

STATE OF IDAHO        )  
                              : ss.               Monday, July 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  
                              Donavan Harrington- Assessor  
                              Debbie Cunningham- Chief Deputy Assessor  
                              Dusty Whited- Public Works Director  
                              Jimmy Roberts- County Coroner  
                              Sheri Landon- Court Supervisor  
                              Laraine Pope- Human Resources Director  
                              Jason Marlow- Building Maintenance  
                              Tiffany Olsen- Planning & Development Director  
                              Shawn Hill- Probation Services  
                              Cody Lewis- Treatment Court  
                              Jeff Gardner- Sheriff  
                              Jordyn Nebeker- Chief Deputy Sheriff  
                              Carmen Willmore- Extension Office  
                              Tanna Beal- County Treasurer  
                              Danette Miller- Elections Office

Excused:               Laura Lora- Payroll/Indigent Services  
                              Scott Reese- Parks & Recreation/Emergency Services  
                              Ryan Jolley- Prosecuting Attorney/ County Legal Counsel  
                              Julie Buck- Extension Office  
                              Gordon Croft- Blackfoot Chief of Police  
                              Matt Galloway- IT Department

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

Pledge of Allegiance: Chairman Manwaring conducted.

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

Special Presentation: Laraine Pope reviewed several topics within the Bingham County Emergency Procedures Flipchart. Each county employee should have one of these flipcharts at their desk and readily available if needed. Ms. Pope reviewed the process to be followed for fire or explosion and fire alarm procedure.

Safety Concerns: None.

Employee Years of Service Recognition: Sheri Landon recognized Carla Bennett for twenty (20) years of service to Bingham County. Carla has a large caseload which includes Preliminary Hearings at Magistrate

Court, Criminal Jury Trials, Misdemeanor Pretrials and Sentencings. She works with more than one judge, handles her caseload well and does an amazing job.

Kris Talbot recognized Scott Denning for twenty (20) years of service to Bingham County. Scott Denning started in 2004 as a Jail Tech and then moved to Detention Deputy. Scott has a lot of knowledge and has worked in various roles for the Sheriff's Office. He currently is on the courts team and covers front door security. He does an amazing job.

Commissioner Jackson: Had no updates at this time.

Commissioner Bair: Had no updates at this time.

Chairman Manwaring: Asked all in attendance three (3) trivia questions in regards to why we celebrate the Fourth of July.

Clerk Pamela Eckhardt: Thanked everyone for their hard work on the budget and stated that there will be a few departments that will be coming in for a second meeting to review their budget further.

Clerk Eckhardt stated that she would like to give a shout out to Danette Miller ad the Elections Office for a successful recount for the Legislative District 30 Primary Election. It was a long day but went well.

Donavan Harrington: Stated that the Appraisal Department has been working through the Board of Equalization appeals.

Dusty Whited: Had no updates at this time.

Jimmy Roberts: Stated that the Coroners Office has two interns from Idaho State University that have been a great help. The Coroners Office handled twenty (20) cases in the month of June with one requiring an autopsy. Again, suicide prevention is something to keep in mind. There have been more suicides this fiscal year than we have had in the history of Bingham County.

Sheri Landon: Had no updates at this time.

Laraine Pope: Had no updates at this time.

Jason Marlow: Had no updates at this time.

Tiffany Olsen: Had no updates at this time.

Shawn Hill: Had no updates at this time.

Sheriff Gardner: Had no updates at this time.

Tanna Beal: Had no updates at this time.

Danette Miller: Stated that the Election Office completed its first state recount, which was headed by the Attorney Generals Office. It was successful and all numbers were accurate. This recount was for the state race between Julianne Young and Ben Fuhriman. She would like to thank the Courts, the Sheriff's Office, Clerk Eckhardt, Megan Kearsley, Kelli Robbins and all of the pollworkers.

Chairman Manwaring stated next Staff Meeting is scheduled for Monday, August 5, 2024 at 8:30 a.m.

Nothing further.

PROBATION DEPARTMENT

Present: Shawn Hill- Probation Director  
Pamela Eckhardt- County Clerk  
Mary Reyes- Probation Services  
Laura Lora- Chief Deputy Clerk

The Board met with Shawn Hill to discuss updates within the Probation Department and to review the proposed Fiscal year 2025 budget.

REASON & DECISION- MORGAN ENTERPRISES LLC ZONE CHANGE

The Board met to approve and sign the Reason & Decision for the Morgan Enterprises LLC Zone Change from Residential/Agriculture to Heavy Commercial. Chairman Manwaring confirmed with Commission Clerk, Lindsey Dalley, that if there were any changes to be made, said changes had been made. Commission Clerk clarified there were no changes to be made.

**Decision: Commissioner Bair moved to approve and sign the Reason & Decision for Morgan Enterprises LLC, as written. Commissioner Jackson seconded. All voted in favor. The motion carried.**

REASON & DECISION- MATHEW & CORRIE CAGLE ZONE CHANGE

The Board met to approve and sign the Reason & Decision for the Mathew & Corrie Cagle Zone Change from mostly Light Commercial, with a small area zoned Residential, to all Residential. Chairman Manwaring confirmed with Commission Clerk, Lindsey Dalley, that if there were any changes to be made, said changes had been made. Commission Clerk clarified there were no changes to be made.

**Decision: Commissioner Jackson moved to approve and sin the Reason & Decision for Mathew & Corrie Cagle, as written. Commissioner Bair seconded. All voted in favor. The motion carried.**

ORDINANCE 2024-4

The Board met to approve and sign Bingham County Ordinance 2024-4, an ordinance amending the General Bingham County Zoning Ordinance 2012-08 and accompanying zoning map by changing the zoning use district of the below described real property from its present classification as Residential/Agriculture to Heavy Commercial, which was requested by Morgan Enterprises LLC.

Commission Clerk stated that the County Surveyor had reviewed the legal description within the Ordinance and there were no issues.

**Decision: Commissioner Bair moved to approve and sign Bingham County Ordinance 2024-4, an ordinance amending the General Bingham County Zoning Ordinance 2012-08 and accompanying zoning map by changing the zoning use district of the below described real property from its present classification as Residential/Agriculture to Heavy Commercial, which was requested by Morgan Enterprises LLC. Commissioner Jackson seconded. All voted in favor. The motion carried and said Ordinance was approved and recorded as follows:**

**Instrument # 763318**  
BINGHAM COUNTY  
7-1-2024 03:03:05 PM No. of Pages: 1  
Recorded for : BINGHAM COUNTY COMMISSIONERS  
PAMELA W. ECKHARDT Fee: 0.00  
Ex-Officio Recorder Deputy

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

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

A portion of Lot 4, Southwest Quarter of the Southwest Quarter(SW1/4SW1/4) of Section 35, Township 2 South, Range 34 East, Boise Meridian, Bingham County, Idaho described as; Beginning at a point 1310.1 feet East of the Southwest Corner of said Section 35, thence West 33 feet, thence North 50 feet to the true point of beginning; thence West following the North Line of the State Highway 194 feet; thence North 268 feet; thence East 194 feet to the West Line of the old railroad right of way, thence South 268 feet to the true point of Beginning.

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

Passed and Approved by the Board of County Commissioners, County of Bingham, State of Idaho, at a Public Hearing held on the 17<sup>th</sup> day of June 2024.

Signed this 1 day of July 2024

ATTEST:



Pamela Eckhardt  
Pamela Eckhardt  
Bingham County Clerk

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

Whitney Manwaring  
Whitney Manwaring, Chairman

Mark R. Bair  
Mark R. Bair, Commissioner

Eric Jackson  
Eric Jackson, Commissioner

ORDINANCE 2024-5

The Board met to approve and sign Bingham County Ordinance 2045-5, an ordinance amending the General Bingham County Zoning Ordinance 2012-08 and accompanying zoning map by changing the zoning use district of the below described real property from its present classification as Light Commercial and Residential, to all Residential, which was requested by Mathew & Corrie Cagle.

Commission Clerk stated that the County Surveyor had reviewed the legal description within the Ordinance and there were no issues.

**Decision: Commissioner Bair moved to approve and sign Bingham County Ordinance 2024-5, an ordinance amending the General Bingham County Zoning Ordinance 2012-08 and accompanying zoning map by changing the zoning use district of the below described real property from its present classification as Light Commercial and Residential, to all Residential, which was requested by Mathew & Corrie Cagle. Commissioner Jackson seconded. All voted in favor. The motion carried and said Ordinance was approved and recorded as follows:**

Instrument # 763319

BINGHAM COUNTY  
7-1-2024 03:07:08 PM No. of Pages: 1  
Recorded for : BINGHAM COUNTY COMMISSIONERS  
PAMELA W. ECKHARDT Fee: 0.00  
Ex-Officio Recorder Deputy

**BINGHAM COUNTY  
ORDINANCE 2024-05**

AN ORDINANCE AMENDING THE GENERAL BINGHAM COUNTY ZONING ORDINANCE 2012-08 AND ACCOMPANYING ZONING MAP BY CHANGING THE ZONING USE DISTRICT OF THE BELOW-DESCRIBED REAL PROPERTY FROM ITS PRESENT CLASSIFICATION AS "C1" LIGHT COMMERCIAL AND "R" RESIDENTIAL TO ALL "R" RESIDENTIAL.

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

Lot 2, Block A, Grimmatt Addition to the Townsite of Moreland, Bingham County, Idaho, as shown on the recorded plat thereof.

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

Passed and Approved by the Board of County Commissioners, County of Bingham, State of Idaho, at a Public Hearing held on the 17<sup>th</sup> day of June 2024.

Signed this   1   day of July 2024

ATTEST:



*Pamela Eckhardt*

Pamela Eckhardt  
Bingham County Clerk

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

*Whitney Marwaring*  
Whitney Marwaring, Chairman

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

*Eric Jackson*  
Eric Jackson, Commissioner

## BUILDING MAINTENANCE

Present: Jason Marlow- Building Maintenance Supervisor  
Pamela Eckhardt- County Clerk  
Laura Lora- Chief Deputy Clerk

The Board met with Jason Marlow to discuss updates within the Building Maintenance Division, along with other agenda items.

Discussion was held in regards to the submitted Prior Approval for Major Purchase of greeting countertops with cabinets for the Extension Office. Mr. Marlow stated that the University of Idaho Extension Office has been using plastic tables and a cut in half door to greet people entering into the building. They have requested countertops that are more professional and permanent to be installed.

Mr. Marlow explained the quote received from the Idaho Correctional Institute, which was in the estimated amount of \$2,600.00 and is proposed to be paid from Fund: 01-10-494-00 (Building Maintenance- Repairs building and maintenance).

**Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of greeting countertops with cabinets for the Extension Office. Said purchase is in the amount of \$2,600.00 and is proposed to be paid from Fund: 01-10-494-00 (Building Maintenance- Repairs building and maintenance). 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 an exhaust vent rebuild for jail booking, medical and bailiffs. There is an exhaust vent in the ceiling of overflow that hasn't been working for some time, which vents several areas located through the front admin area of the jail. This would help with HVAC control, moisture and smells.

Mr. Marlow explained the estimated cost received from L&L Mechanical, Inc, was in the amount of \$1,147.00, which includes motor, blower wheel, and the hardware to install the new internal parts.

**Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of an exhaust vent rebuild for jail booking, medical and bailiffs. Said purchase is to be purchased from L&L Mechanical, Inc., in the amount of \$1,147.00 and is to be paid from Fund: 01-10-506-00 (Building Maintenance- Jail Repairs).**

Lastly, the proposed budget for Building Maintenance in Fiscal Year 2025 was reviewed.

## ASSESSORS OFFICE

Present: Donovan Harrington- County Assessor  
Debbie Cunningham- Chief Deputy Assessor  
Pamela Eckhardt- County Clerk  
Laura Lora- Chief Deputy Clerk

The Board met to make a decision in regards to the submitted Tax Exemption Application for Grove City Lodge Afam No.33, pursuant to Idaho Code 63-602 C.

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

**Decision: Commissioner Bair moved to approve the Tax Exemption Application for Grove City Lodge Afam No.33, pursuant to Idaho Code 63-602 C. Commissioner Jackson seconded. All voted in favor. The motion carried.**

Lastly, Mr. Harrington discussed the proposed the Fiscal Year 2025 budget for the Assessor's Office.

ELECTION DEPARTMENT

Present: Pamela Eckhardt- County Clerk  
Laura Lora- Chief Deputy Clerk  
Danette Miller- Election Director

The Board met with Danette Miller to review the proposed Fiscal Year 2025 budget for the Election Division.

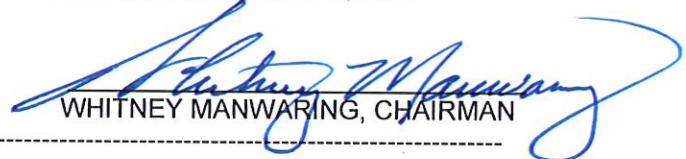
HISTORICAL SOCIETY BUDGET

Present: Pamela Eckhardt- County Clerk  
Laura Lora- Chief Deputy Clerk  
Susan Nalley- Historical Society  
Heather McPhie- Historical Society  
Jason Marlow- Building Maintenance Supervisor

The Board met to review the proposed Fiscal Year 2025 budget for the Historical Society.

THE MOTION PASSED TO DISMISS UNTIL TUESDAY, JULY 2, 2024

  
PAMELA W. ECKHARDT, CLERK  
Lindsey Dalley- Commission Clerk

  
WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO )  
: ss. Tuesday, July 2, 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

BOARD OF EQUALIZATION APPEAL HEARING- E & H FARMS LLC (BRAD HALL)

Present: Connie Christensen- Bingham Groundwater  
Jared Wolfley- Bingham Ag Industrial  
Brad Hall- Appellant  
Kelia Meskel- Appraiser  
Shellie Conn- Appraiser  
Becca Goodwin- Appraiser  
Gary Shewey- Commercial Appraiser  
Garrett Marshall- Commercial Appraiser  
Donavan Harrington- County Assessor  
Debbie Cunningham- Chief Deputy Assessor

The Board met as the Board of Equalization to hear several Appeal Application's submitted by E & H Farms LLC, Brad Hall. Chairman Manwaring welcomed all to the meeting, confirmed that those who would be testifying had completed an Oath of Affirmation form and reviewed the Appeal Hearing rules.



Brad Hall, Appellant, provided testimony and entered Exhibit Appellant 1, into the record. Mr. Hall stated that the properties listed on the submitted document are not all of the properties and only has reference to Hall Farms and E&H Farms LLC. Mr. Hall stated that he would like to review all parcels together as one.

Mr. Hall explained that his main reasoning for appearing today is to address a decision made by the leaders in the State of Idaho, specifically regarding the water curtailment and property value.

Commissioner Jackson asked Mr. Hall if he has any properties that are farmed off of surface irrigation, to which Mr. Hall stated that he does not believe so.

Mr. Hall stated that he is extremely concerned. He has never protested his property value and his property taxes are always paid on time. Mr. Hall briefly explained the cost to grow potatoes and wheat. With its decision, the State of Idaho has deeply affected many farmers and other businesses.

