 10-14-8(c) and provisions within the County’s Development Agreement.

Ms. Olsen explained there are two sections within county code, wherein the county is currently diverting from what is within the code with a process or procedure set forth in the county Development Agreement template that have been used since approximately 2006.

ITEM FOR DISCUSSION NO.1: Bingham County Code Section 10-14-8 (c), states that building permits will not be issues for any approved subdivision until all improvements are installed and approved.

Issue: Development Agreements for subdivision improvements, dating back to at least 2006, have contained language that is contradictory to Bingham County Code as it relates to allowing building permits to be issues prior to improvements being completed. If the Developer chooses to bond, the agreement allows for up to 50% of the building permits to be issued while improvements are being constructed. This practice is contradictory to Bingham County Code Section 10-14-8 (c).

10-14-8: Design Standards:

C. Building permits: Building permits will not be approved for any development on lots until all improvements are installed and final approval is received from all agencies and departments involved. Final approval for each phase of the project must be received from the Board.

Section of Development Agreement Template:

Section M.: Developer agrees that within two (2) years after the official recording of this Agreement or when Building Permits are issued for 50% of the lots, whichever occurs first, that the entirety of improvements shall be completed, in the interests of the health, welfare, and/or safety of the inhabitants of the county. Should the Developer fail to construct said improvements within the timeframe prescribed above, the County Public Works Department may provide written notification that the construction must be completed within 30 days, or a reasonable period of time not to exceed 12 months. Said notice shall indicate that failure to complete construction may result in the county completing the construction at the cost of the Developer. If the county is required to construct such improvement, or improvements, the county will recover the cost of such construction by filing a claim against Developer’s Financial Guarantee, in such manner and under such terms as the county shall order after conference with the Developer.

RECOMMENDATION: By following the ordinance, it prevents a homeowner from construction a new home but not having access to the home completed. The improvements (County roads, private roads and irrigation, etc) would be constructed, inspected, and approved prior to the building permit being issued.

ITEM FOR DISCUSSION NO. 2: If a Developer chose to not provide a bond/guarantee, the Final Plat cannot be recorded until all improvements are constructed and approved.

ISSUE: The county has allowed the Final Plat to be recorded prior to this occurring.

Jail Technician
Detention Deputy
Patrol Corporal
Patrol Deputy
Patrol Corporal
Patrol Corporal

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

APPROVAL OF COMMISSION MINUTES FOR MARCH 1-15, 2024

The Board met to approve Commission Minutes for March 1-15, 2024.

Decision: Commissioner Bair moved to approve Commission Minutes for March 1-15, 2024. Commissioner Jackson seconded. Both voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL TUESDAY, APRIL 16, 2024



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Tuesday, April 16, 2024
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

PLANNING & DEVELOPMENT

Present: Tiffany Olsen-Planning & Development Director

The Board met to discuss updates within the Planning & Development Division, along with other agenda requests.

Discussion was held in regards to Bingham County Ordinance 2024-3, an ordinance of Bingham County, a political subdivision of the State of Idaho, amending the table of listed uses contained within the Land Use Chart and amending listed use zoning regulations by modifying the listed use as allowed, allowed with an approved Conditional Use Permit, or not allowed, in the official Zoning District designations included within the Land Use Chart, providing that this ordinance shall be in full force and effect as of its passage, approval, and publication according to law.

Ms. Olsen explained the drafted document, wherein Chairman Manwaring advised that it would be beneficial for the public to have the zoning designations marked at the top of each page to make it easier to understand. Ms. Olsen stated that she would make said change and provide the document to the Commission Clerk to obtain signatures from the Board.

The Board had no further concerns in regards to the Ordinance.

Decision: Commissioner Bair moved to approve Bingham County Ordinance 2024-3, an ordinance of Bingham County, a political subdivision of the State of Idaho, amending the table of listed uses contained within the Land Use Chart and amending listed use zoning regulations by modifying the listed use as allowed, allowed with an approved Conditional Use Permit, or not allowed, in the official Zoning District designations included within the Land Use Chart, providing that this ordinance shall be in full force and effect as of its passage, approval, and publication according to law. Said Ordinance will be signed once the amendment has been made by Ms. Olsen. Commissioner Jackson seconded. All voted in favor. The motion carried. Said Ordinance was adopted, approved, signed and recorded as follows:

Instrument # 761812

BINGHAM COUNTY

4-22-2024 11:44:43 AM No. of Pages: 5

Recorded for : BINGHAM COUNTY COMMISSIONERS

PAMELA W. ECKHARDT

Fee: 0.00

Ex-Officio Recorder Deputy

BINGHAM COUNTY ORDINANCE 2024-03



**TITLE 10, ZONING REGULATIONS
CHAPTER 5, USE ZONE REGULATIONS
SECTION 3, LAND USE CHART**

AN ORDINANCE OF BINGHAM COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO, AMENDING THE TABLE OF LISTED USES CONTAINED WITHIN THE LAND USE CHART AND AMENDING LISTED USE ZONING REGULATIONS BY MODIFYING THE LISTED USE AS ALLOWED, ALLOWED WITH AN APPROVED CONDITIONAL USE PERMIT, OR NOT ALLOWED, IN THE OFFICIAL ZONING DISTRICT DESIGNATIONS INCLUDED WITHIN THE LAND USE CHART, PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT AS OF ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Bingham County Planning and Zoning Commission ("Commission") held a Public Hearing on February 14, 2024 to consider amendments to the Bingham County Land Use Chart (Section 10-5-3) and to receive public testimony on the proposed modifications; and

WHEREAS, the Commission heard from Planning and Development Staff as well as two (2) County residents who testified at the Public Hearing; and

WHEREAS, the Commission provided a recommendation to the Bingham County Board of County Commissioners ("Board") wherein the Commission found the proposed modifications correct vague or duplicative land uses; added land uses that were not previously listed; amended land uses that were allowed in a zoning district but would be better regulated with an approved Conditional Use Permit; amended land uses that were not allowed in a zoning district but could be considered with a Conditional Use Permit Application; and an amendment to allow towers in all zoning districts with an approved Conditional Use Permit; and

WHEREAS, the Board held a Public Hearing on March 12, 2024 to receive the Commission's recommendation and to receive public testimony on the proposed modifications; and

WHEREAS, after Staff's presentation of the record and with no testimony presented at the Public Hearing, the Board made amendments to the Commission's recommendation; and

WHEREAS, the Board found the amendments to the Land Use Chart are reasonably necessary, in the interest of the public, and in harmony with the objectives and purposes of the Zoning Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE BINGHAM COUNTY, BOARD OF COUNTY COMMISSIONERS, AS FOLLOWS:

Section I: That the following sections of Title 10, Chapter 5, Section 3, be amended as follows:

