

STATE OF IDAHO)
 : ss. Monday, June 3, 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

STAFF MEETING

Present: Pamela Eckhardt- County Clerk
 Laura Lora- Payroll/Indigent Services
 Debbie Cunningham- Chief Deputy Assessor
 Dusty Whited- Public Works Director
 Jimmy Roberts- County Coroner
 Scott Reese- Emergency Services/Parks & Recreation
 Sheri Landon- Court Supervisor
 Laraine Pope- Human Resources Director
 Jason Marlow- Building Maintenance
 Tiffany Olsen- Planning & Development Director
 Laura Reyes- Probation Services
 Cody Lewis- Treatment Court
 Julie Buck- Extension Office
 Matt Galloway- IT Department
 Ryan Jolley- Prosecuting Attorney
 Jordyn Nebeker- Chief Deputy Sheriff
 Tanna Beal- County Treasurer
 Danette Miller- Elections Office
 Jeff Gardner- Sheriff
 Gordon Croft- Blackfoot Chief of Police

Excused: Donavan Harrington- County Assessor
 Shawn Hill- Probation Director

The Commissioners met with department heads and Elected Officials for the June 2024 Staff Meeting. Commissioner Jackson conducted the Staff Meeting.

Pledge of Allegiance: Commissioner Jackson conducted.

Approval of Minutes for Staff Meeting held in May 2024: There were no changes to be made. Therefore, the Staff Meeting Minutes for March 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 if there is ever a bomb threat or an active shooter.

Safety Concerns: None.

Employee Years of Service Recognition: Dusty Whited recognized Wally Barny, Truck Driver, for five years of service to Bingham County. Wally is always the first to get out of the truck to work on a project and is a hard worker.

Dusty Whited recognized Terry McClure for ten years of service to Bingham County. Terry is a sign tech and does a great job. Terry also helps maintain the courthouse parking lot during the winter time.

Jordyn Nebeker recognized Cutler Howell for five years of service to Bingham County. Cutler has the tenacity that when an incident becomes dangerous, he is on the front line and will not be held back. Jordyn stated that he appreciates Cutler's work ethic and he is a huge asset to Bingham County.

Jordyn Nebeker recognized Josh Jorgensen for ten years of service to Bingham County. Josh works in the jail, is a mentor and a great leader. Many employees reach out to Josh for input and advice.

Debbie Cunningham recognized Lauri Camphouse for ten years of service to Bingham County. Lauri started in the DMV and eventually moved into her current position of split and combination of property. She does a fantastic job, is competent and has a lot of knowledge.

Commissioner Jackson: Stated that the Idaho Department of Water Resources has issued a water call to the area that will impact Bingham County immensely if it goes through. There is a meeting scheduled at 1:30 p.m., today to discuss the issue further.

Chairman Manwaring: Had no updates at this time.

Clerk Pamela Eckhardt: Stated that if budget meetings have not been scheduled with Lindsey Dalley, Commission Clerk, please do so. The outside Auditor is here today to finish the audit and may be visiting each department.

Laura Lora: Stated that all comp time needs to be used by the end of September.

Debbie Cunningham: Stated that Assessment Notices will be going out today.

Dusty Whited: Stated that construction season is commencing and there will be a lot of road maintenance throughout the county.

Jimmy Roberts: Stated that the Coroner's Office had 15 cases this past month, with 3 requiring autopsy. There have been 3 suicides within the last 30 days. There are 2 interns from Idaho State University that will be working in the Coroner's Office throughout the summer.

Scott Reese: Stated that he would like to thank Pam Eckhardt, Commissioner Jackson and Jason Marlow for the work with the flowers at Patriot Field. Mr. Reese gave an update on the parks.

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: Gave an update on two large development items occurring in Bingham County, the Burnstone Mine Application and the Gale Lim Gravel Pit Application.

Laura Reyes: Had no updates at this time.

Cody Lewis: Stated that last month there were five graduates from Drug Court. Felony Drug Court Graduation will be held on June 25th at 4:00 p.m., and Misdemeanor Drug Court Graduation will be held on June 17th at 4:00 p.m.

Ryan Jolley: Had no updates at this time.

Sheriff Gardner: Had no updates at this time.

Tanna Beal: Had no updates at this time.

Julie Buck: Stated that 4-H has been extremely busy, Residential Alpine Camp is the week of the 17th and there were 280 sheep and goats at weight in.

Carmen Whitmore: Gave an update on Livestock Education Day that was held at the Eastern Idaho State Fairgrounds.

Matt Galloway: Had no updates at this time.

Danette Miller: Had no updates at this time.

Commissioner Jackson stated next Staff Meeting is scheduled for Monday, July 1, 2024 at 8:30 a.m.

Nothing further.

RESOLUTION 2024-19

The Board met to approve Bingham County Resolution 2024-19, a resolution regarding the destruction of records maintained by the Clerk's Office.

Decision: Commissioner Jackson moved to approve Bingham County Resolution 2024-19, a resolution regarding the destruction of records maintained by the Clerk's Office. Chairman Manwaring seconded. Both voted in favor. The motion carried. Said resolution was approved and signed as follows:

BINGHAM COUNTY
RESOLUTION 2024-19

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

WHEREAS the Bingham County Clerk has requested permission to destroy certain Clerk's Office records; and

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

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

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

THEREFORE, it is hereby resolved that the following Clerk's Office records are considered semi-permanent and have been retained for a minimum of five (5) years.

Auditor's supporting documents 2013-2014; monthly payroll files 2016-2017; vendor receipts 2017; claims 2018-2019.

Furthermore, such records may now be destroyed.

Dated June 3, 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



RESOLUTION 2024-20

The Board met to approve Bingham County Resolution 2024-20, a resolution establishing the stipend for Chief Deputy Assessor, Chief Deputy Treasurer, and Chief Deputy Clerk.

Clerk Eckhardt stated in April of 2021, the Treasurer, the Assessor and herself met with the Board, wherein the Board unanimously voted to approve the additional stipend for the appointed Chief Deputy Assessor, and Chief Deputy Treasurer as 4% of the Elected Official salary. At that time the Chief Deputy Clerk additional stipend was not changed due to the previous Chief Deputy Clerk being near retirement. Clerk Eckhardt stated now that she has appointed a Chief Deputy Clerk, this resolution would include the Chief Deputy Clerk additional stipend at 4% of the Elected Official salary.

The Board had no concerns.

Decision: Commissioner Jackson moved to approve Bingham County Resolution 2024-20, a resolution establishing the stipend for Chief Deputy Assessor, Chief Deputy Treasurer, and Chief Deputy Clerk. Chairman Manwaring seconded. Both voted in favor. The motion carried. Said resolution was approved and signed as follows:

BINGHAM COUNTY
RESOLUTION NO. 2024-20

A RESOLUTION ESTABLISHING THE STIPEND FOR
CHIEF DEPUTY ASSESSOR, CHIEF DEPUTY TREASURER, AND CHIEF DEPUTY CLERK

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

- 1. At an open meeting held on Monday, April 26, 2021, the Board of County Commissioners unanimously voted to approve the additional stipend for the appointed Chief Deputy Assessor and Chief Deputy Treasurer as 4% of the elected official salary. At that time the Chief Deputy Clerk additional stipend was not changed.
- 2. This resolution will include the Chief Deputy Clerk additional stipend at 4% of the elected official salary.