Gary Shewey reviewed the revaluation process and explained the change shows up as a one-year change but actually the previous appraisal is approximately thirteen years ago. It was tied to a soil survey done in the 60's and 70's and everything has changed, including climate, farming practices, fertilizers and more. It was tied to soil capabilities and on a given field there could be as many as 10-15 different value levels. The Tax Commission went to a cash lease basis and therefore there are different cash rents based on what is grown. When talking about water, the county is one year in arrears with valuation and are looking at 2023 to base values and are not at market value. The Tax Commission has built in an exemption which they consider a speculative portion of a sale price and they take that away from an ag parcel so that you can pay a reasonable tax and still be able to operate. The top value is somewhere in the neighborhood of \$1,900 per acre and agree that at one time it was \$10,000 to \$12,000 per acre but it is debatable whether that is still there or not.

Connie Christensen, Bingham Ground Water, added the difference between surface and ground water, she can guarantee that it will be all of the same people. She expressed her concern of the water curtailment on the economy.

Chairman Manwaring reviewed the appeal process and stated that this matter will be taken under advisement and a decision will be made at a later date. After a decision has been made, Lindsey Dalley, Commission Clerk, will mail the Appellant a decision letter.

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

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

  
WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO        )  
                              : ss.                Wednesday, July 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

SHERIFFS OFFICE

Present: Jeff Gardner- Sheriff  
Jordyn Nebeker- Chief Deputy Sheriff

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

PUBLIC WORKS

Present: Dusty Whited- Public Works Director  
Derrick Going- Solid Waste Supervisor  
Kraig Edwards- Weeds Supervisor  
Pamela Eckhardt- County Clerk

The Board met with Dusty Whited to review the proposed Fiscal Year 2025 budget's for Solid Waste and the Weed Department.

TREATMENT COURT BUDGET REVIEW

Present: Cody Lewis- Treatment Court Supervisor  
Pamela Eckhardt- County Clerk

The Board met to review the proposed Fiscal Year 2025 budget for Treatment Court.

BOARD OF EQUALIZATION- LYLE & KRISTA SODERQUIST

Present: Donovan Harrington- County Assessor  
Debbie Cunningham- Chief Deputy Assessor  
Gary Shewey- Commercial Appraiser  
Becca Goodwin- Appraiser  
Shellie Conn- Appraiser  
Kelia Meskel- Appraiser  
Lyle Soderquist- Appellant  
Krista Soderquist- Appellant

The Board met as the Board of Equalization to hear the submitted Appeal Application for Lyle & Krista Soderquist. Chairman Manwaring welcomed all to the meeting and confirmed that those in attendance who would be speaking had completed the Oath of Affirmation Form. Chairman Manwaring reviewed the rules of the Appeal Hearing.

Lyle Soderquist referred to RP0174201 and explained that there is an error in acreage. The assessment notice shows 320-acres of irrigated land and should be 298 acres of irrigated land. It is a 320-acre parcel but there are 3 corners that are not irrigated and therefore, only 298.4 should be assessed as irrigated land.

Discussion was held in regards to the price per acre for irrigated land, wherein Mr. Shewey explained that the previous appraisal level is 13 years old and was tied to the sales survey completed in the late 1960's or early 1970's. Since then things have changed significantly, including the climate, farming practices and fertilizer, and things are more expensive. The value of the land was previously based upon crop share basis and Mr. Shewey stated that he has done agriculture appraising since the 1970's and there is about as many ways to do a crop share as there are farmers/renters. The Tax Commission, to make things equal, moved away from crop share basis and have gone to cash rent.

Mr. Shewey stated there was a survey completed and held a number of meetings throughout Bingham County to find out where cash rents were. The appropriate cash rents were then applied based upon the type of crop being raised. Within the area of the subject property, it is grain and hay, wherein the cash rent

is based on what is paid for rent within the area. Mr. Shewey explained that rent on some of the surrounding properties are \$200 or less per acre and expenses are also deducted. Things that are deducted are sprinkler systems, wells, pumps and anything irrigation based. The value of the equipment is then deducted from the income and therefore are converting to value of less than \$100 per acre. The subject property was deducted 15% for rock because it is a rough field. There is new value projected which is shown in the assessment as a 1-year change, when it should actually be over 13 years.

Mr. Shewey stated at this point he is unable to make any changes to the acreage and the value but the Board could.

Next, discussion was held in regards to RP0118421, wherein Mr. Soderquist stated that his questions had been answered on this particular parcel and there is no further discussion to be had.

Chairman Manwaring reviewed the appeal process and stated that this matter will be taken under advisement and a decision will be made at a later date. After a decision has been made, Lindsey Dalley, Commission Clerk, will mail the Appellant a decision letter.

#### BOARD OF EQUALIZATION APPEAL- GORDON & MARLA POLATIS

Present:           Gordon Polatis- Appellant  
                      Marla Polatis- Appellant  
                      Gary Shewey- Commercial Appraiser  
                      Becca Goodwin- Appraiser  
                      Debbie Cunningham- Chief Deputy Assessor  
                      Donavan Harrington- Assessor

The Board met as the Board of Equalization to hear the submitted Appeal Application for Gordon & Marla Polatis. Chairman Manwaring welcomed all to the meeting and confirmed that those in attendance who would be speaking had completed the Oath of Affirmation Form. Chairman Manwaring reviewed the rules of the Appeal Hearing.

Mr. Polatis stated in his mind the reading of equalization means that he should be equal in property values with his neighbors and comparable properties should be equal in value. Mr. Polatis stated when he appealed last year, he was not equal in assessed value with his neighbors at that time either. He is far and above all of them in being assessed the value of his property, especially his residential parcel. Mr. Polatis provided with the Board of documentation which was marked as Exhibit Appellant 1 and explained the property located at 227 S. 1000 W., which was assessed two years ago at \$360,620. That year he appealed to the State Tax Commission and the stated reduced the value by \$30,000. This home is not on a foundation and is a manufactured home.

Commissioner Jackson asked on a manufactured home, what is required to place the home on for support. Becca Goodwin stated that the home is placed on cinder blocks, which is popular in Bingham County with a skirting but have to have blocks in so many spots to be sure the home is level.

Becca Goodwin reiterated that the county is mass appraisal and does not do fee appraisal. Therefore, in order to do that the county is able to use any home in Bingham County, including Shelley, Aberdeen or any city, as a comparable. Ms. Goodwin stated the county pulled sales from October of 2022 to December of 2024 for the presented values.

Ms. Goodwin stated that the county has not been inside of the subject property and therefore, the value of the property is pertaining to information provided by Planning & Development and information that was located on the building permit and plans submitted. The subject home is located at 227 S. 1000 W., built in 1980, has a total square footage of 2060, all on one floor, no basement, has a 720 square foot garage and is on 11.875 acres. There is also a shop on the property that has a value of \$25,032. Comparable sales were reviewed as follows:

Sale 1 is located at 19 Autumn Way, sold on 7/21/2023 for \$490,000, built in 2022, main floor square footage of 2,310, a detached garage of 560 square feet and sits on 5 acres.

Sale 2 is located at 484 E. 700 N, sold on 6/27/2023 for \$475,000, built in 2000, main floor square footage of 1,506, a detached garage of 560 square feet, sits on 5.791 acres with improvements of \$39,293.

Ms. Goodwin stated again that the county has not been to this home to gather appropriate square footage or to confirm that only portions of this home are on a foundation, therefore that has not been placed into the program for property value. The county is aware that this home is mostly a manufactured home, those adjustments were made and have not changed since the State Tax Commission confirmed the deduction of \$30,000. Mr. Polatis stated regardless, the home values have not continued to increase over the past two years and his point of contention is that he was put at the top of the market two years ago and has continued to receive a 16% increase again on his home currently.

Mr. Polatis stated that his current home located at 231 S 1000 W., was assessed 2 years ago at \$824,399 and has now since been increased to \$849,969. This property is not comparable to his neighbors and the value has not increased.

Ms. Goodwin stated that the subject property is located at 231 S. 1000 W., was built in 2019, a total square footage of 4,271, 1<sup>st</sup> floor square footage of 3,825, an upper floor square footage (Bonus Room) of 446 square foot, a garage of 1,300 square foot and sits on 2.028 acres. Comparable sales were reviewed as follows:

Sale 1 is located at 1264 N 590 E, was sold for \$1,100,000 on March 14, 2023, was built in 2020, a main floor square footage of 3,378m basement square footage of 504, a 1,000 square footage garage and site on 1.2 acres.

Sale 2 is located at 1256 N 590 E, was sold for \$830,000 on July 19, 2023, built in 2012, main floor square footage of 1,950, basement square footage of 1,950, upper square footage of 700 square foot, an attached garage of 861 square foot and sits on 1.364 acres.

Mr. Polatis reiterated that there is no upper floor/bonus room in this home and that it is one single level. Regardless if he had not been over assessed at market value, what he sees over the last year or two, there has been a 13% increase on the homes that he has looked into and he is over market on that and being hit again for another 16% increase.

Donavan Harrington reiterated to Mr. Polatis that the assessed value on his home has not changed and that in fact the increase has come from taxes through taxing districts.

Mr. Polatis agreed that Donavan Harrington could bring his staff to come see the home and that there is in fact a discrepancy of having a bonus room.

Discussion was held in regards to Ag appraisal and the appealed parcels of RP0138700, RP0138900, RP0255200 and RP0138801. Mr. Shewey reviewed how agriculture ground is appraised and how current values are based off of the previous year. If the water curtailment issue continues, that value would be decreased next year when 2024 values are used.

Chairman Manwaring reviewed the appeal process and stated that this matter will be taken under advisement and a decision will be made at a later date. After a decision has been made, Lindsey Dalley, Commission Clerk, will mail the Appellant a decision letter.

BOARD OF EQUALIZATION APPEAL- STEVEN HOSKINS

Present: Greg Hoskins- Appearing on behalf of Appellant  
Donavan Harrington- Assessor  
Debbie Cunningham- Chief Deputy Assessor  
Shellie Conn- Appraiser  
Becca Goodwin- Appraiser  
Excused: Chairman Manwaring

The Board met as the Board of Equalization to hear the submitted Appeal Application for Steven Hoskins, with Greg Hoskins appearing on behalf of the Appellant. Commissioner Bair welcomed all to the meeting and confirmed that those in attendance who would be speaking had completed the Oath of Affirmation Form. Commissioner Bair reviewed the rules of the Appeal Hearing.

Greg Hoskins, on behalf of the Appellant Steven Hoskins, presented testimony and explained that the value was being challenged due to the need of a new roof, electrical upgrades and several plumbing issues that need to be completed. Mr. Hoskins explained that the Appraiser did come conduct a home inspection and they were in agreeance that there needed to be an adjustment.

Shellie Conn, Appraiser, stated that she did conduct a home inspection on the subject home and due to the roofing and plumbing issues, she would recommend a cost to cure and lower value by \$20,000.00. This would bring the value of the home to \$245,700.00. As this was completed after the time in which they could decrease the value on their own, it had to come before the Board of Equalization for said adjustment to be made. Ms. Conn reviewed comparable sale properties and the subject property by stating the subject property is located at 16 N. Shilling, Blackfoot, RP1002400, built in 1931, has a total square footage of 2,396, a 1<sup>st</sup> floor square footage of 1,749, a basement square footage of 647, a detached garage and is on a lot size of .301 acres.

Ms. Conn presented comparable sale properties, which were as follows:

Sale 1 is located at 505 E. 850 N and sold for \$473,500 on November 21, 2023. This home was built in 1937, has a main floor square footage of 1,601, a basement square footage of 529, has a detached garage and is on 3.23 acres.

Sale 2 is located at 1070 N. University and sold for \$282,500 on August 4, 2023. This home was built in 1949, has a main floor square footage of 1,610, a basement square footage of 240, has a detached garage and is on .166 acres.

Sale 3 is located at 427 W. 300 N. and sold for \$390,000 on May 3, 2022. This home was built in 1900, has a main square footage of 1620, no basement, has an attached garage and is on 1.2 acres.  
Nothing Further.

Chairman Manwaring reviewed the appeal process and stated that this matter will be taken under advisement and a decision will be made at a later date. After a decision has been made, Lindsey Dalley, Commission Clerk, will mail the Appellant a decision letter.

BOARD OF EQUALIZATION APPEAL- RUBY 655 LLC

Present: Donavan Harrington- Assessor  
Debbie Cunningham- Chief Deputy Assessor

The Board met as the Board of Equalization to hear the submitted Appeal Application for Ruby 655 LLC. Chairman Manwaring welcomed all to the meeting and confirmed that those in attendance who would be speaking had completed the Oath of Affirmation Form. Chairman Manwaring reviewed the rules of the Appeal Hearing.

Mindy Cummings presented testimony and stated that the properties are managed as a whole and one residential community. Each of the appraisals were based upon each unit but Ms. Cummings stated that she does believe it should be appraised as one property and not individual. All units are the same size and feels that they should be close in value. The end units are appraised at a higher value than the inside units but they are all the same size and there is a \$20,000 difference between the value of the end units and the inside units.

Debbie Cunningham stated that the units could be appraised as one but the plat would need to be vacated in order to do so. Ms. Cunningham stated if the properties were desired to be sold, it had already been platted and could not be sold separately, therefore she would recommend not doing so. Ms. Cunningham further reviewed the subject properties and stated that at this time she would recommend the value be adjusted for all units to \$210,717 per unit.

The Board had no concerns in regards to the proposal.

Chairman Manwaring reviewed the appeal process and stated that this matter will be taken under advisement and a decision will be made at a later date. After a decision has been made, Lindsey Dalley, Commission Clerk, will mail the Appellant a decision letter.

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

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

  
WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO            )  
                                      : ss.                   Friday, July 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 \$3,838.03.

**CLAIMS**

Claims were approved in the amount of \$292,072.90.

**PERSONNEL ACTION FORMS**

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

Salary Increase Form:        Detention Deputy  
  Sergeant  
  Patrol Deputy  
  Patrol Sergeant

Patrol Deputy  
Patrol Deputy  
Deputy Clerk/Elections Assistant  
Deputy Coroner  
New Employee Status Sheet:

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

**APPROVAL & SIGNING OF LEASE AGREEMENT BETWEEN BINGHAM COUNTY & SNAKE RIVER CROSS COUNTRY FOR FAIR PARKING**

Present: Mike Kirkham- Snake River Cross Country

The Board met to approve and sign the Lease Agreement between Bingham County and Snake River Cross Country for fair parking. There were no amendments made to the proposed Lease Agreement.

The Board had no questions or concerns.

**Decision: Commissioner Bair moved to approve and sign the Lease Agreement between Bingham County & Snake River Cross Country for Fair Parking. Commissioner Jackson seconded. All voted in favor. The motion carried.**

**DECISION REGARDING BOARD OF EQUALIZATION APPEALS**

Present: Debbie Cunningham- Chief Deputy Assessor  
Donavan Harrington- Assessor

The Board met to make a decision in regards to the Board of Equalization Appeal's heard.