Listed Use	A/NR	A	R/A	R	C1	C2	M1	M2
Agriculture and agriculturally-related activities, including agricultural research facilities, roadside stands, sod, and U-pick farms	A	A	A	A	A	A	A	A
Agriculture - grain elevator, bins and storage buildings/cellars (farmer/ non-commercial)	A	A	C	N/A	A	A	A	A
Agriculture related processing or research facility	C	C	N/A	N/A	C	A	A	A
Amusement facility, theme park, ballpark, horse arena or racetrack concert/festival production	C	C	C	N/A	C	C	C	N/A
Arena/Stable, indoor/outdoor – personal	A	A	A	N/A	A	A	A	N/A
Arena/Stable, indoor/outdoor – public/commercial	A	A	C	N/A	C	A	A	C
Asphalt Batch Plant (asphalt/hot mix, concrete and/or clay product manufacturing/storage)	C	C	N/A	N/A	N/A C	N/A C	C	A
Bank/savings and loan Financial Institution	N/A	N/A	N/A C	N/A C	A	A	C	N/A
Batch plant	C	C	N/A	N/A	N/A	N/A	C	A
Brewery/Distillery/Winery	N/A C	N/A C	N/A C	N/A	N/A C	C	A	A
Building supply outlet	N/A	N/A	N/A	N/A	C	A	A	N/A A
Cabinet shop, commercial	N/A C	N/A C	N/A C	N/A	C	A	A	A

Listed Use	A/NR	A	R/A	R	C1	C2	M1	M2
Campground, commercial	C	C	C	N/A	A C	N/A C	N/A	N/A
Cement/clay product manufacturing	N/A	N/A	N/A	N/A	N/A	N/A	C	A
Clinic/doctor office	N/A	N/A	N/A C	N/A C	A	A	A	N/A
Commercial meat packing/processing facility	N/A C	N/A C	N/A	N/A	N/A C	C	A	A
Community sewage disposal plant	C	C	C	G N/A	C	C	C	P C
Concrete/clay product manufacturing; storage, or batch plant	N/A C	N/A C	N/A	N/A	N/A	C	A	A
Contractors office/shop/yard	N/A C	C	C	N/A	C	A	A	A
Convenience store, less than 10,000 aggregate total square feet	N/A	N/A C	N/A C	N/A C	A	A	A	N/A C
Convenience store, more than 10,000 aggregate total square feet	N/A	N/A	N/A	N/A	C	A C	A C	N/A C
Dance hall, liquor	N/A	N/A	N/A	N/A	N/A	A	N/A	N/A
Dance hall, no-liquor sales	N/A	N/A	N/A	N/A	G	A	N/A	N/A
Daycare - center (with more than 13 clients)	N/A	C	N/A C	N/A C	A	A	N/A C	N/A C
Daycare - family (with 6 or less clients)	A	A	A	A	A	A	N/A C	N/A C
Distillery	C	C	N/A	N/A	N/A	N/A	A	A
Dwelling - twin/duplex	C	C	A	A	C	C	C	C
Emergency/urgent care center	C N/A	N/A	N/A C	N/A C	A	A	A	A
Equipment Rental	N/A	N/A C	N/A	N/A	G	A	A	A
Feedlots	C	A C	N/A	N/A	N/A	N/A	C	C
Food sales cafe/lunch counter, drive-in, restaurant without liquor sales	N/A	N/A	N/A C	N/A C	A	A	A	C

Listed Use	A/NR	A	R/A	R	C1	C2	M1	M2
Food sales - restaurant with liquor sales	N/A	N/A	N/A	N/A	G	A	A	N/A
Gravel pit/mining - crushing/ excavation of gravel, and hot-mix plant associated batch plant	C	C	N/A	N/A	N/A	N/A	C	A C
Heavy-Equipment sales/service/rental	N/A	C	N/A	N/A	N/A C	A	A	A
Home occupation/business	A	A	A	A	A	A	A	A
Junkyard/Salvage Yard/Parts resale	N/A	N/A	N/A	N/A	N/A C	N/A C	C	A C
Landscaping business with indoor storage of equipment	N/A	N/A C	N/A C	N/A	A	A	A	A
Laundromat or dry cleaners/ laundry or linen supply	N/A	N/A	N/A C	N/A C	C	A	A	A
Laundry/linen supply	N/A	N/A	N/A	N/A	C	A	A	A
Manufactured home/travel trailer park	N/A	N/A	N/A	N/A	N/A	C	A C	A C
Meat packing facility	N/A C	C	N/A	N/A	N/A G	G	A	A
Office/professional buildings	N/A	N/A C	N/A C	N/A C	A	A	A	N/A
Reception center, wedding/event	C	C	C	N/A	A	A	C	N/A
Recreation indoor (public/commercial)	C	C	C	C	C	A	A	N/A
Recreation - outdoor (public/commercial)	A	A	A C	C	A	A	A	N/A
Recycling	C	C	N/A	N/A	N/A	C	C A C	A C
Schools/facilities - arts, dancing, dramatics, gymnastics, athletics, indoor recreation, music, business, secretarial work, training/trade, etc. (public/commercial)	N/A C	C	C	C	N/A C	A C	C	N/A C
Schools - public school districts, charter, private, college/university	C	A C	A C	A C	A C	A C	C	N/A C

Listed Use	A/NR	A	R/A	R	C1	C2	M1	M2
Seasonal activities, (commercial): com mazes, live Christmas nativities, haunted houses, holiday celebrations, or revivals (see subsection 10-7-71 of this title)	N/A A	A	N/A A	N/A	A	A	A	C
Stable, boarding	A	A	A	N/A	N/A	N/A	N/A	N/A
Stable, tiding	C	C	C	N/A	A	A	N/A	N/A
Tower - antenna, broadcast, cell, telecommunication, internet, fiber, or other wireless/tower structure	C	C	N/A C	N/A C	C	C	C	A C
Wind turbines/MEET towers, commercial	C	C	N/A	N/A	N/A	N/A	C	C
Winery	C	C	C	N/A	N/A	N/A	A	A

Section 2: That all other portions of Bingham County Code Section 10-5-3 not herein amended shall remain in full force and effect.

Section 3: This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

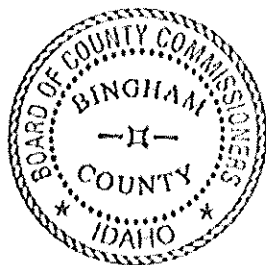
PASSED AND APPROVED on this 16th day of April, 2024.

BOARD OF COUNTY COMMISSIONERS
BINGHAM COUNTY, IDAHO

Whitney K. Manwaring
WHITNEY K. MANWARING, CHAIRMAN

Mark R. Bair
MARK BAIR, COMMISSIONER

Eric Jackson
ERIC JACKSON, COMMISSIONER



BINGHAM COUNTY CLERK

Attest: *Pamela W. Eckhardt*
PAMELA W. ECKHARDT

Ordinance No. 2024-03

Page 5 of 5

Ms. Olsen gave updates in regards to upcoming Planning & Zoning Commission items, the Building Division and other miscellaneous updates.

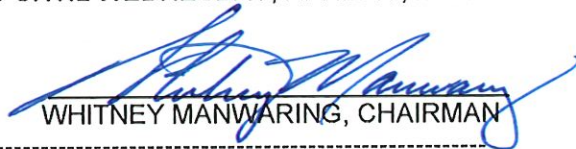
EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(d), to consider Records that are exempt from public disclosure. Commissioner Jackson moved to go into Executive Session pursuant to Idaho Code §74-206(1)(d), to consider records that are exempt from public disclosure. Commissioner Bair seconded. Both in favor. The Board moved into Executive Session at 3:19 p.m. Commissioner Bair moved to go out of Executive Session. Commissioner Jackson seconded. The Board moved out of Executive Session at 3:29 p.m.