Passed and Adopted this June 3, 2024.



BINGHAM COUNTY COMMISSION

Whitney Manwaring
Whitney Manwaring, Chairman

ATTEST:

Mark R. Bair, Commissioner

Pamela W. Eckhardt
Pamela W. Eckhardt
Bingham County Clerk

Eric Jackson
Eric Jackson, Commissioner

RESOLUTION 2024-21

The Board to approve Bingham County Resolution 2024-21, a resolution regarding the destruction of Election records maintained by the Clerk's Office.

Decision: Commissioner Jackson moved to approve Bingham County Resolution 2024-21, a resolution regarding the destruction of Election records maintained by the Clerk's Office. Chairman Manwaring seconded. Both voted in favor. The motion carried. Said resolution was approved and signed as follows:

BINGHAM COUNTY RESOLUTION 2024-21

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

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

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

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

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

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

THEREFORE, it is hereby resolved:

That the following **March 8, 2022 Shelley and Aberdeen Supplemental Levy Elections** records may be disposed of pursuant to Idaho Code §34-217(2) (a-g) as being at least two years, from the date the records were created:

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

That the following **May 17, 2022 Primary Election** records may be disposed of pursuant to Idaho Code §34-217(2) (a-g) as being at least two years, from the date the records were created:

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

That the following **March 14, 2023** Blackfoot and Snake River Supplemental Levy Elections records may be disposed of pursuant to Idaho Code §34-217(3) (a-f) as being one year from the date the records were created:

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

That the following **May 16, 2023** Blackfoot Rural Library Board Trustee, Seat #4 Election records may be disposed of pursuant to Idaho Code §34-217(3) (a-f) as being one year from the date the records were created:

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

Furthermore, such records may be destroyed after June 3, 2024.

Signed and dated this 3 day of June, 2024.



BINGHAM COUNTY COMMISSIONERS

ATTEST:


WHITNEY MANWARING, Chairman


Pamela W. Eckhardt, Clerk

MARK R. BAIR, Commissioner


ERIC JACKSON, Commissioner

LETTER OF SUPPORT FOR SNAKE RIVER SCHOOL DISTRICT SCHOOL VIOLENCE PREVENTION PROGRAM (SVPP) GRANT APPLICATION

Present: Pamela Eckhardt- County Clerk

The Board met to review and sign the letter of support for Snake River School District SVPP Grant Application.

Commission Clerk, Lindsey Dalley, explained that Sherrilynn Bair had reached out to her in regards to the request. Ms. Dalley stated that she and Clerk Eckhardt spoke with Ms. Bair to be sure that there would be no major duties to be done by the county, specifically with funding and tracking of funding.

The Board had no concerns.

Decision: Commissioner Jackson moved to approve and sign the Letter of Support for the Snake River School District SVPP Grant. Chairman Manwaring seconded. Both voted in favor. The motion carried.

FIRST DIGITAL TELEPHONE SYSTEM DEMO

The Board met with representatives from First Digital for demonstration of a telephone system, for potential upgrade for the County.

BUILDING MAINTENANCE

Present: Jason Marlow- Building Maintenance Supervisor

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

Discussion was held in regards to the submitted Prior Approval for Major Purchase of a recirculation loop for the jail kitchen and dispatch. Mr. Marlow explained that the supplemental water heater behind the dryers in the jail is not fixable and needs replaced. Mr. Marlow stated that he would like to try a new approach and add a recirculation loop for that area instead. Mr. Marlow stated that would mean bringing another water line back (100 ft) to the hot water feed in the water closet and adding a pump to keep hot water flowing through the pipes at all times.

Said purchase is to be purchased from Silver Creek in the amount of \$2,000.00 and is to be paid from Fund: 01-10-494-00 (Building Maintenance- Repairs Building/Fixtures).

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of a recirculation loop for the jail kitchen and dispatch. Said purchase is to be purchased from Silver Creek in the amount of \$2,000.00 and is to be paid from Fund: 01-10-494-00 (Building Maintenance- Repairs Building/Fixtures). Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVE & SIGN AGREEMENT BETWEEN BINGHAM COUNTY AND CLEARWAY ENERGY GROUP

Present: Dusty Whited- Public Works Director

The Board met to approve and sign the Agreement between Bingham County and Clearway Energy Group.

Mr. Whited explained that it was agreed upon by both Clearway Energy Group and Bingham County that there would be a one-time payment in the amount of \$50,000.00, to be used for completion of necessary asphalt road damage that occurred to Sand Creek Road and Goshen Road, during the construction of the wind turbine project

Decision: Commissioner Jackson moved to approve and sign the Agreement between Bingham County and Clearway Energy Group as presented. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVE & SIGN AGREEMENT FOR PROFESSIONAL SERVICES FOR KELLER ASSOCIATES INC., FOR 2024 LANDFILL CLOSURE COST ESTIMATES

Present: Dusty Whited- Public Works Director

The Board met to approve and sign the Agreement for Professional Services for Keller Associates Inc., for 2024 Landfill Closure Cost Estimates.

Mr. Whited stated this is required to be completed every three years and to provide financial reassurance for all landfills throughout the county to guarantee the Department of Environmental Quality that the county has funding to cover the closing costs, if it were to occur.

The Board had no concerns.

Decision: Commissioner Jackson moved to approve and sign the Agreement for Professional Services for Keller Associates Inc., for 2024 Landfill Closure Cost Estimates, as presented by Mr. Whited. Chairman Manwaring seconded. Both voted in favor. The motion carried.

PRIOR APPROVAL FOR MAJOR PURCHASE- PUBLIC WORKS

Present: Dusty Whited- Public Works Director

The Board met to discuss the submitted Prior Approval for Major Purchase of replacement of car port covering for the Aberdeen Landfill, to replace the covering for the battery pallet, used oil tank etc. Said purchase is in the amount of \$1,454.00 and is to be paid from Fund: 02-47-491-01 (Road & Bridge-Parts/General/Equipment).

Mr. Whited explained that the current carport needs to be replaced due to the damage that occurred to the current carport.

Decision: Commissioner Jackson moved to approve and sign the Prior Approval for Major Purchase for replacement of car port covering at the Aberdeen Landfill. Said purchase is in the amount of \$1,454.00 and is to be paid from Fund: 02-47-491-01 (Road & Bridge Parts/General/Equipment). Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF DONATION AND SIGNING OF LETTER OF SUPPORT FOR THE NORTH BINGHAM AND CENTRAL BINGHAM CONSERVATION DISTRICTS

The Board met to approve donation and sign the letter of support for both North Bingham and Central Bingham Conservation Districts.

Commission Clerk, Lindsey Dalley, explained that the contributed amount was changed to \$3,000.00 last year in order to be consistent for all of the Conservation Districts.

Decision: Commissioner Jackson moved to approve the donation in the amount of \$3,000.00 and sign the letter of support for the North Bingham and Central Bingham Conservation Districts. Chairman Manwaring seconded. Both voted in favor. The motion carried.