Randall Family Property MGMNT CO LL- LR352S343110

**Decision: Commissioner Bair moved to uphold the value provided by the Assessors Office. Commissioner Jackson seconded. All voted in favor. The motion carried.**

SHJH Shelley LLC- RP2151600 and RP2151400

**Decision: Commissioner Jackson moved to uphold the value provided by the Assessors Office. Commissioner Bair seconded. All voted in favor. The motion carried.**

Lynn & Chela Findlay- RP7037601, RP7036401 and RP7037602

**Decision: Commissioner Bair moved to uphold the value provided by the Assessors Office. Commissioner Jackson seconded. All voted in favor. The motion carried.**

E & H Farms LLC- RP0085100, RP0085201, RP0117703, RP0117706, RP0118002, RP0118003, RP0118204, RP0118800, RP0121401, RP0132900, RP0133001, RP0078100, RP0078400, RP0078500, RP0078600, RP0078700, RP0078800, RP0083400, RP0083700, RP0130700, RP0130800, RP0130900, RP0131000, RP0136915, RP0633101, RP0633202, RP0082700, RP0082902, RP0083100, RP0085400, RP0079600, RP0082904, RP0083003, RP0083200 and RP0083300

**Decision: Commissioner Jackson moved to uphold the value provided by the Assessors Office. Commissioner Bair seconded. All voted in favor. The motion carried.**

Lyle & Krista Soderquist- RP0118421 and RP0174201

**Decision: Commissioner Bair moved to uphold the value provided by the Assessors Office for RP0118421 and to uphold the Amended Value of \$250,67 for RP0174201. Commissioner Jackson seconded. All voted in favor. The motion carried.**

Steven Hoskins: RP1002400

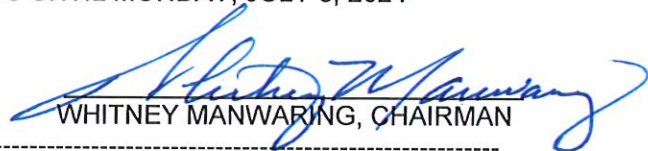
**Decision: Commissioner Jackson moved to adjust the value for RP1002400 to \$245,700.00. Commissioner Bair seconded. All voted in favor. The motion carried.**

Ruby LLC: RP2130810, RP2130815, RP2130830, RP2130835, RP2130850, RP2130855, RP2130870, RP2130810, RP2130890, RP2130805, RP2130920, RP2130925, RP2130940, RP2130945, RP2130805, RP2130820, RP2130825, RP2130840, RP2130845, RP2130860, RP2130865, RP2130880, RP2130885, RP2130910, RP2130915, RP2130935, RP2130950

**Decision: Commissioner Bair moved to lower the assessed value for all parcels, as listed above, to \$210,717. Commissioner Jackson seconded. All voted in favor. The motion carried.**

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

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

  
WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO            )  
                                      : ss.           Monday, July 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

DECISION REGARDING BOARD OF EQUALIZATION APPEAL FILED BY GORDON & MARLA POLATIS

Present:                   Debbie Cunningham- Chief Deputy Assessor  
                                  Donavan Harrington- County Assessor  
                                  Shellie Conn- Appraiser  
                                  Kelia Meskel- Appraiser  
                                  Becca Goodwin- Appraiser

The Board met to render a decision in regards to the Board of Equalization Appeal filed by Gordon & Marla Polatis.

Donavan Harrington explained that he and his Appraisal team had conducted a home inspection, by invitation from Gordon Polatis.

Becca Goodwin explained that it was confirmed there is no bonus room, therefore, that was removed from the assessment. The home is on one level, they measured the home and were able to obtain proper square footage to be ran through the cost program. After running the proper information through the cost program, the assessed value actually went up significantly, which was a value of \$954,150.00.



Mr. Harrington stated it should be considered that the subject home went on occupancy in 2019 as a partial year. The information used to render an assessed value came from the plans provided by Planning and Development, as the Appraisal Office has not been allowed to enter the home without the owner's permission. Therefore, since they now have the proper square footage and have seen the home, the proper assessed value can be rendered.

Mr. Harrington stated it is the Boards decision as to what value should be placed on the home.

Ms. Cunningham stated that she is not opposed to leaving the value as it is currently but would like to state that it is below value at this time.

Mr. Harrington stated eventually when appraisals are conducted, the value will increase to the proper assessed value.

**Decision: Commissioner Jackson moved to uphold the assessed value for all parcels for Gordon & Marla Polatis. Commissioner Bair seconded. All voted in favor. The motion carried.**

TREASURERS OFFICE UPDATE & REVIEW OF PROPOSED BUDGET

Present: Tanna Beal- Treasurer  
Pamela Eckhardt- County Clerk

The Board met to discuss updates within the Treasurers Office and to review the proposed Fiscal Year 2025 budget.

REVIEW OF IT DEPARTMENT PROPOSED BUDGET

Present: Matt Galloway- IT Director  
Pamela Eckhardt- County Clerk  
Jeff Gardner- Sheriff

The Board met to review the proposed Fiscal Year 2025 budget for the IT Department.

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



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO        )  
                              : ss.            Tuesday, July 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

**REQUEST FOR EXTENSION OF TEMPORARY CERTIFICATE OF OCCUPANCY FOR HAILEY & KEVEN ANDERSON LOCATED AT 1385 NORTH 735 EAST, SHELLEY.**

Present:               Tiffany Olsen- Planning & Development Director  
                              Ryan Jolley- Prosecuting Attorney/ County  
                              Jan Niesh- Idaho State Journal

The Board met to discuss and make a decision in regards to the request for extension of Temporary Certificate of Occupancy for Hailey & Keven Anderson, located at 1385 North 735 East, Shelley.

Tiffany Olsen referred to an email received prior to July 1 from Keven Anderson, which was the most recent extension granted on the Certificate of Occupancy for the home located at 1385 North 735 East, in Shelley. Said email included an update on installation of a crash gate in the one location required between the subdivision and Jacob Phelps property. Ms. Olsen stated that she was able to inspect that when she was on site with Fire Chief Randy Adams. There is a question on the East side of where that crash gate should be placed, so there is limitations of full access and she has been told that this crash gate is going to be installed.

Ms. Olsen stated that she has not received written confirmation from Fire Chief Randy Adams that he has approved the roadway within the subject development. When she and Chief Adams were on site, a number of measurements were taken and it did appear that the road will meet requirements and she anticipates that his approval will come for that area.

There was a time delay, which necessitated another request for extension of the Temporary Certificate of Occupancy. Ms. Olsen explained that is pertaining to Road and Bridge and their communications. Mr. Whited was unable to attend the meeting today sent an email to Mr. Anderson indicating that the mailbox needed to be a cluster mailbox. A cluster mailbox is more of a metal type structure that is a distinct design and location with a turnout and keyed mailboxes. Mr. Anderson was under the impression that the mailbox could be a group mailbox, which is on a post with approximately four mailboxes. Mr. Anderson stated that he has not ordered a cluster mailbox, which will take time, delivery and to build a concrete pad and will be hard to complete prior to July 1.

Ms. Olsen communicated with Mr. Anderson via email and stated that she understands there has been communication difficulties. Not long after that on July 2, Mr. Whited provided an email to Mr. Anderson stating that he reviewed the road standards and he had been looking at the wrong section but that a group mailbox was going to be sufficient and there would be no need for a cluster mailbox.

Where this development is in a subdivision, all of this is done at the time in which the Development Agreement is created. Therefore, the group mailbox, the location of the mailbox, approval by the Post Master, all will occur within construction drawings.

Ms. Olsen stated that Mr. Anderson had sent her an updated email to her on July 2, indicating that there were a few outstanding items and that was the group mailbox, which will be installed within the subdivision at the appointed location, the county representatives, Mr. Whited and the Post Master, agree, the second

crash gate will be installed and that Chief Randy Adams would verify by email that the road and crash gates are functioning and the locations are adequate for emergency access.

The Board had no concerns in regards to the request for extension

**Decision: Commissioner Jackson moved to approve the request for extension of Temporary Certificate of Occupancy for the Andersons, for the three specific reasons discussed. This extension will be until July 15, 2024. Commissioner Bair seconded. All voted in favor. The motion carried.**

**PLANNING & DEVELOPMENT UPDATE**

Present: Tiffany Olsen- Planning & Development Director  
Ryan Jolley- Prosecuting Attorney/ County Legal Counsel  
Jan Niesh- Idaho State Journal

The Board met with Tiffany Olsen to discuss updates within the Planning & Development Division, which included the upcoming Planning & Zoning Commission calendar, updates within the Building Division and other miscellaneous updates.

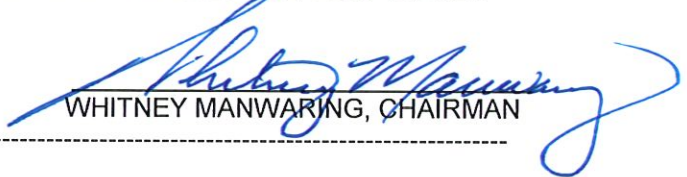
**REVIEW OF THE EXTENSION OFFICE BUDGET**

Present: Julie Buck- Extension Office  
Pamela Eckhardt- County Clerk

The Board met to review the proposed Fiscal Year 2025 budget.

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

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

  
WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO )  
: ss. Wednesday, July 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 EASTERN IDAHO**

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

## SHERIFFS OFFICE

Present: Jeff Gardner- Sheriff  
Jordyn Nebeker- Chief Deputy Sheriff

The Board met with Sheriff Gardner to discuss updates within the Sheriffs Office, which included jail population and updates on the current jail expansion project.

## PUBLIC WORKS

Present: Dusty Whited- Public Works Director  
Tiffany Olsen- Planning & Development Director  
Ed Gorder- Citizen  
Ryan Jolley- Prosecuting Attorney/County Legal Counsel  
Gwen Inskeep- Surveyor

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

Discussion was held in regards to the request submitted by Ed Gorder, for the county to accept 7 North 580 West (Beehive Drive). Mr. Gorder stated in 2006 he applied for the road (Beehive Drive) and the road would be for his own building. Things proceeded, parcels got sold off and the road became of use by a lot of people. At the time, he did have discussions with David Babbitt, Road and Bridge, and he followed the construction of the road.

Mr. Gorder referred to invoices provided to the Board, which explained work that has been completed on the road, which was all to county specs. Mr. Gorder stated that Mr. Babbitt did approve the road but the only suggestion that was given was turning off of Highway 39, coming up the ditch, that the angle was too steep and he suggested to bring in more fill. In one of the invoices provided, it states that more fill was brought in per Ed, which was to satisfy requirements of Mr. Babbitt.

The photographs shown on the projected screen are prior to recent road maintenance program and he explained all work that had been completed.

Chairman Manwaring reviewed the process of what is required to be done in order for a road to be accepted.

Mr. Gorder stated that in speaking with Mr. Whited, he was informed that he would recommend that the road not be accepted by the county as the county is not fully aware of how the road was build, sampling needs to be done. This would bring liability for the taxpayers in Bingham County and he believes it would be beneficial to complete testing to see what is there, prior to accepting.

Mr. Gorder stated that due to the work that he has completed on the road, he would request that the Board of Commissioners accept the road as is.

Discussion was held in regards to core sampling occurring, wherein it was recommended to collect four core samples instead of the normal eight that are taken. Mr. Whited confirmed that he would be willing to meet with Mr. Gorder on site to view the road and come up with the proper number of core samples to be taken for testing. After that is done and Mr. Whited has all necessary information, he will be able to bring a recommendation to the Board.

Next, discussion was held in regards to paving of the model airplane landing strip currently leased from BLM. Chairman Manwaring stated that there was a request received to look into paving the model airplane landing strip and he would not be in favor of putting county funding towards the project at this time. Commissioner Bair concurred and suggested that he would have Scott Reese look into possible grant funding to assist with the cost of the project.

Ryan Jolley stated that contact needs to be made with the Bureau of Land Management to see if the paving can actually be done on the property and he is not sure that has been done at this time.

**It was confirmed that there was no decision to be made today and that Scott Reese is looking into potential grants to assist with the cost and be in contact with Bureau of Land Management to see if they would be in favor of paving being completed.**

Lastly, discussion was held in regards to the proposed amendments to the Bingham County Road Standards Manual, specifically Section 3, O, 4. Mr. Whited explained the proposed verbiage, specific to mailbox system requirements and to give further clarification.

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

**Decision: Commissioner Jackson moved to approve Bingham County Resolution 2024-23, a resolution amending the Bingham County Road Standards Manual for use by the Bingham County Public Works Department. Commissioner Bair seconded. All voted in favor. The motion carried and said resolution was adopted as follows:**

**BINGHAM COUNTY  
RESOLUTION 2024-23**

**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- O- Right-of-Ways, All subdivisions, Design & Maintenance, subsection 4- regarding mailbox systems.
2. Said Amendments can be viewed at the Bingham County Public Works Department or on the Bingham County Website.

**Said changes will be in effect as of July 10, 2024.**

Dated this 10<sup>th</sup> day of July, 2024

BINGHAM COUNTY COMMISSION



  
Whitney Manwaring, Chairman

  
Mark R. Bair, Commissioner

  
Pamela W. Eckhardt,  
Bingham County Clerk

  
Eric Jackson, Commissioner

## HUMAN RESOURCES BUDGET REVIEW & UPDATE MEETING

Present: Laraine Pope- Human Resources Director

The Board met with Laraine Pope to discuss updates within the Human Resources Division and to review the proposed Fiscal Year 2025 budget.

## APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN BINGHAM COUNTY AND HEADWATERS CWMA (COOPERATIVE WEED MANAGEMENT AREAS)

Present: Dusty Whited- Public Works  
Ryan Jolley- Prosecuting Attorney/ County Legal Counsel

The Board met to approve and sign the Memorandum of Understanding between Bingham County and Headwaters CWMA (Cooperative Weed Management Areas).

Mr. Whited explained that Bingham County is currently a member of the Snake River Region of the CWMA but two CWMA's have merged and it is now known as the Headwaters CWMA.

Mr. Whited stated that legal counsel has reviewed the proposed Memorandum of Understanding and had no concerns.

**Decision: Commissioner Bair moved to approve and sign the Memorandum of Understanding between Bingham County and Headwaters CWMA, as presented. Commissioner Jackson seconded. All voted in favor. The motion carried.**

## MEETING TO RECEIVE THE PLANNING & ZONING COMMISSIONS RECOMMENDATION TO APPROVE BRACKEN AND KATIE ABRAMS ZONING AMENDMENT FROM AGRICULTURE TO RESIDENTIAL/AGRICULTURE FOR APPROXIMATELY 4.62 ACRES OF LAND IDENTIFIED AS RP0470800

Present: Addie Jo Jackman- Assistant Planning & Development Director  
Via Zoom: Bracken Abrams

The Board met to receive the Planning & Zoning Commissions recommendation to approve Bracken and Katie Abrams Zoning Amendment from Agriculture to Residential/Agriculture for approximately 4.62 acres of land identified as RP0480800. Chairman Manwaring welcomed all to the meeting and introductions were held.

Addie Jo Jackman presented the Staff Report for the record at this time.

There was no testimony received prior to the Boards Public Hearing.

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

The Applicant, Bracken Abrams, who testified via Zoom, stated that he has nothing further to add but if the Board has any questions, he would be happy to answer those.

Chairman Manwaring asked if there was testimony to be given in favor of the Application, wherein there was none.

Chairman Manwaring asked if there was testimony to be given in neutral of the Application, wherein there was none.