Decision: Per the recommendation of Susan Denny, Indigent Services, Commissioner Bair moved to deny Indigent Cremation Case Number 2024-6, due to the individual not being a citizen of Bingham County. Commissioner Jackson seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY, APRIL 17, 2024


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Wednesday, April 17, 2024
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 FOR UTILIZATION OF OPIOID FUNDS FOR STAFF TRAINING- REQUESTED BY CODY LEWIS

Present: Cody Lewis- Treatment Court
 Pamela Eckhardt- County Clerk
 Aimee Austin- Seventh Judicial Treatment Court Manager

The Board met to hold discussion and make a decision for utilization of Opioid Funds for Treatment Court Conference/Training that will be held in Boise.

Cody Lewis stated that he is requesting use of Opioid Funding to send a few individuals to a Treatment Court Conference that will be held in Boise on May 9th and May 10th. The training is at zero cost but the funding would be used to assist with covering hotel room cost and per diem. Chairman Manwaring asked how many individuals would be attending, to which Mr. Lewis stated there would be for six people.

Clerk Eckhardt stated within the packet provided to the Board, there is confirmation that training is something that the funding could be used for.

Originally Mr. Lewis had the approximate amount of \$2,000 but the Board felt that with six people attending, the amount should be increased to up to \$4,000.

The Board had no further concern and thought the training would be beneficial.

Decision: Commissioner Jackson moved to approve the utilization of opioid funds for staff training for up to \$4,000.00, to be paid from Opioid Funds. Said Training is for May 9, 2024 through May 10, 2024. Commissioner Bair seconded. Chairman Manwaring amended the motion to add that Cody Lewis will provide a Prior Approval for Major Purchase form to the Commission Clerk, that will have all cost laid out. All voted in favor. The motion carried.

PRIOR APPROVAL FOR CHARGE ORDER FOR ACCESS CONTROLS TO DOORS- REQUESTED BY JASON MARLOW

The Board met to hold discussion and make a decision regarding the Prior Approval of change order for access controls to several doors for the courthouse remodel project. Mr. Marlow stated that this would be specifically for the new door for Courtroom 5 and two doors for the District Court Clerks Office. Said change order is in the amount of \$1,984.33 and is to be paid from Fund: 51-00-559-00 (American Recovery Plan- ARPA).

Jason Marlow explained that this is for the electricians to pull power supple to the doors within the District Court Office area, along with Courtroom 5. This cost was not included within the original bid but does need to be done in order to move forward with the remodel.

The Board had no concern in regard to the proposal.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase for change order for access controls to doors for Courtroom 5 and two doors for the District Court Clerks Office. Said purchase is in the amount of \$1,984.33 and is to be paid from Fund: 51-00-559-00 (American Recovery Plan- ARPA). Commissioner Bair seconded. All voted in favor. The motion carried.

SHERIFFS OFFICE

Present: Jeff Gardner- Sheriff
Ryan Jolley- Prosecuting Attorney

The Board met with Sheriff Gardner to discuss updates within the Sheriffs Office, which included jail population, jail expansion project updates and the plan for Dispatch Appreciation Week.

PUBLIC HEARING REGARDING THE REQUEST FROM EASTERN IDAHO STATE FAIR FOR COUNTY ASSISTANCE WITH LABOR, EQUIPMENT AND MATERIALS

Present: Dusty Whited- Public Works Director
Brandon Bird- Eastern Idaho State Fair General Manager
Jody Jackman- Eastern Idaho State Fair Board Member
Ryan Jolley- Prosecuting Attorney
Ron Murray- Private Citizen
Pamela Eckhardt- County Clerk
Laraine Pope- Human Resources Director
Manny Tinoco- Eastern Idaho State Fair
Bill Dixon- Eastern Idaho State Fair
Via Zoom: Tiffany Olsen- Planning & Development Director
Race Bowman- Citizen
Korey Foster- Eastern Idaho State Fair Board of Directors

The Board held a Public Hearing in regards to the request by the Eastern Idaho State Fair for county assistance with labor, equipment and materials for work to be done on the track. Chairman Manwaring welcomed all to the meeting and introductions were held.

Chairman Manwaring stated that the Commissioners attended the Annual Board of Commission Budget Meeting with the Eastern Idaho State Fair on January 5, 2024, wherein there are sixteen counties involved and participate in donating funding to the fair. This year there was a request that was brought to the counties and if there would be trucks to assist in hauling sand to the arena due to the wet weather, which caused them to have to dig out a lot of the dirt from the arena. It was originally presented to take only one day of hauling if there were several counties that could assist. This matter was discussed with the Public Works Director and Legal Counsel, who advised the Board of Commissioners that a Public Hearing needed to be held.

Ryan Jolley, Prosecuting Attorney and County Legal Counsel, stated the question is when the county can appropriately expend funds or gift funds, which is governed under Idaho Code Section 31-808(9), it reads that counties are permitted to grant to or exchange any real or personal property with the federal government, the State of Idaho, any political subdivision or taxing district of the State, or a local historical society operating as a non-profit. Mr. Jolley stated that there has also been subsequent case law indicating that counties are allowed to gift property or enter into exchanges of property with non-profit organizations. Once there has been a finding that they are operating primarily for a public purpose and that it is in the benefit of the county public to make those expenditures. Therefore, the Board would need to make the finding that the request is either a governmental entity, covered under Idaho Code Section 31-808, or under the case law that it would be to a non-profit organization and is primarily in the benefit of the citizens of the county, to make that expenditure.

Initially Mr. Jolley stated that he was informed that the Eastern Idaho State Fair operates as a 501C3 but it is in fact operating as a 501C5 and have been determined as such by the State that they are operating under the state code that authorizes the creation of a Fair District for multiple counties and as such they are essentially a government entity or district. Therefore, under that analysis, the Board would be able to donate either time, property, or enter into an exchange of time or property with the Fair Board. The county could also choose to charge the Eastern Idaho State Fair the government rate, as has been done with other governmental entities.

Brandon Bird stated when this project started he was unsure how large the request was and was not sure how much sand would be needed. About eighteen years ago, there was a similar effort done with surrounding counties involved in the fair, who came together to haul sand from a similar location and brought it in to get the track up to par, meaning at a good sand/soil mix and something that could run horses while still functioning with rodeo. Mr. Bird stated the question was could this cooperation effort occur again to complete the project. There has been a commitment out of other counties who stated they could provide up to ten trucks to assist with the project. There could have been more but timing was one of the issues trying to work with all parties' schedules to complete the project. The weather does play a huge role in completing this project and therefore, the Eastern Idaho State Fair is now looking into late fall to complete the project. The last time that a project such as this occurred, it took two full days.

Mr. Bird stated the Eastern Idaho State Fair is a unique entity and it has been determined by the state that they operate similar to a Cemetery District. The Eastern Idaho State Fair full-time employees pay into PERSI and the fair insured by ICRMP, which they would like the county to be aware.

Chairman Manwaring asked Mr. Bird to explain how over the years that the sixteen counties participate in funding for the fair. Mr. Bird explained that the fair has been successful in its last ten years and putting funding back into good projects around the fairgrounds. Last year there were two bad days of rain, which destroyed the track, which is why the time has come to get more sand onto the track.