REQUEST FROM GEOBITMINE FOR PERMISSION TO USE EXISTING ACCESS EASEMENT NORTH OF PARCEL 1 FOR TEMPORARY CONSTRUCTION ACCESS TO WORK SITE- REQUESTED BY JAY JORGENSEN AND KRYSTA ATEN-SHELL

Present: Tiffany Olsen- Planning & Development Director
Jay Jorgensen- Geobitmine
Jin Wen- Geobitmine
Boone Carter- Citizen
Kaci Carter- Citizen
Addie Jo Jackman- Planning & Development Assistant Director

The Board met to discuss the submitted request from Geobitmine for permission to use existing access easement North of Parcel 1 for temporary construction access to work site. Chairman Manwaring welcomed all to the meeting and introductions were held.

Jay Jorgensen stated that the project is under current construction at the 771 North 900 East location. There is a shared access easement with the Hillmans that they would like permission to use for construction access. Mr. Jorgensen stated that he has been in touch with Mr. Hillman in regards to the request, wherein Mr. Hillman has no issues. The use of shared access would be for a duration of two weeks.

Ms. Olsen stated that Geobitmine would need to be sure that there is no blockage of access for the Hillmans, to which Mr. Jorgensen stated he understood.

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

Decision: Commissioner Jackson moved to approve use of the existing access easement north of Parcel 1, located at 771 North 900 East, for temporary construction access for the work site. Chairman Manwaring seconded. Both voted in favor. The motion carried.

MEETING REQUESTED BY BILL JONES- SNAKE RIVER DISPOSE ALL, REGARDING PAYMENT METHOD TO THE CENTRAL TRANSFER STATION

Present: Dusty Whited- Public Works Director
Bill Jones- Snake River Dispose-All

The Board met with Bill Jones to discuss the payment method currently being used by Snake River Dispose-All and the request to allow said entity to pay via check rather than a cashier check.

Mr. Jones explained that due to issues that had occurred previously, his business Snake River Dispose-All, has been required to pay monthly by cashier check.

Mr. Whited stated that he and the Solid Waste Supervisor have discussed the request and have no concerns.

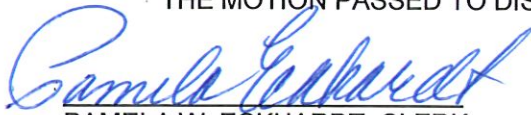
The Board had no concerns.

Decision: Commissioner Jackson moved to allow Snake River Dispose-All to pay CTS by regular check rather than a cashier check as previously required. Chairman Manwaring seconded. Both voted in favor. The motion carried.

MEETING WITH BINGHAM GROUND WATER DISTRICT TO DISCUSS WATER CURTAILMENT

The Board held a meeting, with approximately 80 citizens, in Courtroom #3, to discuss the water curtailment issued by the Idaho Department of Water Resources.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY, JUNE 7, 2024



PAMELA W. ECKHARDT, CLERK
Lindsey Dalley- Commission Clerk



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Friday, June 7, 2024
County of Bingham)

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

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

CASH WARRANTS

Cash Warrants were approved in the amount of \$562.29.

CLAIMS

Claims were approved in the amount of \$218,009.89.

PERSONNEL ACTION FORMS

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

Salary Increase Form: Purchasing Clerk
 Sr. Equipment Operator
 Park Manager
 Building Maintenance Specialist
New Employee Status Sheet: Driver's License Examiner

Decision: Commissioner Jackson moved to approve Cash Warrants, Claims, Administrative Documents and Personnel Action Forms for June 7, 2024. Chairman Manwaring seconded. Both voted in favor. The motion carried.

PRIOR APPROVAL FOR MAJOR PURCHASE- BUILDING MAINTENANCE

The Board met to discuss the submitted Prior Approval for Major Purchase of new entry way carpet tiles for multiple doorways within the courthouse. Said purchase is in the amount of \$5,317.45 and is proposed to be paid from Fund: 01-10-494-00 (Building Maintenance- Repairs, Building/Fixtures).

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of a replacement water softener. Said Purchase is in the amount of \$21,041.00 and is to be paid from funds as follows:

\$10,000.00	Fund: 01-10-506-00	Building Maintenance- Jail Repairs
\$11,041.00	Fund: 01-10-494-00	Building Maintenance- Repairs/Maintenance- Building & Fixtures

Commissioner Bair seconded. All voted in favor. The motion carried.

BINGHAM COUNTY RESOLUTION 2024-22

The Board met to approve Bingham County Resolution 2024-22, a formal resolution declaring certain Bingham County property not necessary for use in Bingham County, specifically for the Building Maintenance Department, for a pickup, which is as follows:

2007 Dodge PK R25 Vin: 1D7Ks28A47J605502

Decision: Commissioner Bair moved to approve Bingham County Resolution 2024-22, a formal resolution declaring certain Bingham County property not necessary for use in Bingham County, specifically for the Building Maintenance Department. Commissioner Jackson seconded. All voted in favor. The motion carried and said resolution was approved and signed as follows:

**BINGHAM COUNTY
RESOLUTION NO. 2024-22**

**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 BUILDING MAINTENANCE

2007 Dodge PK R25 VIN: 1D7KS28A47J605502

DATED this 10th day of June 2024.



BINGHAM COUNTY COMMISSION


Whitney Manwaring, Chairman


Mark R. Bair, Commissioner


Eric Jackson, Commissioner

ATTEST:


Pamela W. Eckhardt
Bingham County Clerk

APPROVAL & SIGNING OF LETTER TO GOVERNOR LITTLE REGARDING WATER CURTAILMENT IN EASTERN IDAHO

Present: Pamela Eckhardt- County Clerk
Ryan Jolley- Prosecuting Attorney

The Board met to approve and sign a letter to Governor Little in regards to the water curtailment matter in Eastern Idaho.

Decision: Commissioner Jackson moved to approve and sign the letter to Governor Little in regards to the water curtailment in Eastern Idaho. Commissioner Bair seconded. All voted in favor. The motion carried.

APPROVAL TO ACKNOWLEDGE RESIGNATION OF SCOTT KIRWAN FROM THE MOSQUITO ABATEMENT COMMITTEE AND APPROVE APPOINTMENT OF ERIC HANSEN TO THE MOSQUITO ABATEMENT COMMITTEE

The Board met to acknowledge resignation of Scott Kirwan from the Mosquito Abatement Committee and approve the appointment of Eric Hansen to the Mosquito Abatement Committee.

Decision: Commissioner Bair moved to acknowledge resignation of Scott Kirwan from the Mosquito Abatement Committee and approve the appointment of Eric Hansen to the Mosquito Abatement Committee. Commissioner Jackson seconded. All voted in favor. The motion carried. Commission Clerk, Lindsey Dalley, will draft a letter to both Mr. Kirwan and Mr. Hansen in regards to the decision made today.

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 2:57 p.m. Commissioner Bair moved to go out of Executive Session. Commissioner Jackson seconded. The Board moved out of Executive Session at 3:10 p.m.

Decision: Commissioner Bair moved to approve Bingham County Indigent Cremation Case Number 2024-8, in the amount of \$2,000 to Cornelison Funeral Home. Commissioner Jackson seconded. All voted in favor. The motion carried.