Chairman Manwaring asked if there was testimony to be given in opposition of the Application, wherein there was none.

### REASON

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

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

1. Suitability of parcel for agricultural purposes;
  - a. The Board had no concerns.
2. Proximity to existing areas of similar population density;
  - a. The Board had no concerns.
3. Lot size compatible with existing lot sizes in the immediate area;
  - a. The Board had no concerns.
4. Compatible with the existing uses in the immediate area;
  - a. The Board had no concerns.
5. Protection from incompatible uses;
  - a. The Board had no concerns.
6. Accessibility to adequate utilities;
  - a. The Board had no concerns.
7. Adequate service by roadways;
  - a. The Board had no concerns.

A brief discussion was held in regards to flood irrigation, wherein Chairman Manwaring stated there was concern in regards to fencing, irrigation and runoff. Chairman Manwaring asked Mr. Adams if there are issues with the runoff. Mr. Adams explained that when he was residing on the property, there were issues with water running down into where the county road has now been added. He believes this concern has been addressed when the county road was added but it does continue to flow south and if the water was left on there may be issues. Therefore, whoever is irrigating will need to be responsible for shutting off the water, so as to not flood.

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

### DECISION

**Decision:** Commissioner Jackson moved to uphold the decision of the Planning & Zoning Commission to approve the Application for Zoning Amendment of approximately 4.62 acres from "A" Agriculture to "R/A" Residential/Agriculture, located South of 701 E. 1400 N, Shelley, as proposed by Bracken & Katie Abrams. Commissioner Bair seconded. All voted in favor. The motion carried.

**Request for Reconsideration/Judicial Review:** Upon denial or approval of a zone change, with adverse conditions, pursuant to Idaho Code Section 67-6535(2)(b), the Applicant or affected person seeking Judicial Review of compliance with the provisions of this section must first seek reconsideration of the final decision



within fourteen (14) days. Such written request must identify specific deficiencies in the decision for which reconsideration is sought.

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

**ROCKY MOUNTAIN POWER**

Present: Tim Solomon- Rocky Mountain Power

The Board met with Tim Solomon to receive an update on behalf of Rocky Mountain Power.

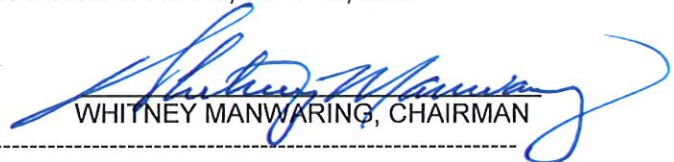
**REVIEW OF CORONERS OFFICE BUDGET**

Present: Jimmy Roberts- Coroner  
Pamela Eckhardt- County Clerk  
Jeff Gardner- Sheriff  
Tiffany Olsen- Planning & Development Director  
Beth Roberts- Citizen  
Blake Hawker- Hawker Funeral Home  
Perry Hawker- Hawker Funeral Home  
Flint Christensen- Chief Deputy Coroner  
Audrey Dutton- ProPublica  
Natalie Behring ProPublica  
Nicholas Buell- Deputy Coroner  
Sophia Fenrenbacker- Intern- Coroners Office  
Samantha Unwin- Intern- Coroners Office  
Ben Fuhriman- Legislator

The Board met with Jimmy Roberts to review the proposed Fiscal Year 2025 budget for the Coroners Office.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY, JULY 12, 2024

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

  
WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO )  
 : ss. Friday, July 12, 2024  
County of Bingham )

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

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

**CASH WARRANT**

One (1) Cash Warrant was approved in the amount of \$424.04.

CLAIMS

Claims were approved in the amount of \$560,037.72.

PERSONNEL ACTION FORMS

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

|                            |  |
|----------------------------|--|
| New Employee Status Sheet: | Truck Driver Road & Bridge<br>Deputy Coroner<br>Emergency Communications Officer |
| Employee Status Sheet:     | Detention Deputy to Detention Corporal   |

**Decision: Commissioner Bair moved to approve and sign Cash Warrants, Claims, Administrative Documents and Personnel Action Forms for July 12, 2024. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

APPROVAL OF REASON & DECISION FOR CEDAR ESTATES SUBDIVISION, DIVISION 4

The Board met to approve and sign the Reason & Decision for Cedar Estates Subdivision, Division 4.

Chairman Manwaring confirmed that if there were any changes to be made, that the Commission Clerk, Lindsey Dalley, had made said changes.

**Decision: Commissioner Bair moved to approve and sign the Reason & Decision for Cedar Estates Subdivision, Division 4, as written. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

PRIOR APPROVAL FOR MAJOR PURCHASE- SHERIFFS OFFICE

Present: Jeff Gardner- Sheriff

The Board met to approve the VESTA Grant for upgrade of a server that will be a regional server hosted by Bannock County and redundant systems will be in Pocatello. \$121,876.46 has been received from a grant and therefore is to be paid from the 911 Grant Fund: 28-00-394-00.

**Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of VESTA upgrade grant payment in the amount of \$121,876.46, which is to be paid from Fund: 28-00-394-00. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

Next, discussion was held in regards to the Prior Approval for Major Purchase for FLEX Annual Service Payment, which is in the amount of \$81,034.55 and is to be paid from Fund: 28-00-559-00.

**Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase for FLEX Annual Service Payment, which is in the amount of \$81,034.55 and is to be paid from Fund: 28-00-559-00. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

Lastly, discussion was held in regards to the Prior Approval for Major Purchase for bodycams for jail staff, which will replace outdated equipment. Said purchase is in the amount of \$7,940.00 and is to be paid from Jail Capital Fund: 05-03-800-01.

**Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of bodycams for jail staff, which will replace outdated equipment. Said purchase is in the amount of \$7,940.00 and is to be paid from Jail Capital Fund: 05-03-800-01. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

PRIOR APPROVAL FOR MAJOR PURCHASE- IT DEPARTMENT

Present: Matt Galloway- IT Director

The Board met with Matt Galloway to review and make a decision in regards to several Prior Approval for Major Purchase documents.

Discussion was held in regards to the submitted Prior Approval for Major Purchase of dell laptops, desktops and monitors, which will replace outdated equipment. Said purchase is in the amount of \$43,387.96 and is to be paid from Fund: 01-14-804-00.

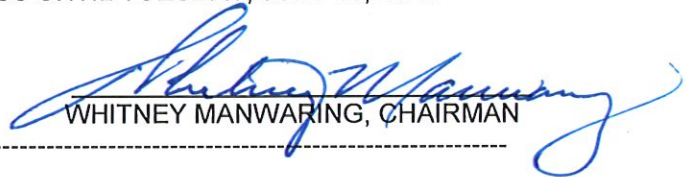
**Decision: Commissioner Bair moved to approve and sign the Prior Approval for Major Purchase of dell laptops, desktops and monitors, which will replace outdated equipment. Said purchase is in the amount of \$43,387.96 and is to be paid from Fund: 01-14-804-00. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

Next, discussion was held in regards to updates for the IT Department, status of the Shelley Fire Station and Sheriff's Office substation and how the IT Department assisted in getting a secured connection and replacement of a firewall. Mr. Galloway has been working with the Shelley Chief of Police about goals for the Shelley Police Department and would like to begin negotiations for IT Servers with Bingham County. Mr. Galloway stated the IT Department has been providing resources to them at no cost and it would be good to have a contract in place, along with compensation for the time and resources.

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



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO        )  
                              : ss.            Tuesday, July 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

**DISCUSSION REGARDING THE BROWNFIELDS ASSESSMENT GRANT PROGRAM THROUGH SICO, PROGRESS MADE ON THE RIDGESTREET LANDFILL SITE AND SIGNING OF SITE ACCESS AGREEMENT- REQUESTED BY EMMA MORTON- SICO**

Present:                Tiffany Olsen- Planning & Development Director  
                              Dusty Whited- Public Works Director  
                              Ann Vanorden- Citizen  
                              Jake Osweiler- SICO  
                              Ryan Jolley- Prosecuting Attorney/ County Legal Counsel  
Via Zoom:               Jared Vanorden- Citizen

The Board met to discuss the Brownsfield Assessment Grant Program through SICO, progress made on the Ridgestreet Landfill Site and signing of Site Access Agreement. Chairman Manwaring welcomed all to the meeting and introductions were held.

Jake Osweiler explained there was a conversation held with Granite Peak Environmental, LLC, who is the environmental agency assisting with this project on the Ridge Street Landfill. The site eligibility was approved by EPA in April, there was a Technical Memorandum provided and approved. Currently, a sampling and assessment plan is being prepared in order to document requirements of water and soil sampling from the landfill site.

Tiffany Olsen gave a brief explanation of how the testing and sampling would occur and how deep the samples would be taken.

The request before the Board today is to approve and sign the Site Access Agreement in order to allow Granite Peak Environmental, LLC, to access the property in order to complete sampling and testing.

**Decision: Commissioner Bair moved to approve the Site Access Agreement- Permission to Enter Property with Granite Peak Environmental, LLC, for the Ridge Street Landfill. Commissioner Jackson seconded. All voted in favor. The motion carried.**

**REVIEW OF PLANNING & DEVELOPMENT DIVISION BUDGET**

Present:                Tiffany Olsen- Planning & Development Director  
                              Addie Jo Jackman- Assistant Planning & Development Director  
                              Pamela Eckhardt- County Clerk  
                              Ryan Jolley- Prosecuting Attorney/ County Legal Counsel

The Board met to review the proposed Fiscal Year 2025 budget for the Planning & Development Division.

**WORK SESSION IN REGARDS TO THE PROCESS FOR SALE OF COUNTY PROPERTY**


Present:                Tiffany Olsen-Planning & Development Director  
                              Addie Jo Jackman- Assistant Planning & Development Director

Ryan Jolley- Prosecuting Attorney/ County Legal Counsel  
Tanna Beal- Treasurer  
Pamela Eckhardt-Clerk  
Dusty Whited- Public Works Director  
Donavan Harrington- Assessor

The Board held a work session in regards to the process for sale of county property.

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

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

  
WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO        )  
                              : ss.                Wednesday, July 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

**CASH WARRANT**

One (1) Cash Warrant was approved in the amount of \$4,848.32.

**COLLEGE OF EASTERN IDAHO**

One (1) Certificate of Residency was approved and sent to the College of Eastern Idaho for the following Bingham County student: Katelyn V. Haywood.

**Decision: Commissioner Bair moved to approve and sign Cash Warrants, Claims and Administrative Documents for July 17, 2024. Commissioner Jackson seconded. All voted in favor. The motion carried.**

**SHERIFFS OFFICE**

Present:                Jeff Gardner- Sheriff  
                              Jordyn Nebeker- Chief Deputy Sheriff

The Board met with Jeff Gardner to discuss updates within the Sheriffs Office and other agenda items.

Discussion was held in regards to the request submitted by Corenna Cannon to use the Sheriffs Office Training Room on August 15, 2024 from 7:00 p.m., to 9:00 a.m., for a training for the Bingham County Republican Central Committee.

The Board had no concerns.

**Decision: Commissioner Bair moved to approve use of the Sheriffs Office Training Room on August 15, 2024 from 7:00-9:00 p.m., for training for the Bingham County Republican Central Committee. Commissioner Jackson seconded. All voted in favor. The motion carried.**

Next, discussion was held in regards to the Fourth Amendment to Inmate Telecommunication Agreement between Telmate LLC and Bingham County. Sheriff Gardner explained that if this contract were severed, there is an obligation to owe money for a body scanner that is to be placed within the jail. This Agreement is in regards to inmate communication and they have agreed to change rates in which they reimburse the county for phone and video calls that go beyond what the inmate gets for free. The county receives revenue from each call that is over the free allotted time and it has been agreed that they would purchase a body scanner over a 3-4-year term and it is pro-rated out. If the contract is severed, the county will need to reimburse for said body scanner. Again, this is negotiated into the contract and would be of no cost to the county unless the agreement was severed.

The Board had no concerns in regards to the proposed agreement, nor did legal counsel.

**Decision: Commissioner Jackson moved to approve and sign the Fourth Amendment to the Inmate Telecommunication Agreement between Telmate LLC and Bingham County. Commissioner Bair seconded. All voted in favor. The motion carried.**

#### PUBLIC WORKS

Present:           Dusty Whited- Public Works Director  
                  Adam French- North End Recreation District  
                  Jeff Gardner- Sheriff

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

Discussion was held in regards to the North End Recreation District proposed park and future traffic issues. Adam French stated the reason for this meeting is to update the Board on the future plans for the North End Recreation District and gain feedback on traffic issues that may occur.

Next, discussion was held in regards to the proposed Emergency/Contingency Fee for Solid Waste and approval to proceed with the publication and public hearing process.

**The Board was in favor of proceeding with the publication and public hearing process for approval of Emergency/Contingency Fee for Solid Waste.**

#### REQUEST FROM AARON HARKER TO DISCUSS THE RED LIGHTS ON LOCAL WINDMILLS

Present:           Lanette Ehlers- End the Red-Light District  
                  Aaron Harker- End the Red-Light District  
                  Roger Cook- Precinct Committeeman for District 10  
                  Jan Niesh- Idaho State Journal  
                  Addie Jo Jackman- Planning & Development Assistant Director  
                  Tiffany Olsen- Planning & Development Director  
                  Ryan Jolley- Prosecuting Attorney/ County Legal Counsel

The Board met with the "End the Red-Light District" group to discuss concerns in regards to the red lights on local windmills. Chairman Manwaring welcomed all to the meeting and introductions were held.

Aaron Harker introduced himself and stated that he has been raised in Bingham County and loves where he currently resides in Shelley. Since the windmills were installed in close proximity to his home, he cannot believe how tremendous the lights are at night and how much light they put off. Mr. Harker explained that Lanette Ehlers is the founder of End the Red-Light District organization and research led them to information in regards to the ability to turn lights off with Aircraft Detection Lighting System (ADLS). There are many companies that include this within their project plans but some do not and have the ability to implement radar.

A youtube video was presented, which explained how the Aircraft Detection Lighting System operates.

Mr. Harker stated that their organization has held a group meeting and starting going door to door in order to collect signatures, wherein they currently have 500 signatures but their goal is to obtain 1,000 signatures on the petition. Once that is done, they will request to hold a meeting with Clearway Energy leadership to provide the signatures and hopefully come to a cure for the issue. There has been one meeting already held with Clearway Energy, which went well and Clearway had been briefed that the meeting would be taking place and had researched companies that install the Aircraft Detection Lighting System. This was very encouraging.

Mr. Harker stated the next step would be to ask for the assistance and support from the county. Mr. Harker explained that funding would be another issue and they are currently working to gather cost estimates. They have received one quote, which was in the approximate amount of \$1 million dollars.

Chairman Manwaring stated he is not sure how long this system has been available but as far as Bingham County, about 16 years ago when wind tower ordinance was addressed and he does not recall having information about the system. He believes it would be a great idea but it would be valuable to know about the system during the planning process and could be placed as a condition, rather than after the wind project is complete.

Commissioner Bair stated he is not sure why the county could not host a meeting with Clearway and the End the Red-Light District to discuss this matter further. If Clearway is aware that there are many people that are interested in implementing the system, it seems like they would be anxious to cure the issue.