Commissioner Bair stated that his suggestion would be to have Mr. Bird come up with an actual plan, which will include how many trucks will be needed. Commissioner Bair stated that he is not comfortable with the county covering all of the cost because this project will be expensive. Again, Commissioner Bair would like to see specific numbers on what is needed so the Board could hold a Public Hearing and make a decision. Mr. Whited stated from his understanding, when this project occurred last, it was similar to what is being mentioned now. The ability for other agencies that are further away, to provide the heavier equipment, could be hard and therefore, needing the county to provide that heavier equipment. Mr. Whited stated that it was

hopeful to have the project approved, that way when the time comes, Public Works would have the ability to assist without coming before the Board again.

Commissioner Bair suggesting that Mr. Bird approach construction companies to see what they would be willing to donate equipment or time to the project so that the tax payers of Bingham County aren't shouldering the cost of the entire project.

Chairman Manwaring asked if there was testimony to be provided in favor. There was none.

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

Chairman Manwaring asked if there was testimony to be provided in opposition. There was none.

Chairman Manwaring stated that the Public Hearing was closed and the Board moved into deliberation.

Commissioner Jackson stated that he is in favor of the county assisting with the project.

Chairman Manwaring stated that he likes the suggestion made by Commissioner Bair and that he would like to see if there are any construction companies who would donate. Mr. Bird stated that he would contact companies to see what they would be willing to donate.

Commissioner Bair stated that he does not want to make a decision right now and that he would like to see Mr. Bird contact a few companies to see if they are willing to donate equipment assistance for this project.

Chairman Manwaring stated he is in favor of helping but again would like to see of companies would donate equipment to assist and once that is known, another Public Hearing could be held once a plan is laid out and numbers are known.

There was no further discussion held.

Decision: Commissioner Bair moved to commit helping the Eastern Idaho State Fair with the requested project. After the fair is over, the Fair Board can have additional time to come up with a plan and have exact numbers to discuss further at another Public Hearing to follow Idaho Code that allows the county to assist with these expenditures. Chairman Manwaring seconded and added that Brandon Bird will get back to the county with what other counties will be assisting with and have exact numbers to discuss further. All in favor- Commissioner Bair and Chairman Manwaring. All opposed- Commissioner Jackson.

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
 Laraine Pope- Human Resources Director
 Ryan Jolley- Prosecuting Attorney
 Ron Murray- Private Citizen

The Board met with Dusty Whited to discuss updates within the Public Works Division, along with other agenda requests.

Discussion was held in regards to a citizen complaint in regards to the Central Transfer Station and it being closed for required maintenance. Mr. Ron Murray was present to address his concerns in regards to the Central Transfer Station being closed on a Saturday, which was one of the busiest cleanup days of the year. Mr. Whited stated that this is required maintenance that has to occur and is done on a Saturday as the commercial haulers do not run during the weekend. By picking a Saturday to conduct the maintenance, that also gives Sunday to complete what is not completed on Saturday. This notice was placed on the County Facebook page and the marquee outside of the entrance to the Central Transfer Station. Mr. Murray asked if maybe the next three dates for said required maintenance could be placed on the marquee in order

to give more notice. Mr. Whited stated that he would mention that to the Solid Waste Supervisor to see if the upcoming maintenance is posted on the county website and that he would propose placing on the marquee as well.

Commissioner Bair proposed possibly moving the required maintenance day, back one month, wherein Mr. Whited explained that could be possible but again it is depending on weather.

Commissioner Jackson stated that any citizen could also call the Central Transfer Station to see if they are open or not.

Nothing further.

Discussion was held in regards to the proposed sign-on bonus for the all Public Works positions, which include Solid Waste, Truck Drivers, Operators and Mechanics but not the Administrative positions, wherein Mr. Whited stated the amount discussed previously was \$2,000, with \$1,000 payable with the first regular payroll check after completion of 120 hours of work and the other \$1,000 payable on the one-year anniversary of the employees first official day of work, along with special conditions shown on the Sign-on bonus agreement.

The Board had no concerns.

Decision: Commissioner Jackson moved to approve the Sign-On Bonus Agreement for positions full time for Solid Waste and Road & Bridge positions, as proposed. 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 Ford F150 pickup, currently the Commissioners lease pickup, to be bought out for the amount of \$49,700.00, with cost to be split between two funds as follows: \$30,500 from Fund 23-70-899-00 (Solid Waste-Capital Other) and \$19,200 from Fund: 02-40-803-00 (Road & Bridge- Capital-Other)

Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of Ford F150 pickup, currently the Commissioners lease pickup, to be bought out for the amount of \$49,700.00, with cost to be split between two funds as follows: \$30,500 from Fund 23-70-899-00 (Solid Waste-Capital Other) and \$19,200 from Fund: 02-40-899-00 (Road & Bridge- Capital-Other). Commissioner Jackson seconded. All voted in favor. The motion carried.

Next, discussion was held in regards to the Prior Approval for Major Purchase of Cornerstone replacement of steps and ADA ramp at the Central Transfer Station scale house. Said purchase is in the amount of \$8,415.00 and is to be paid from Fund: 23-70-445-06 (Solid Waste- Building Property Maintenance).

Mr. Whited stated that the steps and ramp are starting to deteriorate. He has gathered two bids and would propose the one provided to the Board today, which is the lowest bid.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of Cornerstone replacement of steps and ADA ramp at the Central Transfer Station scale house. Said purchase is in the amount of \$8,415.00 and is to be paid from Fund: 23-70-445-06 (Solid Waste-Building Property Maintenance). Commissioner Bair seconded. All voted in favor. The motion carried.

PRESENTATION OF THE SOUTHEASTERN IDAHO PUBLIC HEALTH BUDGET REQUEST FOR FISCAL YEAR 2025- REQUESTED BY MAGGIE MANN

The Board met to receive presentation of the Southeastern Idaho Public Health Budget Request for Fiscal Year 2025.

Decision: Commissioner Bair moved to approve the Fiscal Year 2025 budget request in the amount of \$591,910.00, from Southeast Idaho Public Health, which was approved by the Board of Health on April 11, 2024 for July 1, 2024 through June 30, 2025. Commissioner Jackson seconded. All voted in favor. The motion carried.

HUMAN RESOURCES

Present: Laraine Pope- Human Resources Director
Ryan Jolley- Prosecuting Attorney
Pamela Eckhardt- County Clerk

The Board met with Laraine Pope to discuss updates within the Human Resource Division and other agenda requests.

Ms. Pope gave an update in regards to current recruitments, current job vacancies and upcoming interviews to be held.

Next, discussion was held in regards to placing the Employee Handbook on the Bingham County Website.

It was stated that previous Legal Counsel had requested to remove the Employee Handbook from the Bingham County public website. Ms. Pope stated it is public information and can be requested but she sees no reason that it needs to be on the public website.

Mr. Jolley stated that there is no issue either way and is up to the Board as to what they would prefer.

Chairman Manwaring and Commissioner Bair had no preference. Commissioner Jackson left for another meeting and therefore was not present for this discussion nor decision.

Decision: Commissioner Bair moved to not post the Employee Handbook on the Bingham County public website. Chairman Manwaring seconded. Both voted in favor. The motion carried.