DISCUSSION & DECISION REGARDING ACCEPTANCE OF CUSTER COUNTY AMBULANCE FOR THE SHELLEY FIRTH AMBULANCE SERVICE

Present: Pamela Eckhardt- County Clerk
Ryan Jolley- Prosecuting Attorney

The Board met to hold discussion and make a decision regarding acceptance of a Custer County Ambulance for the Shelley Firth Ambulance Service.

Clerk Eckhardt explained that Custer County was willing to donate an ambulance to the Shelley-Firth Ambulance Service. She has received the title in order to sign the ambulance over to Bingham County from Custer County but had since noticed that the State of Idaho Emergency Services has not signed off on this title and therefore, she requested this matter be placed on hold.

This matter will be placed on hold as there is a signature missing. Therefore, there was no decision at this time.

THE MOTION PASSED TO DISMISS UNTIL TUESDAY, JUNE 11, 2024

Pamela Eckhardt

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

Mark R. Bair

WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Tuesday, June 11, 2024
County of Bingham)

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

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

PLANNING & DEVELOPMENT

Present: Tiffany Olsen- Planning & Development Director

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

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY, JUNE 12, 2024

Pamela Eckhardt

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

Mark R. Bair

WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Wednesday, June 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
 Commissioner Jackson
 Lindsey Dalley- Commission Clerk

SHERIFFS OFFICE

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

The Board met with Sheriff Gardner and Chief Deputy Nebeker to discuss updates within the Sheriffs Office, which included jail population, possible movement of the county compound lot, upcoming potential radio tower upgrades and the Ignite Program.

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 9:02 a.m. Commissioner Bair moved to go out of Executive Session. Commissioner Jackson seconded. The Board moved out of Executive Session at 9:22 a.m.

Decision: Commissioner Jackson moved to approve the proposal to place one employee on leave without pay for one day and one employee on leave without pay for two days, as discussed within Executive Session. Commissioner Bair 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, along with other agenda items.

Mr. Whited explained the submitted Prior Approval for Major Purchase for epoxy overlay on six (6) county bridges. Said purchase is in the amount of \$92,430.00 and is to be paid from Fund: 32-00-705-00 (Special Projects- Bridge Replacement-Local).

The list of bridges, along with location and approximate square footage, which is as follows:

Bridge Key #22310	Presto Rd.	615 E 500 N	1798 sq. ft.
Bridge Key #22355	Presto Rd.	630 E 500 N	743 sq. ft.
Bridge Key #22370	Monroe Rd.	673 E 1000 N	432 sq. ft.
Bridge Key # 22970	Monroe Rd.	680 E 1000 N	535 sq. ft.
Local Bridge	Monroe Rd.	718 E 1000 N	595 sq. ft.
Bridge Key #22741	Woodville Rd.	558 E 1000 N	3940 sq. ft.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase for epoxy overlay on six (6) county bridges. Said purchase is in the amount of \$92,430.00 and is to be paid from Fund: 32-00-705-00 (Special Projects- Bridge Replacement-Local).

The list of bridges, along with location and approximate square footage, which is as follows:

Bridge Key #22310	Presto Rd.	615 E 500 N	1798 sq. ft.
Bridge Key #22355	Presto Rd.	630 E 500 N	743 sq. ft.
Bridge Key #22370	Monroe Rd.	673 E 1000 N	432 sq. ft.
Bridge Key # 22970	Monroe Rd.	680 E 1000 N	535 sq. ft.
Local Bridge	Monroe Rd.	718 E 1000 N	595 sq. ft.
Bridge Key #22741	Woodville Rd.	558 E 1000 N	3940 sq. ft.

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 two (2) radar traffic counters. Said purchase is in the amount of \$6,778.00 and is to be paid from Fund: 02-40-643-00 (Road & Bridge- Signs & Striping). This purchase will include the device, along with cases to protect them. Mr. Lenhart stated that these traffic counters are to be strapped to a pole or post and will conduct the traffic count.

Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of two (2) radar traffic counters. Said purchase is in the amount of \$6,778.00 and is to be paid from Fund: 02-

40-643-00 (Road & Bridge- Signs & Striping). Commissioner Jackson seconded. All voted in favor. The motion carried.

HUMAN RESOURCES

Present: Laraine Pope- Human Resources

The Board met with Laraine Pope to discuss updates within the Human Resources Division, which included current recruitments, recent hires, and discussion regarding miscellaneous updates.

REQUEST SUBMITTED BY GEOBITMINE TO ACQUIRE BINGHAM COUNTY INSTRUMENT #759377, DESIGNATED AS PARCEL 1, WITH INTENTION OF PROCEEDING TO AUCTION

Present: Ryan Jolley- Prosecuting Attorney
Dusty Whited- Public Works Director
Jay Jorgensen- Geobitmine
Gwen Inskeep- County Surveyor
Tiffany Olsen- Planning & Development Director
Krysta Aten-Schell- Geobitmine
Zoom: Teresa McKnight- REDI

The Board met to discuss the request submitted by Geobitmine to acquire Bingham County Instrument #759377, designated as Parcel 1, with intention of proceeding to auction.

Jay Jorgensen stated the request that Geobitmine would like to acquire and purchase parcel 1 and parcel 2, to allow them to partner with local banks for loan purposes.

Chairman Manwaring stated that he was caught off guard when the request was received as this was not discussed originally. In November, Ms. Olsen sent a letter to GeoBitmine, wherein she stated at the conclusion of the five (5) year lease signed between Bingham County and GeoBitmine LLC, the county would be willing to consider allowing GeoBitmine to purchase the land by submitting a letter to the Board of County Commissioners stating the desire. This property was purchased by the county to use for a gravel source but is currently being leased to a farmer in the meantime. Chairman Manwaring stated that he would like to see the project operational to know this will be successful, before making any major decisions as to the potential sell of the property. He is not sure that selling this property would be in the best interest of the county.

Commissioner Bair stated that he concurred with Chairman Manwaring. Commissioner Bair stated that he is anxious to see this project progress but he would rather get the first portion up and running for several months to prove viability, proof of product, business growth and several other things, then have discussion about possible expansion. Commissioner Bair stated that the county has made the commitment to the Hillmans' when the property was leased to them and they count on the acreage to grow crops. Again, Commissioner Bair stated that he is hesitant to commit more than has already been committed.

Jay Jorgensen stated that GeoBitmine is only requesting the land that they are currently leasing, nothing more at this time.

Krista Aten-Schell stated they have looked at Parcel 2, which is the next parcel identified for possible expansion but there are challenges on that parcel because it is dissected immediately by power lines, which means that they cannot physically expand the building. It has been identified that they would be able to do plant operations on the other side of the power line. Krista Aten-Schell stated that she does agree and understand that they want to be good neighbors and that this will be a long-term conversation to be had with all parties, which is recognized. The challenge that GeoBitmine has faced is that there are guaranteed loan programs for agricultural projects such as this, however, GeoBitmine has been turned down by numerous banks due to GeoBitmine not owning the land, which they see as a risk. This is the reason for requesting, at minimum, to start the process of purchasing parcel 1.

Jay Jorgensen stated the idea is to gain equity with their firm up front and the only way to do so with agriculture programs is that the bank would like to see that the land is owned by the entity, which is what is stopping GeoBitmine from obtaining agriculture loans. Jay Jorgensen stated that GeoBitmine is very qualified and multiple banks are ready to provide the loans, but only upon GeoBitmine either being in the process if purchasing the land or owning the land.