Tiffany Olsen stated that Clearway has been working on this matter and retrofitting something like this could be challenging. The cost of \$1 million may be feasible for them to consider but there will also be building permits and other costs incurred. Ms. Olsen added that she has not been able to find another county in Idaho that has this specific system and asked Mr. Harker if he is aware of any, wherein he stated that there is discussion for one currently taking place.

Ms. Olsen stated that she has reached out to all of the Planning & Development Directors within the State of Idaho to see if any of them had dealt with this or have been approached about this system, wherein she stated that all counties were just as surprised as Bingham County was about this information. To be clear, there is an application with the FAA required for this system and will need to be approved.

There was a brief discussion held in regards to approaching the Idaho Association of Counties and present this matter to one of the committees, which is where legislation could start. If there is support from the Idaho Association of Counties, that is a large lobbying entity.

There was no decision made and a potential meeting will be held at a later date.

#### PROSECUTORS OFFICE

Present: Ryan Jolley- Prosecuting Attorney/County Legal Counsel

The Board met with Ryan Jolley to discuss updates within the Prosecutors Office.

DISCUSSION REGARDING DEVELOPMENT AGREEMENT FOR CEDAR ESTATES, DIVISION 4, WITH POTENTIAL DECISION- REQUESTED BY CHRIS NELSON

Present: Ryan Jolley- Prosecuting Attorney/County Legal Counsel  
Chris Nelson- Cedar Estates/ Deer Meadows Development  
Scott Briscoe- Briscoe Construction  
Gwen Inskeep- County Surveyor  
Tiffany Olsen- Planning & Development Director

The Board met to discuss the Development Agreement for Cedar Estates, Division 4.

Chris Nelson stated that he held conversations with Tiffany Olsen in regards to the Development Agreement for Cedar Estates, Division 4, wherein a bond would be needed for the entire project in order to get Rocky Mountain Power to give Mr. Nelson a final plat. Mr. Nelson stated midway through the project, he needs to receive a plat from Rocky Mountain, which is the major issue. Mr. Nelson stated that he understands the concern of the county in not requiring a bond and why the process occurs.

Rocky Mountain Power will not do a design for power without a Final Plat. Mr. Nelson stated that Division 4 is the biggest division within Cedar Estates and anticipates that if a bond were required, it would be in the approximate amount of \$1.5 million for the entire project. In order to complete a bond, there is deep financial research completed and seems intrusive.

Mr. Nelson stated the purpose of today's meeting is to see if there is a way to reduce cost and still protect all parties involved. Specifically, is asking that the Development Agreement being signed will allow him, when ready for Final Plat, to see what is remaining of the project and apply code to the amount of construction that needs to be completed at the time the Final Plat. Mr. Nelson stated it would be a lesser amount because all that would need to be completed at that time is the road within the subdivision where the Rocky Mountain Power will be ran.

Mr. Nelson gave a few reasons as to why he believes the county should accept this proposal. One being is that this is a similar issue in Bonneville County, wherein he was informed they do the exact same thing as proposed today. They require a bond for what is not yet constructed and all parties are still protected. Two being is that it is worth noting that Cedar Estates Developers have acted in good faith throughout the entire project and other subdivisions as well, throughout Bingham County with no issues. Mr. Nelson stated that he is more than willing to stipulate that no lots will be sold until the county approves. Mr. Nelson referred to Bingham County Ordinance 10-14-11, it states, "prior to the Board signing the final plat". It does not mention prior to signing the Development Agreement and it then discusses the need for the security but there is nothing specific to the Development Agreement.

Again, Mr. Nelson stated the only thing that Rocky Mountain Power needs is the Final Plat and they will not do a design unless they have the Final Plat to use for their design.

Tiffany Olsen stated between Public Works, Planning & Development, and the County Surveyor, it could cause a lot of work if the Board chooses to allow anything outside of what is required by code. The request is to have a hybrid option and to move forward with the Development Agreement, they are going to instruct all improvements on their own and receive a Certificate of Completion and then part way, come back before the Board with an Amended Development Agreement stating now they want to bond because the cost of construction is less, in order to record Final Plat. Ms. Olsen stated she does not believe that she can bring the Board a Development Agreement stating that all improvements are going to be completed and then an Amended Development Agreement in 3-5 months without the permission or direction of the Board to do so.

Ms. Olsen stated she had received the approved construction plans today and what would occur is that she would reach out to see if the Developers would like to provide a bond or not. If the Developer chooses to bond, they provide an engineer estimate that shows the cost of all construction, which is then sent to Public Works and County Surveyor for review to be sure all requirements are met. The Public Works Director



approves the estimate, and that number is used at 120% and placed within the Development Agreement for that surety bond. After the agreement is complete, it is presented to the Board for approval.

Ms. Olsen stated if the process were to be a hybrid model, there would essentially be two steps into the phase and the process would be done now and then would analyze what has been completed, what is outstanding to be completed and doing the process again. Ms. Olsen stated this was discussed and determined that this was not the path the Developer was seeking and there is no reason for the Developer to agree not to sell lots. Once a Final Plat has been recorded, lots may be sold but code states that no building permits may be issued until all infrastructure is complete and approved. Therefore, Ms. Olsen stated that is not something the county could require.

Commissioner Bair asked Legal Counsel if the Board is allowed to provide or approve a hybrid option, to which Ryan Jolley stated the Board may not approve a hybrid option and is to follow code. If the Board wants to give an option to do a hybrid, the code would need to be amended. Mr. Jolley stated the Board had sent out a letter in April stating that there would be no deviation from the county code and therefore, there should be no exceptions made. If there were a proposed amendment to the code, said proposal would go before the Planning & Zoning Commission and then the Board of County Commissioners, which will take time.

Mr. Nelson stated his concern is that Ms. Olsen stated the Development Agreement is the Financial Agreement but in the Development Agreement, only option B has any verbiage about Financial Arrangement. Therefore, he would disagree that financial security is a component of the Development Agreement.

Mr. Nelson stated that he would propose another section in the Development Agreement that states when a developer needs a final plat, the project will be evaluated at to see what bonding amount is needed, rather than the amount of the entire project.

Chairman Manwaring stated that it is hard to deviate from what is within County Code and in order to place this option within the code, the code amendment process would need to be followed and that takes time.

Ryan Jolley reiterated there is no provision in ordinance to deviate from the County code and this matter would be best pursued in the code amendment process.

A brief discussion was held in regards to the process of code amendment and what will need to occur.

The Board had a brief discussion in regards to waiver of fees in regards to the proposed amendment and the Board was in favor of waiving said fees.

**Decision: Commissioner Bair moved to direct Chris Nelson to work with Tiffany Olsen and Ryan Jolley to amend the code in 10-14-11, providing a hybrid option to provide bond for all required construction improvements, provide bond for any outstanding construction or to construct all improvements at the cost of the developer, to take to the Planning & Zoning Commission through the ordinance amendment procedure. Also, to waive any fees incurred for said code amendment. Commissioner Jackson seconded. All voted in favor. The motion carried.**

**DISCUSSION & DECISION REGARDING SOLID WASTE CHARGE ACCOUNT FOR 208 DUMPSTERS-REQUESTED BY DARIN KRACL**

Present:           Darin Kracl- 208 Dumpsters  
                  Dusty Whited- Public Works Director  
                  Derrick Going- Solid Waste Supervisor

The Board met to hold discussion and make a decision in regards to the Solid Waste charge account for 208 Dumpsters.

Mr. Kracl explained that he has had several setbacks recently in which caused him to fall behind on his payment.

A plan was discussed that was agreeable to all parties to allow Mr. Kracl to come current on the account at Solid Waste. At this time, 208 Dumpsters would remain on a cash only basis until the account is current.

**Decision: Commissioner Jackson moved to allow Darin Kracl, 208 Dumpsters, to make a payment of ½ of the owed balance by August 1<sup>st</sup> and the remaining amount by August 30<sup>th</sup>. Commissioner Bair seconded. All voted in favor. The motion carried.**

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

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

  
WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO        )  
                              : ss.               Friday, July 19, 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

CLAIMS

Claims were approved in the amount of \$1,270,100.03.

PERSONNEL ACTION FORMS

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

Salary Increase Form:               Sergeant  
New Employee Status Sheet:        Deputy Prosecutor

**Decision: Commissioner Jackson moved to approve Cash Warrants, Claims, Administrative Documents and Personnel Action Forms for July 19, 2024. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

ALCOHOL LICENSE- LEXA'S RESTAURANT

The Board met to approve and sign the Alcohol License for Lexa's Restaurant.

**Decision: Commissioner Jackson moved to approve and sign the Alcohol License for Lexa's Restaurant. Commissioner Bair seconded. All voted in favor. The motion carried.**

BINGHAM COUNTY RESOLUTION 2024-24

The Board met to approve and sign Bingham County Resolution 2024-24, a formal resolution declaring certain Bingham County property not necessary for use in Bingham County, Idaho, specifically for the IT Department.

Decision: Commissioner Jackson moved to approve and sign Bingham County Resolution 2024-24, a formal resolution declaring certain Bingham County property not necessary for use in Bingham County, specifically for the IT Department. Commissioner Bair seconded. All voted in favor. The motion carried and said resolution was approved as follows:

**BINGHAM COUNTY  
RESOLUTION NO. 2024-24**

**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 19<sup>th</sup> day of July 2024.



BINGHAM COUNTY COMMISSION

*Whitney Manwaring*  
Whitney Manwaring, Chairman

ATTEST:

*Pamela Eckhardt*  
Pamela W. Eckhardt  
Bingham County Clerk

\_\_\_\_\_  
Mark R. Bair, Commissioner

*Eric Jackson*  
Eric Jackson, Commissioner

| Quantity | Type     | Description          | Asset ID#   |
|----------|----------|----------------------|---|
| 23       | Desktop  | Dell Optiplex        | Various models                                    |
| 2        | Desktop  | Dell Precision       | GIS, old dispatch                                 |
| 1        | Printer  | Brother Printer      | Doesn't work - From SO                            |
| 1        | Printer  | HP LaserJet Pro M452 | Doesn't work - from HR                            |
| 1        | Fax      | Canon G3             | Doesn't work                                      |
| 8        | Monitors | Misc Monitors        | Dell & Planar                                     |
| 4        | AP       | Unifi                | Various models from CTS and SFD                   |
| 1        | Camera   | Axis Camera          | Doesn't work - From Jail                          |
| 24       | Laptops  | Dell Latitude        | Misc Dell laptops from prior decade, don't work   |
| 2        | Switches | Cisco SG350X         | Damaged in lightning strike on CTS                |
| 17       | Tablets  | Samsung              | Old Elections tablets - pull from service in 2019 |

**PRIOR APPROVAL- BUILDING MAINTENANCE**

Present: Jason Marlow- Building Maintenance Supervisor

The Board met with Jason Marlow to discuss several Prior Approval for Major Purchase documents submitted.

Discussion was held in regards to the Prior Approval for Major Purchase of plow parts for the new Building Maintenance pickup. Said purchase is in the amount of \$2,780.15 and is to be paid from Fund: 01-10-494-00- Building Maintenance Repairs/Maintenance-Building & Fixtures.

Mr. Marlow explained that this purchase is necessary to equip the pickup prior to winter. This is the cost to buy the necessary parts needed to get the old plow hooked up to the new pickup and Road and Bridge mechanics will help install some of these parts.

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

**Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of plow parts for the new Building Maintenance pickup. Said purchase is in the amount of \$2,780.15 and is to be paid from Fund: 01-10-494-00- Building Maintenance Repairs/Maintenance-Building & Fixtures. Commissioner Bair seconded. All voted in favor. The motion carried.**

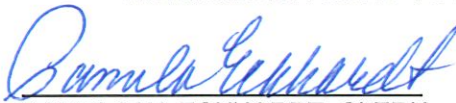
Lastly, discussion was held in regards to the submitted Prior Approval for Major Purchase of a new flag pole for the Extension Office. Said purchase is in the estimated cost of \$1,000 to \$1,500 and is to be paid from Fund 01-10-494-00- Building Maintenance- Repairs/Maintenance- Building & Fixtures. Mr. Marlow added that there would need to be a new concrete pad/footing poured.

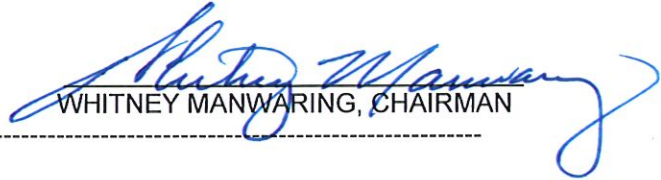
Mr. Marlow explained that Julie Buck, Extension Office, has approximately \$400.00 to contribute towards the project and the remaining would be paid from the proposed Building Maintenance Fund.

**Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of a new flag pole for the Extension Office. Said purchase is in the estimated cost of \$1,000 to \$1,500**

and is to be paid from Fund 01-10-494-00- Building Maintenance- Repairs/Maintenance- Building & Fixtures. Chairman Manwaring seconded. Both voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL TUESDAY, JULY 23, 2024

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

  
WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO        )  
                              : ss.                Tuesday, July 23, 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

READING & SIGNING OF PROCLAMATION FOR JULY 2024 TO BE BEEF MONTH IN BINGHAM COUNTY

Present:                Matt Thompson  
                              Sarah Thompson  
                              Jan Niesh- Idaho State Journal

The Board met to sign the proclamation for July 2024 to be Beef Month in Bingham County.

**Decision: Commissioner Bair moved to approve and sign the July 2024 Beef Month Proclamation for Bingham County. Commissioner Jackson seconded. All voted in favor. The motion carried and said Proclamation was signed as follows:**

# BINGHAM COUNTY COMMISSIONERS

Whitney Manwaring, Chairman

Mark R. Bair

Eric Jackson



Lindsey Dalley, Commission Clerk

501 N. Maple Room 204

Blackfoot, ID 83221

Phone (208) 782-3013

Fax (208) 785-4131

## JULY 2024 BEEF MONTH PROCLAMATION

WHEREAS, for more than 100 years Idaho cattle ranchers have formed a natural partnership of land stewardship and productivity through generations of ranching families who care for our natural resources and quality of life; and

WHEREAS, there are approximately 2.5 million head of cattle valued at \$1.75 billion dollars in Idaho, leaving a tremendous positive impact on surrounding communities and the economy of Bingham County; and

WHEREAS, the Idaho beef industry, which represents the state's second largest agricultural industry, is an integral part of Bingham County's economy; and

WHEREAS, beef cattle are raised in every County throughout Idaho; and

WHEREAS, beef is a significant source of protein, iron, folate, zinc, and other important nutrients for physical and mental development, health, and body maintenance; and

WHEREAS, beef provides delicious, easy meal solution for families in Bingham County to feed and nourish their families; and

NOW, THEREFORE, BE IT RESOLVED, we, the Bingham County Commissioners, do hereby proclaim July 2024, to be,

### BINGHAM COUNTY BEEF MONTH

DATED this 23<sup>rd</sup> day of July, 2024.

ATTEST:

Handwritten signature of Pamela W. Eckhardt in blue ink.

Pamela W. Eckhardt  
Bingham County Clerk

Handwritten signature of Whitney Manwaring in blue ink.