MEETING TO REVIEW GEOBITMINE'S APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK AND PROVIDE AUTHORIZATION TO USE THE COUNTY'S WELL-LOCATED SOUTH OF THE LEASED PARCEL AS THE POINT OF DIVERSION FOR THE WATER RIGHTS- REQUESTED BY TIFFANY OLSEN- PLANNING & DEVELOPMENT DIRECTOR

Present: Tiffany Olsen- Planning & Development Director
Addie Jo Jackman- Planning & Development Assistant Director
Ryan Jolley- Prosecuting Attorney
Dusty Whited- Public Works Director
Via Zoom: Kristin Moore- Rocky Mountain Environmental
Krysta Aten-Schel- Geobitmine
Jay Jorgensen- Geobitmine

The Board met to review Geobitmine's application to rent water from the water supply bank and provide authorization to use the county's well-located south of the leased property as the point of diversion for the water rights.

Ms. Olsen explained that the commercial water rights are to be transferred to the parcel that Geobitmine Group is leasing from the county. This water would be used on approximately 6.06 acres and it is operational for year-round water. The water the county has on the property currently is an irrigation water right and only available from May to October each year.

Discussions were started last year with Rocky Mountain Environmental and Geobitmine in perhaps converting some of the county's water rights from an irrigation water right to a commercial water right by using the water bank. Through diligent process, the consultant Rocky Mountain Environmental, determined

that it would be most appropriate to have Geobitmine rent their own commercial water right directly from the water bank. Therefore, all of the county water rights are going to remain in the countys name for its purposes. As it pertains to this portion of the land, it would be for irrigation of the trees and for the road and bridges divisions filling of water trucks when needed during that irrigation season.

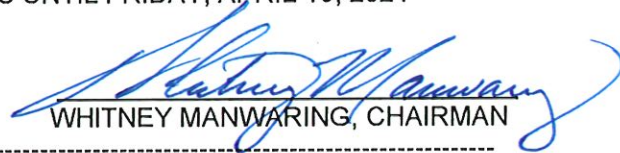
Ms. Olsen stated working with Legal Counsel and Rocky Mountain Environmental, they have prepared an authorization from the county to provide to the water bank with the Application. The County is not part of the Application but do need to provide notification to the water bank giving authorization that Geobitmine can use the countys well. Since Geobitmine does not own that infrastructure, the water bank requires authorization.

The Board had no concerns.

Decision: Commissioner Bair moved to approve and sign the authorization from the owner/operator of the rental point of Diversion as presented. Commissioner Jackson seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY, APRIL 19, 2024


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Friday, April 19, 2024
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 \$136,362.81.

PERSONNEL ACTION FORMS

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

Employee Status Sheet: Legal Assistant/Victim Witness Coordinator/Assistant Office Manager
 Scale House Operator to Solid Waste Operator
 Deputy Treasurer
 Deputy Treasurer
 Building Official
Salary Increase Form: Legal Assistant/Victim Witness Coordinator
New Employee Status Sheet: Emergency Communications Officer
 Solid Waste Operator

Decision: Commissioner Bair moved to approve Cash Warrants, Claims, Administrative Documents and Personnel Action Forms for April 19, 2024. Commissioner Jackson seconded. All voted in favor. The motion carried.

APPROVAL OF ALCOHOL LICENSE FOR BOGEY CAFÉ LLC

The Board met to approve the Alcohol License for Bogey Café LLC.

Decision: Commissioner Jackson moved to approve the Alcohol License for Bogey Café LLC. Commissioner Bair seconded. All voted in favor. The motion carried.

APPOINTMENT OF BINGHAM COUNTY REPRESENTATIVE FOR THE SOUTHEASTERN IDAHO PUBLIC HEALTH BOARD

The Board met to appoint the Bingham County Representative for the Southeastern Idaho Public Health Board pursuant to Idaho Code Section 39-411. The current representative is Whitney Manwaring, whose term will expire June 30, 2024.

Discussion was held and the Board concurred to re-appoint Whitney Manwaring as the Representative for the Southeastern Idaho Public Health Board.

Decision: Commissioner Jackson moved to re-appoint Whitney Manwaring as the Representative for the Southeastern Idaho Public Health Board. Commissioner Bair seconded. All voted in favor. The motion carried.

SIGNING OF CRIME VICTIMS WEEK PROCLAMATION

The Board met to sign the Crime Victims Week Proclamation for April 21-27, 2024.

Sheriff Jeff Gardner read the Proclamation and Chairman Manwaring signed said Proclamation, which was as follows:

Proclamation
National Crime Victims' Right's Week
April 21-27, 2024

Whereas, Americans are the victims of over 20 million crimes each year, affecting individuals and communities; and

Whereas, years of investment in crime victims' rights and services have developed a system of victim response that can help victims recover from crime; and

Whereas, reaching and serving all victims of crime is essential to supporting thriving communities, because those who receive holistic services and support are more likely to remain invested in their communities; and

Whereas, dedicated victim service providers are working every day to meet the needs of crime victims, yet there are still too many victims without meaningful access to rights and services; and

Whereas, many victims face barriers, such as isolation, distrust of authorities, language limitations, lack of transportation, or cultural barriers, that keep them from accessing the services and criminal justice systems that can help them recover from crime; and

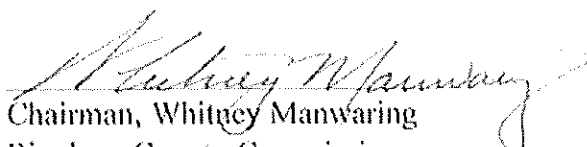
Whereas, we must make a dedicated effort to expand the circle of those prepared to respond to victims and link them to the resources that can help them recover; and

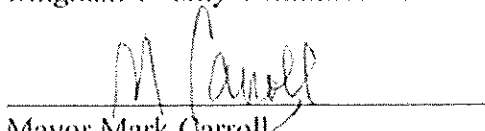
Whereas, engaging a broader array of healthcare providers, community leaders, faith organizations, educators, and businesses can provide new links between victims and services that improve their safety, healing, and access to justice; and

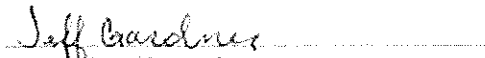
Whereas, National Crime Victims' Right's Week, April 21-27, 2024, provides an opportunity to recommit to ensuring that all victims of crime, especially those who are challenging to reach or serve, are afforded their rights and receive a trauma informed response; and

Now, Therefore, be it resolved, that on the 19th day of April, 2024, Bingham County, Idaho proclaims the week of April 21-27, 2024, to be Crime Victims' Rights Week, and that Bingham County reaffirms a commitment to creating a victim service and criminal justice response that assists victims of crimes throughout the year; and expresses our gratitude for those community members, victim service providers and criminal justice professionals who are committed to improving our response to victims of crime so that they may find assistance, support, justice and peace.

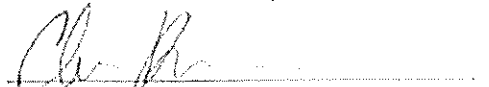
DATED this 19 day of April, 2024.