Commissioner Bair asked Legal Counsel the process of surplus and selling of the property, to which Ryan Jolley explained that the Board would need to go through the publication and public hearing process, hold auction and complete all necessary documentation, which could take several months. Commissioner Bair stated that there is a risk, if approved, to take this property to auction as there are several people who attend the auctions and bid. Chairman Manwaring added that this includes individuals from out of state as well.

Ryan Jolley stated if the subject property were to be placed for surplus and auction, the Board would request that the Assessor complete an assessment of the property to establish minimum value. The Board would provide notice and publication would need to be completed. He would need to research this matter to confirm all steps that are required to be completed. The first step under the current lease would be to provide notice of intent to terminate lease agreement GeoBitmine. Once that is done, the county can officially have the ability to proceed with surplus and auction procedure.

Gwen Inskeep asked if once the lease terminates, if work on the property would need to stop, which Legal Counsel stated that was correct and that all construction or work would need to stop immediately. Commissioner Bair asked why work would need to stop, wherein Ryan Jolley stated that GeoBitmine would no longer be leasing the property and once the lease is terminated, work would need to stop. Krysta Aten-Schell asked if that would include if the business were operation, wherein Ryan Jolley stated yes and once the lease is terminated, all equipment and property would need to be removed from the property as well.

Tiffany Olsen stated it is possible that verbiage could be placed in the notification that the property is available for ownership on a specific date and the auction will be held on a specific date. That way if GeoBitmine is the successful bidder, ownership takes effect on the date. In the event, they are not the successful bidder, the terms of the lease could still be followed, with ample time in the lease to have the property removed. Ryan Jolley stated that would be possible but there would be an encumbrance on the property.

Ryan Jolley stated this would be a long process but there are several different ways to proceed.

Tiffany Olsen stated when this lease was prepared in January, the acquisition of leased property was amenable with GeoBitmine and there were not discussions in regards to purchasing, which is why the lease was the maximum lease term that Idaho Code allows the county to operate. Krysta Aten-Schell asked if after the five (5) year lease term completed, things were in place as is, the lease could be renewed or the property could be purchased. Ryan Jolley stated that it would be either renew the lease, terminate the lease agreement or the county would be in the same position and would go through the surplus procedure. There is not an option to allow the county to sell property without holding a public auction.

The Board concurred that they would like to take this matter under advisement and do additional research prior to making a decision. There was no decision at the conclusion of this meeting and a meeting with be scheduled at a later date for further discussion and potential decision.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY, JUNE 14, 2024



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Friday, June 14, 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 WARRANTS

Cash Warrants were approved in the amount of \$24,500.00, \$6,900.00 and \$6,670.78, for a total of \$99,670.78.

CLAIMS

Claims were approved in the amount of \$1,287,517.50.

PERSONNEL ACTION FORMS

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

Salary Increase Form: Detention Deputy
Legal Assistant/Victim Witness Coordinator
Detention Deputy
New Employee Status Sheet: Drug Testing Technician
Deputy Clerk Auditor

Decision: Commissioner Bair moved to approve and sign Cash Warrants, Claims, Administrative Documents and Personnel Action Forms for June 14, 2024. Chairman Manwaring seconded. Both voted in favor. The motion carried.

DISCUSSION & POSSIBLE DECISION REGARDING RECORDED DOCUMENTS BEING ACCESSIBLE TO THE PUBLIC VIA COUNTY WEBSITE

Present: Pamela Eckhardt- County Clerk
Ryan Jolley- Prosecuting Attorney
Tiffany Olsen- Planning & Development Director

The Board met to hold discussion and make a possible decision in regards to recorded documents being accessible to the public via the county website.

Commissioner Bair stated that he had an individual contact him and was frustrated because the recorded documents are not accessible online, like they are for Bannock and Bonneville County.

Commissioner Bair stated that previous Legal Counsel had concerns about security of personal information on specific documents, such as marriage licenses but Computer Arts has the ability to protect those and remove from public accessibility.

Clerk Eckhardt stated there is a program called Eagle Recording which is a different platform and seems like it would be a great program but she cannot justify the purchase of the program at this time.

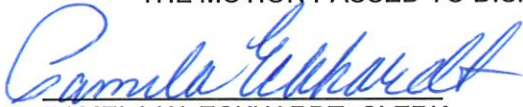
A brief discussion was held in regards to fraud that has occurred and Clerk Eckhardt stated that she is not comfortable having recorded documents online in this era of time unless the County uses the new program. Again, Clerk Eckhardt stated that she is not opposed to switching to the new program but cannot justify at this time.

Chairman Manwaring agreed and stated maybe in the future the county could look at the new program.

Ryan Jolley stated it is the job of the county to protect documents and the county could be sued if there were a breach of data.

After discussion, the Board concurred that the recorded documents would remain offline.

THE MOTION PASSED TO DISMISS UNTIL MONDAY, JUNE 17, 2024


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Monday, June 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
 Lindsey Dalley- Commission Clerk
Excused: Commissioner Jackson

REVIEW OF SHERIFF'S OFFICE BUDGET

Present: Pamela Eckhardt- County Clerk
 Jeff Gardner- Sheriff
 Jordyn Nebeker- Chief Deputy Sheriff
 Kris Talbot- Detention Lieutenant
 Darrel Fellows- Detention Lieutenant
 Laura Lora- Chief Deputy Clerk
 Ryan Jolley- Prosecuting Attorney

The Board met to review the proposed Fiscal Year 2025 budget for the Sheriff's Office.

MEETING TO RECEIVE THE PLANNING & ZONING COMMISSION'S RECOMMENDATION TO APPROVE MORGAN ENTERPRISES, LLC'S ZONING AMENDMENT OF A 1.20-ACRE PORTION OF A 40.74 ACRE PARCEL (RP0216900) FROM RESIDENTIAL/AGRICULTURE TO HEAVY COMMERCIAL LOCATED AT APPROXIMATELY 778 W. HIGHWAY 39, BLACKFOOT, IDAHO.

Present: Tiffany Olsen- Planning & Development Director
 Neil Morgan- Applicant
 Ryan Jolley- Prosecuting Attorney

The Board met to receive the Planning & Zoning Commission's recommendation to approve Morgan Enterprises, LLC's Zoning Amendment of 1.20-acre portion of a 40.74-acre parcel (RP0216900) from Residential/Agriculture to Heavy Commercial, located at approximately 778 W. Highway 39, Blackfoot, Idaho. Chairman Manwaring welcomed all to the meeting and introductions were held.

Tiffany Olsen presented the Staff Report for the record.

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

Neil Morgan, Applicant, 762 West Highway 39, Blackfoot, Idaho, who stated that he purchased the subject property one year ago. Originally the parcel was Residential, the home previously on the property is now gone and he would like to make the parcel compatible with the surrounding zoning designations.

Chairman Manwaring confirmed there are no further questions for the Applicant and opened the meeting for testimony.

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.