Whitney Manwaring, Chairman

Handwritten signature of Mark R. Bair in blue ink.

Mark R. Bair, Commissioner

Handwritten signature of Eric Jackson in blue ink.

Eric Jackson, Commissioner



"Potato Capital"

PLANNING & DEVELOPMENT

Present: Tiffany Olsen- Planning & Development Director

The Board met with Tiffany Olsen to discuss updates within the Planning & Development Division, which involved the upcoming Planning & Zoning Commission calendar and Building Division updates.

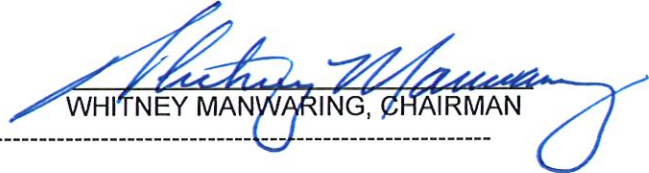
WORK SESSION WITH RYAN JOLLEY, COUNTY LEGAL COUNSEL, TO REVIEW APPEAL AND RECONSIDERATION PROCESS

Present: Addie Jo Jackman- Planning & Development Assistant Director  
Tiffany Olsen- Planning & Development Director  
Gwen Inskeep- County Surveyor  
Jan Niesh- Idaho State Journal  
Ryan Jolley- County Legal Counsel

The Board met to hold a work session with Ryan Jolley to review the Appeal and Reconsideration process.

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

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

  
WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO        )  
                              : ss.                Wednesday, July 24, 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

Three (3) Cash Warrants were approved in the amount of \$470.00, \$32,428.13 and \$1,800.00, for a total of \$34,698.13.

COLLEGE OF EASTERN IDAHO

The Board approved one Certificate of Residency document and sent it to the College of Eastern Idaho for the following Bingham County student: Alex A. Mitki.

**Decision: Commissioner Bair moved to approve Cash Warrants, Claims and Administrative Documents for July 24, 2024. Commissioner Jackson seconded. All voted in favor. The motion carried.**

PRIOR APPROVAL- BUILDING MAINTENANCE

Present: Jason Marlow- Building Maintenance Supervisor

The Board met to make a decision in regards to the submitted Prior Approval for Major Purchase of a map drawer/table for the Assessors Office. Said purchase is in the amount of \$2,500.00 and is to be split between Fund: 01-10-494-00 (Building Maintenance- Repairs/Maintenance- \$500.00) and Fund 01-02-800-00 (Assessors Office- Capital- \$2,000.00).

**Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of a map drawer/table for the Assessors Office. Said purchase is in the amount of \$2,500.00 and is to be split between Fund: 01-10-494-00 (Building Maintenance- Repairs/Maintenance- \$500.00) and Fund 01-02-800-00 (Assessors Office- Capital- \$2,000.00). Commissioner Bair seconded. All voted in favor. The motion carried.**

SHERIFF'S OFFICE

Present: Jeff Gardner- Sheriff  
Jordyn Nebeker- Chief Deputy Sheriff  
Pamela Eckhardt- County Clerk  
Laura Lora- Chief Deputy Clerk

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

PUBLIC WORKS

Present: Troy Lenhart- Road & Bridge Supervisor  
Ken Feld- Citizen

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

Discussion was held in regards to concerns in regards to 2100 S. Homestead Road, submitted by Ken Feld. Mr. Feld explained that for several years the farmers have watered the road, all of the mud on the road from trucks and that tractors turn around on the road and going back into the field, along with the lack of patrol on the road. Mr. Feld asked if there was an ordinance stating that tractors are not to turnaround on the road and cause damage or water the road, wherein Chairman Manwaring stated that is correct and that it should not be occurring. When it is occurring, that is when the county should be contacted in order to discuss the issue with the property owner.

Discussion was held in regards to possibly sending a letter to the property owner stating they are not in compliance with code. There is an ag exemption and there is not much enforcement to be done but there could be notice sent.

Chairman Manwaring stated it is the county's responsibility to maintain a safe road and but with farming and being ag exempt, it is challenging. As far as watering of the road, letters should be sent for non-compliance.

Mr. Lenhart stated that the code enforcement division would send out a letter and Commissioner Bair stated the he would give contact information to law enforcement for the individual that is turning around in the tractor, to ask that he be more cognizant in where they are turning around with equipment.

Discussion was held in regards to the submitted Prior Approval for Major Purchase of a 2024 CAT Roller-CATS5602079. Said purchase is in the amount of \$196,728.18 and is to be paid from Fund: 02-40-803-00.



**Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of a 2024 CAT Roller- CATS5602079. Said purchase is in the amount of \$196,728.18 and is to be paid from Fund: 02-40-803-00. Commissioner Bair seconded. All voted in favor. The motion carried.**

Next, discussion was held in regards to the request for lease payoff for Grader #1906 CAT140MLN9J10285. Said payoff amount is \$178,274.99 and is to be paid from Fund: 02-40-803-00.

**Decision: Commissioner Bair moved to approve Prior Approval for lease payoff for Grader #1906 CAT140MLN9J10285. Said payoff amount is \$178,274.99 and is to be paid from Fund: 02-40-803-00. Commissioner Jackson seconded. All voted in favor. The motion carried.**

Next, discussion was held in regards to the Prior Approval for purchase of a used Dozer for Solid Waste. Mr. Lenhart explained originally the request was for \$350,000.00 and that there would be approximately \$40,000.00 received for trade in. Therefore, it may be worth increasing for up to \$410,000.00, to give them the ability to purchase once the equipment is found.

The Board had no concerns.

**Decision: Commissioner Bair moved to approve the purchase of a used dozer for up to the amount of \$410,00.00. Commissioner Jackson seconded. All voted in favor. The motion carried.**

DISCUSSION REGARDING NEW FUNDING STREAM FOR TREATMENT COURT PARTICIPANT DRUG TESTING AND ALTERNATIVE OPTION FOR FELONY MENTAL HEALTH COURT AND FELONY DRUG COURT PARTICIPANTS, WITH POTENTIAL DECISION- REQUESTED BY SHAWN HILL- PROBATION

Present:           Shawn Hill- Probation Services  
                      Mary Reyes- Probation Services  
                      Mark Gough- Probation Services  
                      Pamela Eckhardt- County Clerk  
                      Laraine Pope- Human Resources Director  
                      Ryan Jolley- Prosecuting Attorney/County Legal Counsel  
                      Aimee Austin- 7<sup>th</sup> Judicial District Treatment Court Manager

The Board met to hold discussion in regards to additional reimbursement for Treatment Court participants drug testing and alternative option for Felony Mental Health Court and Felony Drug Court participants, with potential decision.

Shawn Hill stated that Clerk Eckhardt had contacted him several weeks ago in regards to additional funding that will be coming available pertaining to treatment court and drug testing and wanted to know if he had any ideas as to how that funding could be utilized. This funding would be in the approximate amount of \$14,700.00. Mr. Hill stated his first two ideas were to purchase additional UA testing devices and the second would be to hire additional part time staff to assist with collection/testing. The challenges faced are that if too many devices, they will run out of storage space for those testing and when there are too many devices, they risk expiring, which cannot be used.

Mr. Hill stated another idea that he had was that he does not believe that Bingham County, being in the position of collecting on felony clients, is really a position for Bingham County to be in. For one, Bingham County becomes stewards of their evidence and if the state does violate someone in court, the Bingham County employee is the one that is handling the evidence, when it is really evidence on their clients. The taxpayers of Bingham County pay county employees to do county business, not state business and there are a number of clerical things done to support collecting on the felony clients. There is not enough funding being provided to outsource to a third party. Clerk Eckhardt clarified that the funding could not be used for third party funding, it is to be used to benefit counties that do testing in house.

Mr. Hill stated there was a meeting held last week with Judge Pickett, Alayne Bean- Assistant Trial Court Administrator, Aimee Austin, Pamela Eckhardt, Cody Lewis and Judge Simpson, wherein discussion was

held in seeing what could be done with funding. Bingham County has struggled in the past with hiring part time UA Techs, which is a challenge and is not very practical, as they struggle to maintain collectors.

An idea, to help mitigate the struggle of hiring, is raising the wage of the current part-time UA Tech, which will help retain current techs but, in the future, if needing to fill those positions, it will assist with recruiting and hiring. A second part of the proposal is for the Probation Officers completing the work for morning testing to receive a flat rate stipend per day that they assist with morning testing.

Laraine Pope, Human Resources Director, agreed that the proposal is acceptable.

The Board had no concerns.

**Decision: Commissioner Bair moved to approve part time employees that help with UA testing from \$16.00 per hour to \$19.00 per hour, starting this pay period., along with a stipend of \$15.00 to the Probation Officers each time they assist with morning testing. Commissioner Jackson seconded. Commissioner Bair moved to append the motion to state that wages would move from \$16.03 to \$19.03 for part time UA Techs. Commissioner Jackson seconded. All voted in favor. The motion carried.**

## HUMAN RESOURCES

Present: Laraine Pope- Human Resources Director

The Board met with Laraine Pope to discuss updates within the Human Resources Department and other agenda items.

## UPDATE MEETING WITH LYLE BARNEY- SHELLEY FIRTH AMBULANCE CHIEF & REQUEST FOR COUNTY SUPPORT FOR THE SHELLEY FIRTH AMBULANCE TO APPLY FOR CHC MEDICAL EQUIPMENT GRANT

Present: Chris Likes- Shelley Firth Fire Commissioner  
Lyle Barney- Shelley Firth EMS Chief  
Payton Holtom- Shelley Firth EMD Chief Deputy  
Ken Johnson- Shelley Firth Fire Commissioner  
Bryon Howell- Blackfoot Fire Chief  
Branden Wall- Blackfoot Fire Captain  
Heidi Anderson- Firth Resident  
Timothy Shurtz- Firth Resident  
Jeff Gardner- Bingham County Sheriff  
Jordyn Nebeker- Bingham County Chief Deputy Sheriff

The Board met to receive an update from the Shelley Firth Ambulance Service and to make a decision in regards to the request for county support for the Shelley Firth Ambulance to apply for a CHC Medical Grant. Chairman Manwaring welcomed all to the meeting and introductions were held.

A brief update was given in regards to the progress made by the Shelley Firth Ambulance Service and the potential change of boundary line.

Discussion was held in regards to county support for the Shelley Firth Ambulance to apply for a CHC Medical Grant, wherein it was stated that the county would have to apply for the grant on behalf of the Shelley Firth Ambulance and therefore, the proposed letter of support for today would need to be amended so as to come from the county as the applicant.

There was no decision made on the record.

DISCUSSION & DECISION REGARDING THE REQUEST FOR HYBRID JOB DESCRIPTION FOR DEEDS/RECORDS CLERK IN THE ASSESSORS OFFICE- REQUESTED BY DONAVAN HARRINGTON

Present: Laraine Pope- Human Resources Director  
Debbie Cunningham- Chief Deputy Assessor  
Donavan Harrington- County Assessor

The Board met to hold discussion and make a decision in regards to the request for a hybrid job description for Deeds/Records Clerk in the Assessors Office.

Donavan Harrington explained this request is to several vacancies within the Assessors Office, wherein the Deeds description and assignments and for the Data Entry Clerk description and assignments be combined into one position. The intent is to hire an individual that would work a 35-hour work week.

Laraine Pope stated that she has reviewed the proposal and has no issues.

A brief discussion was held in regards to pay range, which was proposed to be N12, Step 1, with the ability to increase to Step 3, for any individual that may meet qualifications.

**Decision: Commissioner Bair moved to approve the Deeds/Records Clerk position starting at an N12, Step 1, with the ability to go up to a Step 3. 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 1:50 p.m. Commissioner Bair moved to go out of Executive Session. Commissioner Jackson seconded. The Board moved out of Executive Session at 1:58 p.m.

**Decision: Per the recommendation of Susan Denney, Indigent Services, Commissioner Bair moved to approve Indigent Cremation Case Number 2024-9. Commissioner Jackson seconded. All voted in favor. The motion carried.**

MEETING WITH AMY SORENSEN- CONGRESSMAN SIMPSON'S OFFICE AND RENEE RICHARDSON- SENATOR RISCH'S OFFICE, TO DISCUSS COUNTY UPDATES, ISSUES AND GOALS

Present: Amy Sorensen- Congressman Simpson's Office  
Renee Richardson- Senator Risch's Office  
Tiffany Olsen- Planning & Development Director  
Ryan Jolley- Prosecuting Attorney/County Legal Counsel

The Board held a meeting with Amy Sorensen and Renee Richardson to discuss county updates, issues and goals.

DISCUSSION & DECISION REGARDING POSSIBLE BURN BAN IN BINGHAM COUNTY

Present: Bryon Howell- Blackfoot Fire Chief  
Branden Wall- Blackfoot Fire Captain  
Ryan Jolley- Prosecuting Attorney/County Legal Counsel

The Board met to hold discussion and make a decision in regards to a potential burn ban for Bingham County.

Chairman Manwaring state that Chief Howell has been in contact with the other fire chiefs within Bingham County and they are all in support of the proposed burn ban.

The Board of County Commissioners are also in favor of the proposed burn ban.

**Decision: Commissioner Jackson moved to approve and sign Bingham County Resolution 2024-27, Declaration of an emergency burn ban. Commissioner Bair seconded. All voted in favor. The motion carried and said resolution was adopted as follows:**

**BINGHAM COUNTY, IDAHO**  
**RESOLUTION #2024-27**  
**Hereby Declares an Emergency**  
**and Authorizes the Implementation of a Burning Ban**

---

WHEREAS, the Board values the lives and safety of Bingham County residents and take such matters affecting the same seriously; and

WHEREAS, the Board hereby declares that conditions and circumstances within the County now or in the future will necessitate the imposition of an Open Fire Ban to protect the health, safety and welfare of the public; and

WHEREAS, the Board in the interest of protecting, regulating, and governing the safeguarding of life and property and in connection with the International Fire Code; and

WHEREAS, Per Bingham County Code Section 5-4-3, which authorizes the prohibition of open burning when atmospheric conditions or local circumstances make such fires hazardous; and

WHEREAS, many parts of Bingham County are extremely dry and due to current conditions, the threat of wildfires is severe;

WHEREAS, wildfires constitute a real threat to life and property in Bingham County;

WHEREAS, it is commonly known that from time to time there exists extreme or serious danger and threat of forest fires, grassfires and wildfires due to dry weather and vegetation conditions in Bingham County and that fires have caused property damage and the potential for risk and loss of life;

WHEREAS, the Board finds is necessary to prohibit Open Fire, as defined in the Bingham County Ordinance NO.2020-4 and in the International Fire Code;

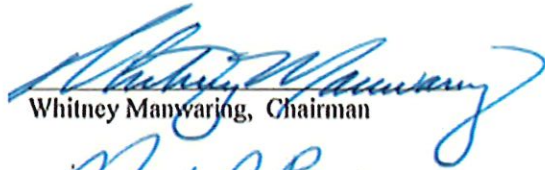
**IT IS HEREBY RESOLVED THAT UPON THE EFFECTIVE DATE OF THIS RESOLUTION:**

From July 24, 2024 until September 30, 2024, or such earlier date as set forth by the Board, the Board hereby authorizes the local fire districts to enforce and implement Bingham County Code 5-4-3 and the Board declares a ban on Open Fires of any kind, on all private property located in the Unincorporated Areas of the County, except campfires built within an approved pit at improved campgrounds or picnic areas and smoking , except within an enclosed vehicle, building or developed recreation site. This area shall not include public lands belonging to the United States of America or the State of Idaho located within the Unincorporated Areas of the County. Burn permits are required for agricultural burning, however, no permits are being issued at this time.