Chairman, Whitney Manwaring
Bingham County Commissioner

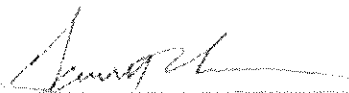

Mayor Mark Carroll
City of Blackfoot


Sheriff Jeff Gardner
Bingham County


Captain Wes Wheatley
Blackfoot Police Department

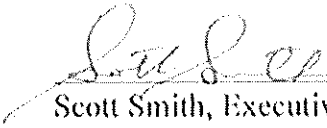

Chief Chad Purser
Shelley Police Department


Ryan Jolley
Bingham County Prosecuting Attorney


Garrett Sandow
Prosecuting Attorney for the City of Blackfoot


Zoie J. Laggis
Special Assistant United States Attorney

Justin Paskett
Assistant United States Attorney


Scott Smith, Executive Director
Bingham Crisis Center

DISCUSSION & POTENTIAL DECISION REGARDING LEASE AGREEMENT FOR COUNTY PROPERTY LEASED TO AMALGAMATED SUGAR

Present: Dusty Whited- Public Works Director
 Ryan Jolley- Prosecuting Attorney
 Matt Wheeler- Amalgamated Sugar
 Troy Warner- Amalgamated Sugar

The Board met to hold discussion and make a potential decision regarding the Lease Agreement for county property leased to Amalgamated Sugar.


Discussion was held in regards to the agreement within the last Lease Agreement, stating that the county agreed to perform at least \$10,000 in road maintenance improvements. Said improvements were performed on roads within the vicinity of the Homestead Sugar Beet Receiving Station, particularly Homestead Road., between Driscoll Road and Countyline Road and Oak Road between Homestead Road and Gamble Road. Mr. Whited stated that said road maintenance improvements had been completed and that he had documentation showing what was completed, which he would email to Mr. Wheeler for their files. Mr. Whited stated that provision would not be included within the newly signed lease, if approved, and that regular road maintenance improvements would occur.

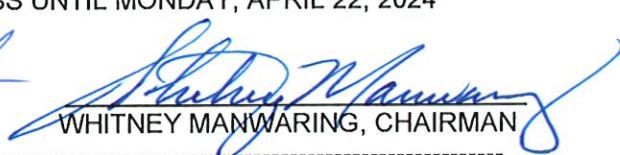
Discussion was held in regards to an increase in the lease amount, wherein Commissioner Bair stated he would propose a 2% increase yearly. Chairman Manwaring, Commissioner Jackson and Amalgamated Sugar representatives were all in favor of that proposal.

The Board of Commissioners were in favor of signing another Lease Agreement, locking in another five-year lease. Mr. Wheeler and Mr. Warner were also in favor. It was confirmed that Legal Counsel would draft and update the Lease Agreement for signatures.

Decision: Commissioner Jackson moved to continue the Lease Agreement between Bingham County and Amalgamated Sugar as discussed. Commissioner Bair seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL MONDAY, APRIL 22, 2024


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


 WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Monday, April 22, 2024
 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

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(f), to communicate with legal counsel regarding pending/imminently-likely litigation. Commissioner Jackson moved to go into Executive Session pursuant to Idaho Code §74-206(1)(f), to communicate with legal counsel regarding pending/imminently-likely litigation. Commissioner Bair seconded. Both in favor. The Board moved into Executive Session at 10:05 a.m. Commissioner Bair moved to go out of Executive Session. Chairman Manwaring seconded. The Board moved out of Executive Session at 10:52 a.m.

Decision: No decision to be made.

MEETING TO REVIEW POLICY ON USE OF THE COURTHOUSE AFTER HOURS

Present: Pamela Eckhardt- County Clerk
 Ryan Jolley- Prosecuting Attorney
 Jeff Gardner- Sheriff
 Sheri Landon- Court Supervisor
 Jason Marlow- Building Maintenance

The Board met to review policy on use of the courthouse after hours.

Chairman Manwaring explained that he was informed the previous week that there were groups that were wanting to use the Courthouse for meetings. By the time that he heard of this occurring, it was too late to inform them that this is not allowed. In the past this has not been an issue. The Political Party Central Committee have been allowed to use the courthouse for their meetings. Chairman Manwaring stated since he has been Commissioner, the Assessor, the Sheriff, three Prosecutors and 3 Coroners have been replaced. That process goes to the Central Committee, The Central Committee reviews the application/resume of each applicant to interview. After which those names are provided to the Board of

County Commissioners for a decision to appoint. Chairman Manwaring stated in his opinion, this is considered courthouse business and asked for the opinion of those in attendance.

Ryan Jolley stated the concern is that the county does not want to create a public forum or turn the courthouse into an area where any public meeting can be held. Mr. Jolley stated if the Board is going to allow meetings that are not specifically for either Planning & Zoning Commission or other county meetings that are occurring, it should be specific within Section 13.7 of the Bingham County Employee Policy, what meetings are allowed so that it is clear and does not merge into an issue.

Chairman Manwaring stated with this incident he believes there may have been miscommunication and that the Board of Commissioners should be aware of any request to use a Courtroom. Per policy, the Board should be notified and to see if there are any conflicts in approving the use.

Commissioner Bair referred to Section 13.7 and stated he would propose removing the current sentence stating "Use of Bingham County's premises for any other purpose is subject to advance arrangement and specific approval by Bingham County and the Board", and stating specific that are considered to be County business and allowed uses. Ryan Jolley stated that he recommends that allowed uses be specific and spelled out within the policy.

A brief discussion was held in regards to uses that should be spelled out within Section 13.7, which included but not up to Election Training, Court Services, Planning & Zoning Commission Public Hearings and Political Party Central Committee meetings.

Chairman Manwaring proposed having each department head or Elected Official, make a list stating what uses could possibly occur, specific to county use only.

After discussion, it was decided that Ryan Jolley would work with Human Resources to draft specific language. Once that is done, a separate meeting will be held to approve said language.

Decision: Commissioner Bair moved to advise Legal Counsel to work with Human Resources to come up with specific verbiage for Section 13.7 of the Bingham County Employee Policy, specifically in regards to approved uses of the courthouse after hours. Commissioner Jackson seconded. All voted in favor. The motion carried.

DISCUSSION & DECISION REGARDING THE REQUEST BY HAILEY & KEVIN ANDERSON, FOR A CONDITIONAL CERTIFICATE OF OCCUPANCY FOR 1385 NORTH 735 EAST, SHELLEY.

- Present: Hailey Anderson- Property Owner
Kevin Anderson- Property Owner
Tiffany Olsen- Planning & Development Director
Ryan Jolley- Prosecuting Attorney
Dusty Whited- Public Works Director
Gwen Inskeep- Surveyor
Via Phone: Randy Adams- Shelley-Firth Fire Chief

The Board met to hold discussion and make a decision regarding the request by Hailey and Kevin Anderson, for a Conditional Certificate of Occupancy for 1385 North 735 East, Shelley, Idaho.

Mr. Anderson explained that he has been working since the meeting held on April 1st, to do exactly what was needed in order to complete the road. There have been hiccups along the way that of course is never planned. Mr. Anderson stated that a company went to start working on the road, there was a question as to rather they could do 20 feet or 16 feet, which was discussed previously but they went ahead and went with the 20 feet for the access road off of 1400. Then they ran into an issue with the turnarounds being approved and it seemed that it may be a lengthy process to resolve issues, which is why this meeting has been requested, specifically to request a Conditional Certificate of Occupancy while things are completed.