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(F), which states that the purpose of the "C2" zone is to provide for the development of business and service establishments which are incompatible in community shopping areas. This zone requires relatively large size lots and easy highway access and should be removed from Residential areas with the following:

1. Adequate service by major roadways;
 - a. The Board had no concerns
2. Location that minimizes potential traffic problems;
 - a. The Board had no concerns
3. Compatibility with existing uses;
 - a. The Board had no concerns
4. Protection from encroachment of residential uses;
 - a. The Board had no concerns
5. Accessibility to adequate utilities;
 - a. The Board had no concerns

Chairman Manwaring stated the Application meets all requirements and is compatible with the Comprehensive Plan. Therefore, he has no concerns.

Commissioner Bair asked if there was natural gas available along Highway 39, wherein Mr. Morgan confirmed there was. Commissioner Bair then asked if there were two approaches to the property, wherein Ms. Olsen explained that one approach is a historical approach and the second approach is permitted by the Idaho Transportation Department and located on the east corner of the property.

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

DECISION

Decision: Commissioner Bair moved to uphold the decision of the Planning & Zoning Commission to amend the zoning designation of approximately 1.2 acres of a 40.74-acre parcel, from "R/A" Residential/Agriculture to "C2" Heavy Commercial, located at 778 Highway 39, Blackfoot, Idaho as proposed by Morgan Enterprises LLC. Said decision is based on the record as reviewed, testimony received and the Reason & Decision of the Planning & Zoning Commission. Chairman Manwaring seconded. Both 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.

MEETING TO RECEIVE THE PLANNING & ZONING COMMISSION'S RECOMMEDATION TO APPROVE THE MATHEW & CORRIE CAGLE ZONING AMENDMENT OF A 2.00-ACRE PARCEL (RP8000028) FROM RESIDENTIAL AND LIGHT COMMERCIAL TO RESIDENTIAL, LOCATED AT APPROXIMATELY 759 W. 200 N., BLACKFOOT, IDAHO 83221.

Present: Tiffany Olsen- Planning & Development Director
Ryan Jolley- Prosecuting Attorney

The Board met to receive the Planning & Zoning Commission's recommendation to approve the Mathew & Corrie Cagle Zoning Amendment of a 2.00-acre parcel (RP8000028) from Residential and Light Commercial to Residential, located at approximately 759 W. 200 N., Blackfoot, Idaho 83221.

Tiffany Olsen presented Staff Report for the record.

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's Representative was not present.

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.

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 (D), which states that the purpose of the "R" Residential Zone in that parcel meets the following criteria:

1. Close proximity to existing townsites or which are contiguous to another "R" or "R/A" Zone;
 - a. The Board had no concerns.

- 2. Lot size compatible with existing lot sizes in immediate vicinity;
 - a. The Board had no concerns.
- 3. Accessibility of Municipal services or the possibility of extension of services in the foreseeable future;
 - a. The Board had no concerns.
- 4. Compatibility with existing uses in the immediate vicinity;
 - a. The Board had no concerns.
- 5. Protection from incompatible uses;
 - a. The Board had no concerns.
- 6. Adequate service by roadways;
 - a. The Board had no concerns.

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

DECISION

Decision: Commissioner Bair moved to uphold the decision of the Planning & Zoning Commission to approve the Zoning Amendment from Mathew and Corrie Cagle for Parcel No. RP8000028 from Light Commercial and Residential to Residential on 2.02 acres of land. Said decision is based off of the record, discussion held and the Reason & Decision of the Planning & Zoning Commission. Chairman Manwaring seconded. Both 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.

MEETING TO RECEIVE UPDATE IN REGARDS TO CONDITIONAL CERTIFICATE OF OCCUPANCY FOR 1385 N. 735 E., SHELLEY, IDAHO

- Present: Tiffany Olsen- Planning & Development Director
- Ryan Jolley- Prosecuting Attorney
- Keven Anderson- Homeowner
- Gwen Inskeep- County Surveyor
- Via Phone: Chief Randy Adams- Shelley-Firth Fire

The Board met to receive an update in regards to the Conditional Certificate of Occupancy for 1385 N. 735 E., in Shelley, Idaho.

Keven Anderson stated there have been a few bumps in the road but that all requirements should be completed by the end of June. There was an issue with installation of signage and crash gates. Where the crash gates are to be installed is in line with the utility line and gas line so the contractors had to get ahold of Digline to mark where it was safe to install the crash gates. Mr. Anderson stated that he was informed

that Digline should be out tomorrow in order to place markers. Once that is completed, the crash gates will be installed, which he does have on hand and ready to be installed.

Tiffany Olsen stated that the required due date for completion was by May 31st. Tiffany Olsen stated that the Planning & Development Division had attempted to contact Mr. and Mrs. Anderson on June 5th, with no success, along with visiting with the builder of the Andersons' home, who stated that he did not have Mr. Andersons contact information. An email was then sent to Hailey Anderson, who responded with information and updates. Tiffany Olsen stated that she does not believe that Road and Bridge has verified sign placement, as the last time that Boyd Jensen with Road and Bridge was at the home, the sign had not been erected and the mailbox had not been installed. With the lack of communication, Ms. Olsen stated if the due date for completion was not sufficient, there would be a received telephone call requesting an extension but there was not. When it was challenging for Planning & Development to make a connection, that is when this meeting was scheduled in order to address the issues before the Board.

Tiffany Olsen added that she is under the impression that the cul-de-sac has not been constructed and the emergency turnaround that has been agreed upon with Chief Randy Adams, is a "Y", which is acceptable within Fire Code but is not what is shown in the record of survey. Therefore, it would be her suggestion that the survey be updated to show all corrections and updates that have been made. Ms. Olsen also addressed the community mailbox that was to be installed, wherein any person can have a post office box but on the plat for the subject Subdivision, there is a placement of a community mailbox. Therefore, that will be part of the subdivision improvements and will need to be completed. Mr. Anderson stated there is a place for community mailbox and one could be installed.

After discussion, Ms. Olsen reviewed all requirements to be completed prior to a Certificate of Occupancy being approved for the home located at 1385 N. 735 E., Shelley, Idaho, which were as follows:

- 1) Chief Adams will need to perform an onsite inspection to be sure all requirements for the private road have been completed and will provide written confirmation for such;
- 2) The turnaround is acceptable;
- 3) The crash gates have been placed appropriately;
- 4) Verification from Road and Bridge to issue final approach permit, which would insure the street signage and mailbox;
- 5) Recommendation to update the location of cul-de-sac on the Record of Survey

Mr. Anderson stated that an additional two (2) weeks would be sufficient to allow completion of the required items.

The Board had no issues with the proposed extension.

Decision: Commissioner Bair moved to extend the Temporary Certificate of Occupancy for 1385 N. 735 E., Shelley, Idaho, per discussion held. Chairman Manwaring seconded. Both voted in favor. The motion carried.

PROSECUTORS OFFICE- BUDGET REVIEW

Present: Ryan Jolley- Prosecuting Attorney
Ollie Wimbish- Chief Deputy Prosecuting Attorney
Pamela Eckhardt- County Clerk
Laura Lora- Chief Deputy Clerk
Jeff Gardner- Sheriff
Jordyn Nebeker- Chief Deputy Sheriff

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

THE MOTION PASSED TO DISMISS UNTIL TUESDAY, JUNE 18, 2024


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Tuesday, June 18, 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 WARRANTS

Cash Warrants were approved in the amount of \$63.40.