This resolution does not include Government Agencies with prior approval from the Department of Environmental Quality and the fire department.

This resolution shall be in full force and effective immediately after its passage.

PASSED AND ADOPTED this 24<sup>th</sup> day of July 2024, during the regular meeting of the Board of County Commissioners.

  
Whitney Manwaring, Chairman

  
Mark Bair, Commissioner

  
Eric Jackson, Commissioner

THE MOTION PASSED TO DISMISS UNTIL FRIDAY, JULY 26, 2024

  
PAMELA W. ECKHARDT, CLERK  
Lindsey Dalley- Commission Clerk

  
WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO            )  
                                      : ss.           Friday, July 26, 2024  
County of Bingham        )

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

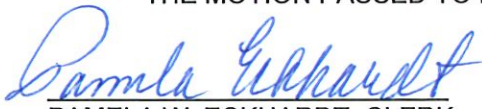
PRESENT:               Chairman Manwaring  
                              Commissioner Jackson  
                              Lindsey Dalley- Commission Clerk  
Excused:               Commissioner Bair

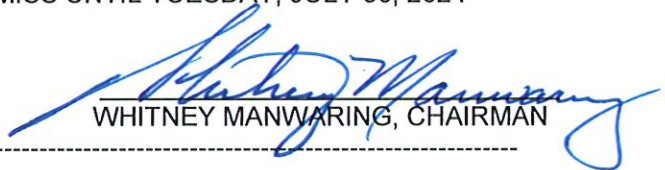
CLAIMS

Claims were approved in the amount of \$287,440.48.

Decision: Commissioner Jackson moved to approve the Cash Warrants, Claims, Administrative Documents and Personnel Action Forms for July 26, 2024. Chairman Manwaring seconded. Both voted in favor. The motion carried.

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

  
PAMELA W. ECKHARDT, CLERK  
Lindsey Dalley- Commission Clerk

  
WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO        )  
                              : ss.                Tuesday, July 30, 2024  
County of Bingham    )

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

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

**RESOLUTION 2024-25**

The Board met to approve Bingham County Resolution 2024-25, a formal resolution declaring certain Bingham County property not necessary for use in Bingham County, specifically for properties to be sold at tax deed auction.

**Decision: Commissioner Bair moved to approve Bingham County Resolution 2024-25, a formal resolution declaring certain Bingham County property not necessary for use in Bingham County, specifically for properties to be sold at tax deed auction. Commissioner Jackson seconded. Both voted in favor. The motion carried and said resolution was adopted as follows:**

**BINGHAM COUNTY  
RESOLUTION NO. 2024-25**

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

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

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

| <u>SALE</u><br>LOT | <u>PARCEL #</u> | <u>FORMER OWNER</u>      | <u>LEGAL DESCRIPTION</u>  | <u>ADDRESS</u>  |
|--------------------|-----------------|--------------------------|---|---|
| 1                  | RP0193901       | Jack Hatch<br>(Deceased) | T2S R34E SEC 26<br>E'LY PTN of T-162<br><br>(See Exhibit "A"<br>available in the<br>County Clerk's Office<br>in the Bingham<br>County Courthouse)     | (Located within the<br>Moreland Townsite)                 |
| 2                  | RP7037200       | Gladys Koller            | T3S R33E SEC 33<br>Pingree BLK 24 Lot 12<br><br>(See Exhibit "B"<br>available in the<br>County Clerk's Office<br>in the Bingham<br>County Courthouse) | Pingree, ID 83262<br>(Located in the Pingree<br>Townsite) |

**BINGHAM COUNTY COMMISSION**

ATTEST:



*Pamela Eckhardt*  
Pamela W. Eckhardt  
Bingham County Clerk

\_\_\_\_\_  
Whitney Manwaring, Chairman

*Mark R. Bair*  
\_\_\_\_\_  
Mark R. Bair, Commissioner

*Eric Jackson*  
\_\_\_\_\_  
Eric Jackson, Commissioner



**APPROVAL OF MINIMUM BIDS FOR PROPERTIES TO BE SOLD AT TAX DEED AUCTION AND APPROVAL AND SIGNING OF NOTICE OF PENDING SALE**

The Board met to approve minimum bids for properties to be sold at tax deed auction and approve/sign the Notice of Pending Sale.

Lindsey Dalley, Commission Clerk, explained the proposed bids for each parcel to be auctioned and how each amount was determined. Legal Counsel confirmed that Lindsey Dalley was legally able to add additional fees for mailing cost as the cost collected previously was minimal and did not cover the mailing costs incurred.

The proposed minimum bids are as follows:

**Proposal for Minimum Bids: Submitted by Lindsey Dalley, Commission Clerk**

**RP0193901 (Hatch, Jack- Deceased)**

|  |                 |
|--|-----------------|
| Balance due for past taxes & interest: | \$308.98        |
| Mailing Costs for Notice:              | \$80.00         |
| Publication of Notice:                 | \$149.50        |
| Recording Fee:                         | \$50.00         |
| <b>TOTAL:</b>                          | <b>\$588.48</b> |

**RP7037200 (Koller, Gladys)**

|  |                 |
|--|-----------------|
| Balance due for past taxes & interest: | \$452.06        |
| Mailing Cost for Notice:               | \$80.00         |
| Publication of Notice:                 | \$149.50        |
| Recording Fee:                         | \$50.00         |
| <b>TOTAL:</b>                          | <b>\$731.56</b> |

The Board had no concerns in regards to the proposed minimum bids.

**Decision: Commissioner Bair moved to approve and sign the Notice of Pending Sale and approve the setting of minimum bids as presented. Commissioner Jackson seconded. Both voted in favor. The motion carried.**

**PRIOR APPROVAL- BUILDING MAINTENANCE**

Present: Jason Marlow- Building Maintenance Supervisor

The Board met to discuss several Prior Approval for Major Purchase documents submitted by Jason Marlow.

Discussion was held in regards to approval of the Schindler Inspection Contract, which is required by the State of Idaho to have the elevators inspected by certified technicians. Said contract is in the amount of \$2,160.00 annual and is to be paid out of Fund: 01-10-494-00 (Building Maintenance Repairs/ Maintenance- Building & Fixtures).

The proposed contract will renew automatically but if approved there will be a discount on the cost.

The Board had no concerns and it was confirmed that legal counsel had reviewed the agreement.

Next, discussion was held in regards to the Prior Approval for cabinets and countertops for the Treasurers Office. The cabinets and countertops need updated because many of the hinges and drawer slides falling apart. This would also grant the chance to become ADA compliant with counter heights.

Said purchase is in the amount of \$27,810.00 and is to be paid from the following funds:

|                |  |             |
|----------------|--|-------------|
| 01-10-494-0000 | Building Maintenance-Repairs/Maintenance | \$7,810.00  |
| 01-10-443-0001 | ADA Improvements                         | \$15,000.00 |
| 01-03-800-0000 | Treasurer- Capital                       | \$5,000.00  |

**Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of cabinets and countertops for the Treasurers Office. Said purchase is in the amount of \$27,810.00 and is to be paid from the funds as mentioned above. Commissioner Jackson seconded. Both voted in favor. The motion carried.**

**APPROVAL OF REASON & DECISION FOR BRACKEN & KATIE ABRAMS ZONE CHANGE**

The Board met to approve the Reason & Decision for Bracken & Katie Abrams Zone Change, from Agriculture to Residential Agriculture.

The Board had no changes to be made.


**Decision: Commissioner Bair moved to approve and sign the Reason & Decision for Bracken & Katie Abrams' Zone Change from Agriculture to Residential/Agriculture. Commissioner Jackson seconded. Both voted in favor. The motion carried.**

**BINGHAM COUNTY ORDINANCE 2024-26**

The Board met to approve and sign Bingham County Ordinance 2024-26, an ordinance amending the General Bingham County Zoning Ordinance 2012-08 and accompanying zoning map by changing the zoning use district of the below-described real property from its present classification of Agriculture to Residential/Agriculture, for Bracken & Katie Abrams.

Lindsey Dalley, Commission Clerk, confirmed for the record that the County Surveyor has reviewed the legal description and there are no errors.

**Decision: Commissioner Bair moved to approve and sign Bingham County Ordinance 2024-26, an ordinance amending the General Bingham County Zoning Ordinance 2012-08 and accompanying zoning map by changing the zoning use district of the below-described real property from its present classification of Agriculture to Residential/Agriculture, for Bracken & Katie Abrams. Commissioner Jackson seconded. Both voted in favor. The motion carried and said ordinance was adopted as follows:**

**Instrument # 763970**  
BINGHAM COUNTY  
7-30-2024 09:03:23 AM No. of Pages: 2  
Recorded for : BINGHAM COUNTY COMMISSIONERS  
PAMELA W. ECKHARDT Fee: 0.00  
Ex-Officio Recorder Deputy 

**BINGHAM COUNTY  
ORDINANCE 2024-06**

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

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

Part of the NW1/4 of Section 29 and the NE1/4 of Section 30, Township 1 North, Range 37 East of the Boise Meridian, Bingham County, Idaho, more particularly Described as:

Commencing at the northwest corner of Section 29 from which the north 1/4 corner of said section bears N 89°45'18" E 2628.96 feet, the basis of bearings for this description:

Thence N 89°45'18" E 103.96 feet along the north line of said section to the northeast corner of Parcel 1 as described in Warranty Deed Instrument No. 723680, which is witnessed by a 1/2" rebar with plastic cap inscribed "PLS 10944" that bears S 01°18'18" W 23.00 feet;

Thence S 01°18'18" W 600.87 feet along the east line of said Parcel 1 to a point being marked by a 5/8" rebar with plastic cap inscribed "PLS 12222", said point being the POINT OF BEGINNING;

Thence continuing along the boundary of said Parcel 1 the following 10 courses:

- 1) S 01°18'18" W 404.73 feet to a point being marked by 1/2" rebar with plastic cap inscribed "PLS 3435";
- 2) N 89°45'18" E 130.00 feet to a 1/2" rebar with plastic cap inscribed "PLS 10944";
- 3) S 01°18'18" W 145.72 feet to a 1/2" rebar with plastic cap inscribed "PLS 3435";
- 4) S 83°09'12" W 39.26 feet;
- 5) S 73°45'57" W 65.53 feet to a 1/2" rebar with plastic cap inscribed "PLS 3435";
- 6) S 70°44'27" W 119.04 feet;
- 7) S 70°20'44" W 60.42 feet;
- 8) S 73°46'06" W 89.96 feet to a 1/2" rebar;
- 9) S 86°30'26" W 56.84 feet to a 1/2" rebar which is marking the southwest corner of said Parcel 1;
- 10) N 00°35'33" E 663.52 feet along the west line of said Parcel 1 to a point being marked by a 5/8" rebar with plastic cap inscribed "PLS 12222";

Thence S 89°29'57" E 289.97 feet to the POINT OF BEGINNING.

Containing 4.615 acres.

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

Passed and Approved by the Board of County Commissioners, County of Bingham, State of Idaho, at a Public Hearing held on the 10<sup>th</sup> day of July 2024.

Signed this 30 day of July 2024

ATTEST:



  
Pamela Eckhardt  
Bingham County Clerk

BOARD OF COUNTY COMMISSIONERS  
BINGHAM COUNTY, IDAHO

\_\_\_\_\_  
Whitney Manwaring, Chairman

  
\_\_\_\_\_  
Mark R. Bair, Commissioner

  
\_\_\_\_\_  
Eric Jackson, Commissioner

## CASH WARRANTS

Cash Warrants were approved in the amount of \$235.00 and \$310,766.51, for a total of \$311,001.51.

## COLLEGE OF EASTERN IDAHO

The Board approved Certificate of Residency documents, which were sent to the College of Eastern Idaho for the following Bingham County student's: Tamara L. Wasden, Zoie M. Herrera, Ilona S. Freeborn, Olivia G. Messick, Monserrath D. Castanon, Alisha Ellis and Mason C. Inskeep.

**Decision: Commissioner Bair moved to approve Cash Warrants, Claims and Administrative Documents for July 29, 2024. Commissioner Jackson seconded. Both voted in favor. The motion carried.**

## SHERIFF'S OFFICE

Present: Jeff Gardner- Bingham County Sheriff  
Jordyn Nebeker- Bingham County Chief Deputy Sheriff

The Board met with Sheriff Gardner to discuss updates within the Sheriff's Office, which included jail population and an update on the jail expansion/courthouse remodel project.

## 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 9:32 a.m. Commissioner Bair moved to go out of Executive Session. Commissioner Jackson seconded. The Board moved out of Executive Session at 9:44 a.m.

**Decision: Commissioner Bair moved to approve the proposal to hire two individuals who applied for the Road and Bridge Truck Driver position, which were discussed within Executive Session. Chairman Manwaring seconded. All voted in favor. The motion carried.**

## PUBLIC WORKS

Present: Dusty Whited- Public Works Director  
Troy Lenhart- Road & Bridge Supervisor

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

Discussion was held in regards to the proposed new position of "Shop Support Technician". Mr. Whited stated for the last month, there has been an employee that is on light duty and therefore has been taking care of all of the small duties that this proposed position would be completing, which are listed on the provided proposed job description. The proposed wage is an N10, Step 1 (\$15.58).

Mr. Whited confirmed that Laraine Pope, Human Resources Director, has reviewed the proposal and has no concerns.

**Decision: Commissioner Bair moved to approve the proposed position of Road and Bridge Shop Support at an N10, Step 1 (\$15.58), with removal of the requirement of a High School Diploma or GED. Commissioner Jackson seconded. All voted in favor. The motion carried.**

PRIOR APPROVAL- IT DEPARTMENT

Present: Dusty Whited- Public Works Director  
 Matt Galloway- IT Director

The Board met to discuss several Prior Approval for Major Purchase documents submitted by Matt Galloway.

Discussion was held in regards to the purchase of 3 cameras and video decoder for Solid Waste. There will be one camera to replace a broken device at the transfer station, and two cameras and the video decoder for the scale house for recording scales. Said purchase is in the amount of \$1,976.00 and is to be paid from the following funds:

|                |             |            |
|----------------|-------------|------------|
| 24-00-450-0000 | Tort        | \$1,399.98 |
| 23-70-445-0006 | Solid Waste | \$576.11.  |

**Decision: Commissioner Jackson moved to approve the Prior Approval for 3 cameras and video decoder for the Solid Waste Department. Said purchase is in the amount of \$1,976.00 and is to be paid from the two funds as listed above. Commissioner Bair seconded. All voted in favor. The motion carried.**

Discussion was held in regards to the purchase of two cameras for the jail, specifically for the two new holding cells. Said purchase is in the amount of \$2,496.65 and should be paid from Fund: 05-03-800-0001.

**Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of two cameras to be placed in the new holding cells. Said purchase is in the amount of \$2,496.65 and should be paid from Fund: 05-03-800-0001. Commissioner Jackson seconded. All voted in favor. The motion carried.**

REVIEW OF FISCAL YEAR 2025 COUNTY BUDGET, WITH A POTENTIAL DECISION

Present: Pamela Eckhardt- County Clerk  
 Laura Lora- Chief Deputy Clerk  
 Tiffany Olsen- Planning & Development Director  
 Ryan Jolley- Prosecuting Attorney/County Legal Counsel  
 Jeff Gardner- Bingham County Sheriff  
 Jordyn Nebeker- Bingham County Chief Deputy Sheriff

The Board met to review Fiscal Year 2025 Budget, with a potential decision.

No decision was made.

DISCUSSION & POTENTIAL DECISION REGARDING THE SALE OF COUNTY PROPERTY CURRENTLY BEING LEASED

Present: Addie Jo Jackman- Planning & Development Assistant Director  
 Tiffany Olsen- Planning & Development Director  
 Gwen Inskeep- County Surveyor  
 Ryan Jolley- Prosecuting Attorney/County Legal Counsel  
 Donovan Harrington- County Assessor  
 Debbie Cunningham- County Chief Deputy Assessor  
 Pamela Eckhardt- County Clerk

The Board met to discuss and make a potential decision regarding the sale of county property currently being leased by GeoBitmine.

Chairman Manwaring explained from the beginning, it was only to lease the property and there were no discussions in regards to selling the property. Therefore, at this time he is not in favor of selling the property. There was a request received to purchase the current property being leased, which was not previously discussed and was a shock to the Board.

Commissioner Jackson asked Legal Counsel what kind of conditions could be placed if we did decide to sell the property and is it possible for the county to have first right of refusal, to which Ryan Jolley stated no there is not because the county would not be able to sell the property directly to them. The property would have to be sold at auction and there is no guarantee that they would get the property.

Mr. Jolley stated if the subject property is a valuable asset to the county in case a gravel source is needed, it would be in the countys best interest to keep the property and not sell. Especially since the property is already permitted as a gravel pit and the process/difficulty to go through is challenging.

Commissioner Jackson would also decline to sell the property at this time.

Commissioner Bair stated that if any of the attendees within this meeting were to go out to the property within the next ten days, the project is working and there will be power. Commissioner Bair stated that he does not see a downside to selling the property. It is a risk to GeoBitmine when the property is placed up for auction but there is no one that will buy it out from under them.

Chairman Manwaring stated that the county stretched out far for Geobitmine when the property was leased to them, seeing as that property was leased to another lessee and was deducted from a separate lease.

Gwen Inskeep stated that she would like to give her personal opinion and things that she has seen as an employee of the county. Ms. Inskeep stated she believes it would be a bad idea to sell the property and that GeoBitmine should show that they will be successful and that the project will be beneficial to the county prior to selling the property that is beneficial to the county. The property was purchased for a gravel source and when that source would be needed, should be irrelevant. Just because it is not needed currently, does not mean that it will not be needed in the future. Ms. Inskeep added that she does not feel as though the project has been transparent with the citizens of Bingham County, as the public does not know what is going on. She stated that she wants to be upfront and honest with the Board. Therefore, she is not in favor of selling the property.

Tiffany Olsen stated that she has signed a non-disclosure agreement in regards to many instances having to do with the property. Ms. Olsen stated that press releases and things are done by the developing company, not the county and issuing a statement to the public about a company that the county has a current lease with but not construction plans, is not within county purview.

Ms. Olsen stated if the project is close to starting up and having power, that causes her great concern as there is permitting required for the structures that are said to be on the property. There has been information provided to her throughout this meeting that has not been disclosed to Planning & Development.

Ms. Olsen stated that at this point she would not be in favor of selling the subject property as there have been instances wherein building has occurred without permitting or communicating, signage, working through water issues and other things that have occurred after the fact with the Developers.

Chairman Manwaring stated that it was hard to approach another Lessee with the proposal to remove acreage from their current lease but not being able to discuss specifics of the project or what would occur. In Bingham County, this property is already permitted for gravel pit and it is not easy to obtain those.

Commissioner Bair stated that he understands that the property is permitted for a gravel pit but believes that would be the last place that gravel mining would occur. He added that he would hate to have a company that potentially could expand and have the county continuously throwing up road blocks.

Donavan Harrington stated that originally GeoBitmine was working with Idaho Power in Aberdeen in trying to put together the project with a private property but they could not find any parties willing to work with them. Chairman Manwaring stated at that point, it couldn't be disclosed what would be developed and with the unknown it makes it hard for people to make that decision.

Pamela Eckhardt stated as Clerk, she looks at topics or discussions such as this and what it would look like from a public records request. It is vague, if anything, within all commission minutes. At this time, she would not be in favor of the county selling the property.

**Decision: Commissioner Bair moved to satisfy the lease and find a way to sell the leased county property to Geobitmine. There was no second.**

**Commissioner Jackson moved to comply with the lease currently in place and not sell the property until performance is proved by Geobitmine. Chairman Manwaring seconded. All in favor- Commissioner Jackson and Chairman Manwaring. All opposed- Commissioner Bair.**

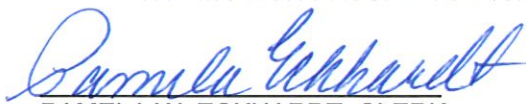
**Nothing further.**

EXECUTIVE SESSION

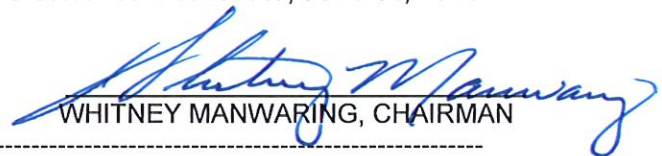
The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Jackson moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Bair seconded. Both in favor. The Board moved into Executive Session at 3:27 p.m. Commissioner Bair moved to go out of Executive Session. Commissioner Jackson seconded. The Board moved out of Executive Session at 4:11 p.m.

**Decision: Commissioner Bair moved to approve the proposed merit bonus for two Parks & Recreation employees in the amount of \$700.00, after taxes are deducted. The two merit bonuses would be paid from Fund: 01-09-409-0042 (Human Resources- Merit Pay). Commissioner Jackson seconded. All voted in favor. The motion carried.**

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY, JULY 31, 2024



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



WHITNEY MANWARING, CHAIRMAN



STATE OF IDAHO        )  
                              : ss.                Wednesday, July 31, 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

**APPEAL OF THE PLANNING & ZONING COMMISSION'S CONDITIONAL APPROVAL OF THE GALE LIM CONSTRUCTION LLC, CONDITIONAL USE PERMIT FOR THE OPERATION OF A GRAVEL PIT/MINING-CRUSHING/EXCAVATION OF GRAVEL, AND ASSOCIATED BATCH PLANT IN AN "A" AGRICULTURAL ZONE, LOCATED NORTHEAST OF 365 ARCHERY RANGE ROAD, BLACKFOOT, IDAHO, BY TODD & RAELYNN LAMBERT AND THE CONCERNED CITIZENS OF ROSE, WITH DECISION**

Present:               Tiffany Olsen- Planning & Development Director  
                              Ryan Jolley- Prosecuting Attorney/County Legal Counsel  
                              Dusty Whited- Public Works Director  
                              Gale Lim- Gale Lim Construction  
                              Dustin Manwaring- Legal Counsel for Gale Lim Construction  
                              Carson Dance- Gale Lim Construction  
                              Kirsten Rupp- Gale Lim Construction  
                              Sheri Lim- Gale Lim Construction  
                              Kori Bonney- Gale Lim Construction  
                              Gary Call- Green Dragon Farm  
                              Raelynn Lambert- Appellant/Rose River Reception  
                              Sharon Sturn- Rose River Reception  
                              Gerald Evans- Snake River Estates  
                              Cameron Golinveaux- Rose River Reception  
                              Tara Golinveaux- Rose River Reception  
                              Shauna Bodkin- Rose River Reception  
                              Todd Lambert- Rose River Reception  
                              Tessa McKinlay- Rose River Reception  
                              Von Cornelison- Rose River Reception  
                              Jacalyn Bombard- South Lavaside  
                              Brenda Cornelison- Citizen  
                              Bob Cornelison- Cornelison Funeral Home  
                              Linda Cornelison- Rose Citizen  
                              Rick Lawrence- Groveland  
                              Mark Cornelison- Holden, Kidwell, Hahn & Crapo Law Office  
                              Doug Burkman- Farmer  
                              Debbie Burgess- Homeowner  
                              D. Andrew Rawlings- Holden, Kidwell, Hahn & Crapo Law Office

The following were in Courtroom #1 watching the meeting via Zoom:

Gary Call  
Patti Piper  
Michael Piper  
Audrey Eberhard  
Chad Eberhard  
Sandy Winterbourne

Susan Golinveaux  
Judith Taylor  
Kent Taylor  
Kelly Mansanarez  
Mitchell Mansanarez  
Michael Mickelsen  
Peter- illegible writing  
Max Collard  
Randy- illegible writing  
Mary- illegible writing  
Carol Whitehead  
Laval Whitehead  
Pat Stott  
Gordon Simpson  
Jode Wareing  
Joann Hayrend  
Illegible writing  
Clint- Illegible writing  
Illegible writing  
Illegible writing  
D. Loosli  
Ron- Illegible writing  
Illegible writing

The Board met to hear the Appeal of the Planning & Zoning Commission's Conditional Approval of the Gale Lim Construction, LLC Conditional Use Permit for the operation of a gravel pit/mining-crushing/excavation of gravel, and associated batch plant in an "A" Agricultural Zone, located northeast of 365 Archery Range Road, Blackfoot, Idaho, by Todd and Raelynn Lambert and the concerned citizens of Rose, with decision. Chairman Manwaring welcomed all to the meeting and introductions were held.

Commissioner Bair stated that he would like to declare a potential conflict and that about ten days ago, he had come back from lunch, stepped into the Clerks Office and noticed Mr. Gale Lim and Lindsey Dalley, Commission Clerk, were having a conversation. Commissioner Bair stated that Mr. Lim was upset and he walked over to ask if there was anything that he could help with. Commission Clerk advised both of them that there were to be no discussions in regards to the appeal or anything concerning the appeal due to the upcoming Appeal Meeting. Mr. Lim requested an immediate meeting with the Commissioners, which cannot occur as there is a 48-hour time requirement per Idaho Code. Commissioner Bair stated as he remembers, Mr. Lim mentioned one of the conditions of the CUP having a traffic study completed. At that time, the conversation ended and he does not believe that it will affect his judgment on this matter.

Commissioner Jackson declared a potential conflict for the record and Ryan Jolley, County Legal Counsel, stated that was not a valid conflict and that Commissioner Jackson could continue with the meeting/decision.

Chairman Manwaring stated that he would like to clarify a few things. First, there was a text from Aaron Reed to Tiffany Olsen, and it stated, "I understand Gale has called Whitney Manwaring on this", in reference to the deadline. Chairman Manwaring stated that all he had within his cell phone was a message from Lindsey Dalley, Commission Clerk, to return a telephone call to Gale Lim. Mr. Lim asked what the due date to have information submitted as they had a delay with the environmental plan. Chairman Manwaring advised Mr. Lim that he would contact Tiffany Olsen and that was the extent of that conversation.

Chairman Manwaring stated that commission minutes were pulled in April when Jon Gregory met with the Board of County Commissioners on a proposed development on the east side of the archery range by the river. Mr. Gregory was in more than one year ago and mentioned that an individual had purchased the

Denny Hill property and some of their property goes across the river. Within that meeting, individuals from the archery range were present and discussions were held that the project was not a good idea and that Mr. Gregory should approach the Wareings who own the property on the north side of the archery, which was the extent of that meeting. Again, in April, Mr. Gregory came before the Board of County Commissioners for another meeting to discuss this matter further and at that time it was common knowledge that recently Gale Lim had purchased that property and that Mr. Gregory should approach Mr. Lim. Chairman Manwaring added that at some point he had come into contact with Mr. Lim and Mr. Lim had mentioned to him that he would like to build a school to train individuals how to operate heavy equipment, which was the extent of that conversation.

Chairman Manwaring declared a second conflict and that is that his son, Dustin Manwaring, is the attorney for Gale Lim Construction. He has been advised by County Legal Counsel to recuse himself from the decision today.

Chairman Manwaring moved to appoint Commissioner Bair as Temporary Chairman. Commissioner Jackson seconded. All voted in favor. The motion carried.

Commissioner Bair thanked those who are in attendance today and stated that late last night he received an email from Tiffany Olsen, which included several large and complicated documents. Due to the late receiving of the documents, he has not had the proper time to read and study the documentation.

Commissioner Jackson stated that he also has not had a chance to study and understand the documents, due to the length and late receiving.

Ryan Jolley asked Commissioner Bair to clarify for the record that the email received was a supplement to the Petitioners Appeal.

Commissioner Bair stated that due to receiving this document in an untimely manner, he would entertain a motion to postpone this meeting in order to have the proper time to review documentation.

**Decision: Commissioner Jackson moved to postpone this meeting to a further date in order to give the Board time to review the additional supplement submitted by the Petitioner. Commissioner Bair seconded. Both voted in favor. The motion carried.**

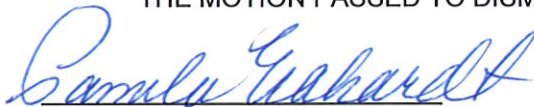
Ryan Jolley stated to avoid a similar issue prior to the next hearing date, he asked if the Board has interest in setting a deadline to submit documentation prior to the future hearing.

**Decision: Commissioner Jackson moved to call for a 7-day deadline prior to the meeting date to submit any new information in order to have time to review. Commissioner Bair seconded. Both voted in favor. The motion carried.**

CLAIMS FOR THE PREVIOUS MONTH WERE APPROVED AS FOLLOWS:

|                                |              |                               |              |
|--------------------------------|--------------|-------------------------------|--------------|
| Current Expenses .....         | \$427,940.08 | Weeds.....                    | \$11,164.25  |
| Road & Bridge .....            | \$325,128.53 | Emergency Communication... .. | \$16,313.58  |
| Justice Fund .....             | \$477,599.97 | Road & Bridge Special         |              |
| District Court.....            | \$142,569.71 | Project.....                  | \$268,631.26 |
| Preventative Health.....       | \$15,500.00  | Waterways.....                | \$1,599.22   |
| Historical Society/Museum..... | \$180.69     | OPIOID Account.....           | \$241.20     |
| Parks & Recreation.....        | \$13,207.04  | PILT.....                     | \$141.80     |
| Revaluation.....               | \$30,059.70  | Treatment Court Fund.....     | \$4,334.49   |
| Solid Waste .....              | \$246,785.01 | ARPA Funding.....             | \$878,399.44 |
| Tort.....                      | \$1,454.00   | Junior College Fund.....      | \$31,400.00  |
| Veterans Memorial.....         | \$370.13     | Consolidated Elections.....   | \$4,870.02   |

THE MOTION PASSED TO DISMISS UNTIL FRIDAY, AUGUST 2, 2024



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



WHITNEY MANWARING, CHAIRMAN