Mr. Anderson stated that he went ahead and did the 20 feet for the road in order to have the road completed as quick as possible but then on the turnarounds there have been issues with approval. Mr. Anderson stated that Fire Chief Randy Adams mentioned there was a meeting held previously and there was a solution where it would not require replat process and he wanted to be sure that statement was correct.

Chairman Manwaring stated that one week ago Tiffany Olsen, Dusty Whited and Ryan Jolley held a site visit to view the road, in order to see what was occurring. The main concern is the safety issue of not being able to get a fire truck or ambulance down the road. The reason that the Fire Chief is involved is that the road is a private road but if it goes to a larger subdivision and becomes a public road, Dusty Whited will be involved with the compaction and testing.

Tiffany Olsen stated that Chief Adams had sent her a few emails between himself and Lisa and Kaleb Phelps in regards to the onsite visit held, wherein he questioned a crash gate as opposed to a turnaround that is depicted on the Final Plat that is recorded for Division 1 of River Run Estates Subdivision. She stated that the turnaround is outside of the subdivision boundaries and therefore there is not a replat that is required. However, if the Andersons' change the configuration, the county would encourage them to work with a surveyor in order to correct the record of survey, to show the designated turnaround that would be constructed, so that the record is corrected if anyone were to pull a record of survey on the subject property. Ms. Olsen stated there are different configurations that can be used for emergency turnarounds and set in Fire Code that she is sure Chief Adams has informed them of and can work with them on. The design would be with the Fire Marshall and again the county would recommend a record of survey in order to make corrections in order to be accurate.

Mr. Anderson stated the only issue they still have where they are looking at a Conditional Certificate of Occupancy, would be the fact that they have gone back and forth with the road company, letting them know that they are still waiting. Therefore, the road company has taken other obligations. Ms. Anderson stated that everything with the road is complete except the crush gravel on the top. Chief Adams concurred that compaction has been done but the road base on the top has not been done.

Chairman Manwaring asked how long the Andersons' would need for a Conditional Certificate of Occupancy in order to get the road completed. Mr. Anderson stated that he would anticipate 5 weeks.

Chairman Manwaring stated that he has no concern with approving a Conditional Certificate of Occupancy, to allow the Andersons' to complete the road.

Commissioner Jackson asked Chief Adams where the road is compacted, would there be an issue getting a fire truck or ambulance down the road, to which Chief Adams stated there would be no issue. Commissioner Bair stated if that is the case, why couldn't a Certificate of Occupancy be approved? Ms. Olsen stated that in the Board's Decision for River Run Subdivision, it was required that all approaches and legal accesses be done prior to issuing a full Certificate of Occupancy until road is complete and approved. Chief Adams stated that he turnaround also has not been built yet.

Commissioner Bair had no concerns.

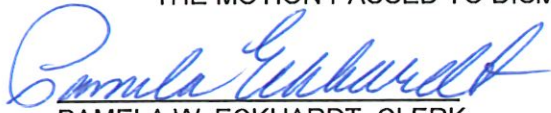
Commissioner Jackson had no concerns.

Chief Randy Adams had no concerns.

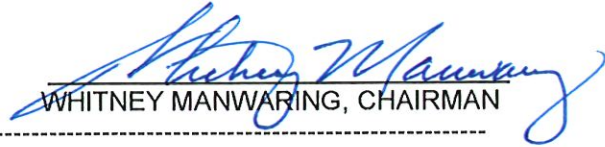
Ms. Olsen requested that Chief Adams send her an email confirming that he is in concurrence with May 31, 2024 being the deadline. Chief Adams confirmed that he would do so.

Decision: Commissioner Jackson moved to approve a Conditional Certificate of Occupancy for Hailey and Kevin Anderson at 1385 North 735 East, Shelley, with an expiration date of May 31, 2024. Commissioner Bair seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY, APRIL 24, 2024



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Wednesday, April 24, 2024
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 \$3,000 and \$20,543.88, for a total of \$23,543.88.

Decision: Commissioner Jackson moved to approve Cash Warrants for April 24, 2024. Chairman Manwaring seconded. Both voted in favor. The motion carried.

SHERIFFS OFFICE

Present: Jeff Gardner- Sheriff
Jordyn Nebeker- Chief Deputy Sheriff
Laraine Pope- Human Resources

The Board met with Sheriff Gardner to discuss updates within the Sheriffs Office, which included jail population, an update on the jail expansion and courthouse remodel projects and upcoming events for the Sheriffs Office.

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
Troy Lenhart- Road & Bridge Supervisor
Gwen Inskeep- County Surveyor
Ryan Jolley- Prosecuting Attorney
Laraine Pope- Human Resources
Randy Adams- Shelley-Firth Fire Chief
Tiffany Olsen- Planning & Development Director
Luke Jolley- HLE

The Board met with Dusty Whited to discuss updates within the Public Works Division and other agenda items.

Chief Adams stated when the Shelley Fire Station was built, the county assisted with hauling fill to get the grade to where is needed to be. He stated that ground has been acquired on the corner of 700 North and Highway 91 to rebuild the Firth Fire Station. Therefore, he would like assistance from the county again to do the same thing that was done for the Shelley Fire Station. Chairman Manwaring asked what would be

needed and how much, to which Chief Adams stated it would be fill and base on top. Mr. Whited stated he would recommend pit run and 4 inches of ¾ top.

Chief Adams stated when this occurred last time, the county grubbed it and dumped the materials, after which Knife River completed all of the compacting and leveling. It is currently unknown who will be completing the project as the bidding process has not been done yet.

Chairman Manwaring stated the last time this occurred, it was done by donation and at no cost to Shelley Fire. It is currently unknown just how much material would be needed but Chief Adams would be in contact with Mr. Whited. All three Commissioners were in favor of assisting at no cost for this project.

Decision: Commissioner Jackson moved to approve that the county assist with hauling gravel for the Firth Fire Station project. After the bidding process is complete, Chief Adams will advise Mr. Whited of the amount of material needed for the project and those amounts will be brought before the Board for final decision. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Next, discussion was held in regards to the proposed amendments to be made to the Bingham County Road Standards Manual, specifically pertaining to cluster mailbox requirement for new subdivisions to include a paved turnout.

Mr. Whited explained that the current detail shows a 6-foot by 9-foot concrete pad and it is recommended to changing to match the detail required for rural county roads. The only difference is it specifies pavement is needed if within a subdivision and gravel if along a rural roadway.

Mr. Whited confirmed that he has spoken with several developers, Gale Lim Construction and HLE, wherein there were no concerns regarding the amendment.

The second amendment to be made is to add a sign detail, which is a requirement out of the Manual on Uniform Traffic Control Devices (MUTCD) and details the style of signs with address and street name. Mr. Whited stated that the previous County Surveyor came up with this requirement and it has been implemented for the last several years but needs to be adopted formally into the Bingham County Road Standards Manual.

The Board had no concerns in regards to the proposed amendments.