Decision: Commissioner Bair moved to approve Cash Warrants, Claims and Administrative Documents for June 18, 2024. Chairman Manwaring seconded. Both voted in favor. The motion carried.

PRIOR APPROVAL FOR MAJOR PURCHASE- BUILDING MAINTENANCE

Via Phone: Jason Marlow- Building Maintenance Supervisor

The Board met to discuss the submitted Prior Approval for Major Purchase of an exhaust fan motor for the jail kitchen. The current exhaust fan motor was a single-phase motor and a 3-phase motor is needed. It was approved previously to purchase a single-phase exhaust fan motor. The Prior Approval today is for the difference of \$1,588.00 and is to be paid from Fund: 01-10-506-00- Building Maintenance- Jail Repair. The cost breakdown is from L&L Mechanical Inc, which is as follows:

Motor and Materials: \$1,364.00
Labor: \$224.00
Total: \$1,588.00

Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of a 3-phase exhaust motor fan in the amount of \$1,588.00 and is to be paid from Fund: 01-10-506-00 (Building Maintenance- Jail Repair). Chairman Manwaring seconded. Both voted in favor. The motion carried.

SHERIFFS OFFICE

Present: Jeff Gardner- Sheriff
 Jordyn Nebeker- Chief Deputy Sheriff
 Pamela Eckhardt- County Clerk
 Jerry Orr- Day Wireless
 Dan Argile- Day Wireless

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

Chief Deputy Nebeker explained the submitted Prior Approval for Major Purchase of twenty (20) Smith & Wesson 9mm duty weapons equipped with associated Streamlight weapon light, Holosun Optic, and Safariland duty holster. Fifteen (15) units at Patrol/Detention specs and five (5) at Detective/Undercover specs. There are also eighteen (18) units credited as trade-in. First phase of five (5) year strategic plan in exchanging pistols that are near end of life cycle and second (2) units towards increasing firearm fleet to accommodate for staffing.

Said purchase is in the amount of \$16,908.70 and is to be paid from Fund: 05-02-556-00 (Sheriff- Weapons and Ammunition).

Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of twenty (20) Smith & Wesson 9mm duty weapons equipped with associated Streamlight weapon light, Holosun Optic, and Safariland duty holster. Fifteen (15) unites at Patrol/Detention specs and five (5) at Detective/Undercover specs. Said purchase is in the amount of \$16,908.70 and is to be paid from Fund: 05-02-556-00 (Sheriff - Weapons and Ammunition). Chairman Manwaring seconded. Both voted in favor. The motion carried.

Next, discussion was held in regards to the submitted Prior Approval for Major Purchase of payments to be made on the leased vehicles. Said purchase is in the amount of \$41,323.00 and is to be paid from Fund: 05-02-801-00 (Sheriff- Capital Vehicles). This invoice is for Four (4) vehicles being used by the Sheriffs Office.

Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of payments to be made on leased vehicles for the Sheriffs Office. Said payment is in the amount of \$41,323.00 and is to be paid from Fund: 05-02-801-00 (Sheriff- Capital Vehicles). Chairman Manwaring seconded. Both voted in favor. The motion carried.

Next, discussion was held in regards to radio tower upgrades that will need to be implemented in the near future.

PUBLIC WORKS

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

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

Discussion was held in regards to the submitted Prior Approval for Major Purchase of chemicals for weed killing. Said purchase is in the amount of \$22,070.00 and is to be paid from Fund: 27-60-630-00 (Weeds-Chemicals).

Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of chemicals for weed killing. Said purchase is in the amount of \$22,070.00 and is to be paid from Fund: 27-60-630-00 (Weed- Chemicals). Chairman Manwaring seconded. Both voted in favor. The motion carried.

Next, discussion was held in regards to the Internal Directive and Policy in regards to traffic counts and speed studies. Mr. Whited explained that this policy would be used during subdivision planning and provide the Board with all necessary information to assist in their decision making. Chairman Manwaring suggested adding verbiage that states that this would be used specifically for subdivisions and zoning amendments from A to R/A, on at least 30 plus lots or 40 acres.

Commissioner Bair and Commissioner Jackson concurred. Mr. Whited stated that he would make necessary amendments and bring to the Board for final review prior to approving.

No decision was made and this item was tabled until next week.

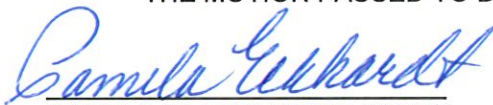
Next, discussion was held in regards to the request submitted by a citizen to place a stop sign at the intersection of Wolverine Road and Blackfoot River Road instead of a yield sign. Mr. Whited explained that he was contacted by a citizen who requested that the current yield sign be converted to a stop sign, for safety matters. Mr. Whited stated this is a unique situation as that yield sign was documentation back to 2001 and has been in place since. Everything in the Manual on Uniform Traffic Control Device Manual verifies that the yield or stop sign should be on River Road rather than Wolverine Road. The last time that a traffic count on Wolverine Road, there was a higher Average Daily Traffic, Wolverine Road is a major collector and River Road is a local road. Therefore, the Manual on Uniform Traffic Control Devices Manual puts emphasis on all of those in determining which road should have a stop sign.

Chairman Manwaring suggested an all way stop at this intersection and Mr. Whited stated he would agree that was the safest option. Commissioner Bair asked if Mr. Whited has spoken with Law Enforcement in regards to this matter, to which Mr. Whited stated he had not.

Chief Deputy Sheriff Jordyn Nebeker joined the discussion and stated that he does not recall there being any accidents in its current status but would not be opposed to it becoming an all way stop.

Decision: Commissioner Bair moved to create an all way stop at the intersection of Wolverine Road and Blackfoot River Road, per the discussion held today. Chairman Manwaring seconded. Both voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY, JUNE 21, 2024



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Friday, June 21, 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

Cash Warrants were approved in the amount of \$3,868.96 and \$14,794.15, for a total of 18,663.11.

CLAIMS

Claims were approved in the amount of \$125,221.88.

PERSONNEL ACTION FORMS

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

New Employee Status Sheet: Detention Deputy
Salary Increase Form: Scale House Operator

Decision: Commissioner Jackson moved to approve and sign Cash Warrants, Claims, Administrative Documents and Personnel Action Forms for June 21, 2024. Commissioner Bair seconded. All voted in favor. The motion carried.

DISCUSSION TO RENEW AGREEMENT WITH BLM FOR THE RIGHT TO USE, OPERATE AND MAINTAIN A MODEL AIRPLANE LANDING STRIP AND ACCESS ROAD RIGHT-OF-WAY ON PUBLIC LAND

Present: Gordon Simpson- Citizen

The Board met to hold discussion and make a decision in regards to renewing the agreement with BLM for the right to use, operate and maintain a model airplane landing strip and access road right-of-way on public land.

Mr. Simpson gave a brief history on how the county became involved with the subject lease.

The Board had no concerns in regards to the renewal of the Agreement and directed the Commission Clerk to work with Mr. Simpson to get the Application for Renewal completed.

Decision: Commissioner Bair moved to approve and renew the Agreement between Bingham County and BLM for a model airplane landing strip. Commissioner Jackson seconded. All voted in favor. The motion carried.