Decision: Commissioner Jackson moved to approved paved turnout, sign detail and cluster mailbox verbiage as presented by Mr. Whited, to be amended within the Bingham County Road Standards Manual. This amendment will be finalized by resolution and the resolution will be signed once prepared. Chairman Manwaring seconded. Both voted in favor. The motion carried and said resolution was signed as follows:

BINGHAM COUNTY
RESOLUTION 2024-17

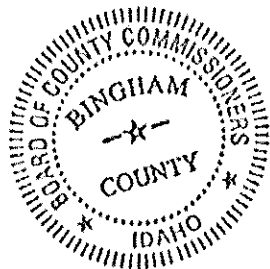
A RESOLUTION AMENDING THE BINGHAM COUNTY ROAD STANDARDS
MANUAL FOR USE BY THE BINGHAM COUNTY PUBLIC WORKS DEPARTMENT

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

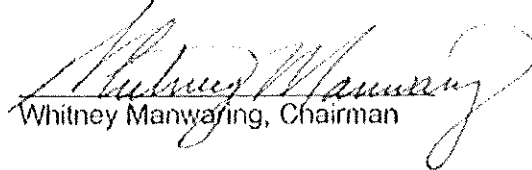
1. The current Road Standards Manual being used by the Bingham County Public Works Department provided by Bingham County, will have amendments to the following Figures;
 - a. Section III- Figure 7- Mailbox Turnout
 - b. Section III- Figure 8- Cluster Mailbox Detail
 - c. Figure 13
2. Said Amendments can be viewed at the Bingham County Public Works Department or on the Bingham County Website.

Said changes will be in affect as of April 24, 2024.

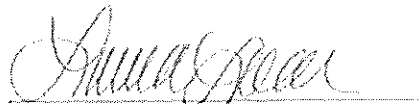
Dated this 24th day of April, 2024



BINGHAM COUNTY COMMISSION


 Whitney Manwaring, Chairman


 Mark R. Bair, Commissioner


 Pamela W. Eckhardt,
 Bingham County Clerk


 Eric Jackson, Commissioner

DISCUSSION REGARDING SECURITY, VULNERABILITY AND PENETRATION TESTING ON THE NETWORK- REQUESTED BY MATT GALLOWAY

Present: Matt Galloway- IT Director

The Board met to hold discussion with Matt Galloway, IT Director, in regards to security, vulnerability and penetration testing on the network.

Idaho, specifically for the IT Department. Chairman Manwaring seconded. Both voted in favor. The motion carried and said resolution was approved and signed as follows:

BINGHAM COUNTY
RESOLUTION NO. 2024-16

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

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

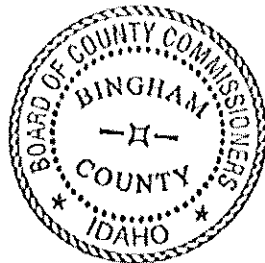
WHEREAS, The Bingham County Commissioners have the authority to sell or offer for sale personal property not exceeding two hundred fifty dollars (\$250) in value at private sale, (Idaho Code §31-808);

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

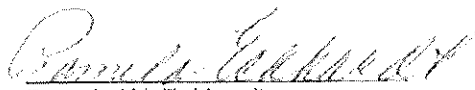
BINGHAM COUNTY IT DEPARTMENT

"See Attached Exhibit A"

DATED this 24th day of April 2024.



ATTEST:


Pamela W. Eckhardt
Bingham County Clerk

BINGHAM COUNTY COMMISSION


Whitney Manwaring, Chairman

Mark R. Bair, Commissioner


Eric Jackson, Commissioner

"Exhibit A" to Resolution 2024-16

Quantity	Type	Description	Asset ID#
5	Desktop	Dell Optiplex	SFF,
1	Desktop	Dell Precision	Old Jail Command door controller
1	Printer	HP Laserjet P4015	Doesn't work
1	Printer	HP Laserjet Pro M452	Doesn't work - from HR
1	Printer	Canon LBP7660C	Doesn't work - Jail Command
5	Monitors	Misc Monitors	Dell & Planar
1	Copier	Toshiba Studio 365	Last used in Balliff, broken, parts hard to find.
1	Printer	HP 4200	Too many broken parts for repair - Booking


APPROVAL OF COMMISSION MINUTES FOR MARCH 19-29, 2024

The Board met to approve Commission Minutes for March 19-29, 2024.

Decision: Commissioner Jackson moved to approve Commission Minutes for March 19-29, 2024, as written. Chairman Manwaring seconded. Both voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL TUESDAY, APRIL 30, 2024


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


 WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Tuesday, April 30, 2024
 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

MEETING TO APPROVE AND SIGN THE FINAL PLAT FOR BINGHAM INDUSTRIAL PARK, 5th AMENDED REPLAT

The Board met to approve and sign the Final Plat for Bingham Industrial Park, 5th Amended Replat.

Ms. Olsen stated that the Preliminary Plat was brought before the Board on February 14, 2024, wherein there was no infrastructure required and no Development Agreement was needed.

Decision: Commissioner Jackson moved to approve and sign the Final Plat for Bingham Industrial Park, 5th Amended Replat. Chairman Manwaring seconded. Both voted in favor. The motion carried.

PLANNING & DEVELOPMENT

Present: Tiffany Olsen- Planning & Development Director

The Board met with Tiffany Olsen to discuss updates within the Planning & Development Division, which included the upcoming Planning & Zoning Commission schedule, Building Division updates and update on Code Enforcement items.

EXECUTIVE SESSION


The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(d), to consider Records that are exempt from public disclosure. Commissioner Jackson moved to go into Executive Session pursuant to Idaho Code §74-206(1)(d), to consider records that are exempt from public disclosure. Chairman Manwaring seconded. Both in favor. The Board moved into Executive Session at 3:13 p.m. Commissioner Jackson moved to go out of Executive Session. Chairman Manwaring seconded. The Board moved out of Executive Session at 3:23 p.m.

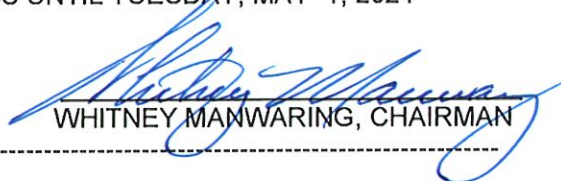
Decision: Per the recommendation of Susan Denny, Indigent Services, Commissioner Jackson moved to approve Indigent Cremation Case Number 2024-7, in the amount of \$2,000 to Hawker Funeral Home. Chairman Manwaring seconded. Both voted in favor. The motion carried.

CLAIMS FOR THE PREVIOUS MONTH WERE APPROVED AS FOLLOWS:

Current Expenses	\$651,892.01	Tort.....	\$231,640.23
Road & Bridge	\$215,461.72	Weeds	\$8,847.66
Airport.....	\$31.13	Emergency Communication.....	\$16,168.97
Justice Fund	\$493,477.27	Road & Bridge Special Project..	\$30,464.95
District Court.....	\$160,969.97	Waterways.....	\$493.50
Preventative Health.....	\$29,500.00	OPIOID Abatement Account.....	\$984.00
Parks & Recreation	\$11,807.00	PILT.....	\$66,671.00
Revaluation.....	\$24,898.08	Treatment Court Fund.....	\$6,866.81
Solid Waste.....	\$213,267.46	ARPA Funding.....	\$687,737.48
Veterans Memorial.....	\$119.13	Junior College.....	\$500.00

THE MOTION PASSED TO DISMISS UNTIL TUESDAY, MAY 1, 2024


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


WHITNEY MANWARING, CHAIRMAN