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Jackson moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Bair seconded. Both in favor. The Board moved into Executive Session at 8:42 a.m. Commissioner Bair moved to go out of Executive Session. Commissioner Jackson seconded. The Board moved out of Executive Session at 8:52 a.m.

Decision: Commissioner Jackson moved to hire the individual discussed within Executive Session. Commissioner Bair seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL TUESDAY, JUNE 25, 2024


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
: ss. Tuesday, June 25, 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
Pamela Eckhardt- County Clerk

MEETING TO RECEIVE THE PLANNING & ZONING COMMISSION'S RECOMMENDATION TO APPROVE THE CEDAR ESTATES SUBDIVISION, DIVISION 4 PRELIMINARY PLAT

Present: Tiffany Olsen- Planning & Development Director

Chris Nelson- Deer Meadows Development

The Board met to receive the Planning & Zoning Commissions recommendation to approve the Cedar Estates Subdivision, Division 4 Preliminary Plat. Chairman Manwaring welcomed all to the meeting and introductions were held.

Tiffany Olsen presented Staff Report for the record.

Based on the entire record and Staff Report, the Board finds:

- a. The Board found that the Application met the requirements in Bingham County Code Section 10-14-2 (C) as the purpose of "R/A" zone is to permit the establishment of low-density single-family dwellings with lot sizes sufficient for individual sewer and water facilities. The Application contains lot sizes in this Division is compatible with area development and is an extension of Cedar Estates Divisions 1-3. Division 4 of the subdivision will be served from two new county roads extending south from 1600 N County Line Road which will connect to Cedar Estates Divisions 2 and 3 through extension 1580 N Cedar Court at the cost of the Developer for construction to County Road Standards; and
- b. The Board found that the Application met the requirements in Bingham County Ordinance Section 10-6-6(B)(1) and 10-14-4(B) because proposed lots meet the 1-acre minimum for Residential/Agriculture Zoning District. Further, the subdivision supports the installation of individual wells and sanitary sewer treatment with connection to the Eastern Idaho Regional Sewer District with design plans approved by the Idaho Department of Environmental Quality. Irrigation water will be assessed by the Woodville Canal Company with delivery provided by a pressurized system utilizing 45 shares of water; and
- c. The Board found that the method of fire suppression for this subdivision should be from a connection to the pressurized irrigation system as agreed upon by the Developer and the Shelley/Firth Fire District, as the burial of water cistern is costly and where fire suppression isn't frequently used; and
- d. The Board found that the Application met the requirements of Bingham County Code 10-14-4(A) because the Application was completed and included all items listed in 10-14-4(A) 1-23; and
- e. The Board found that Application is consistent with the Bingham County Comprehensive Plan which supports Residential development in areas adjacent to or surrounding proposed applications where sanitary sewer connection to a district or municipal system can be attained. Further, the Comprehensive Plan Map area designation of Residential Agriculture supports single-family residential development in the Residential/Agriculture Zoning District; and

Chairman Manwaring asked if when the Traffic Impact Study was completed, to allow the left turn lane, were there any concerns in regards to the speed limit of 55 mph, to which Ms. Jackman stated there was not any discussion in regards to the speed limit itself but does know they were primarily looking at the growth of 3.16% over a five (5) year period, considering this subdivision request before the Board today.

Chairman Manwaring stated that in the future, the speed limit may need to be changed, considering the amount of homes being added into the subdivision. Chairman Manwaring stated that sanitary sewer services will be provided by the Eastern Idaho Regional Sewer District, Irrigation Water will be assessed by the Woodville Canal Company (45 Shares) and each residence will have individual wells. There is also an existing Irrigation System and Maintenance Agreement between Griffin Family LLC and Norman and Charlotte Bird.

Commissioner Bair stated his concern is that Chief Randy Adams recommended a water cistern tank be installed, pressurized irrigation system so that they can maintain water during the winter months for all divisions, if it would not be a financial burden on the Developer. Commissioner Bair stated in review of the

discussion held by the Planning & Zoning Commission, there is no discussion of what the cost would be to do so. Commissioner Bair stated in the future he would like to know the size and cost of the tank. Ms. Jackman stated that the main water source for the winter season, is proposed to use Woodville Water & Sewer District system, which is a year-round system located nearby, to fill trucks or pump when needed. Ms. Jackman stated to her recollection, the main concern was primarily with maintenance of the system not being cleaned or used on a frequent basis and failing. Commissioner Bair asked if there was a letter from Woodville Water & Sewer District, stating that the system could be accessed in the event of an emergency, to which Ms. Jackman stated not to her knowledge but that was a topic of conversation as to what could be used in Bonneville County and it sounds as though jurisdictions are willing to help in the event of an emergency. Commissioner Bair stated that he believes there should be a signed agreement stating that the usage is allowed in the event of an emergency.

Commissioner Jackson asked if there were concerns going across county lines, in the event there was a fire, for water access, to which Chairman Manwaring stated that there are several agencies that have an agreement to help another agency when needed. Mr. Nelson stated that the Subdivision has been annexed into the Woodville Water & Sewer District boundaries.

Commissioner Bair mentioned the concerns from Dusty Whited in regards to a turning lane. Chris Nelson stated originally the lane was to be paved wider but it turns out that the lane would need to go into Bonneville County's right-of way. Therefore, Bonneville County's requirements are to be met as well.

Chairman Manwaring confirmed that the initial cost of striping was under the burden of the Developer but would then be maintained by the county. Ms. Jackman confirmed.

DECISION

Commissioner Jackson moved to uphold the decision of the Planning & Zoning Commission to approve Cedar Estates Subdivision, Division No.4., to create a 43-lot residential subdivision located South of 1600 N County Line Road, East of 845 E Red Cedar Street and West of 885 E Stone Ridge Way in Shelley, Idaho, on approximately 53.87 acres, as proposed by Deer Meadows Development, LLC, including the following conditions:

- 1) A connection be placed on the pressurized irrigation system, at an accessible agreed upon location with the Fire District, for a pumper to be able to access water for fire suppression services;
- 2) A left turn lane for westbound traffic on County Line Road at the intersection of New Sweden and County Lint Road is necessary as a mitigation measure from the traffic impacts of Cedar Estates Subdivision Division No.4, as recommended by the Traffic Impact Study and County Public Works and depicted on the Concept Plan.

Condition number 2 was not upheld by the Board of County Commissioners.

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.

PLANNING & DEVELOPMENT

Present: Tiffany Olsen- Planning & Development Director

The Board met with Tiffany Olsen to receive updates from the Planning & Development Division, which included

BOARD OF EQUALIZATION APPEAL- RANDALL FAMILY PROPERTY MGMNT CO LL- GLEN RANDALL

Present: Gary Shewey- Commercial Appraiser
Donavan Harrington- County Assessor
Glen Randall- Appellant
Debbie Cunningham- Chief Deputy Assessor
Ryan Jolley- Prosecuting Attorney
Becca Goodwin- Appraiser
Kelia Meskel- Appraiser
Shellie Conn- Appraiser

The Board met as the Board of Equalization to hear the Appeal Application submitted by Glen Randall on behalf of Randall Family Property MGMNT CO LL. Chairman Manwaring welcomed all to the meeting and reviewed the rules of the Appeal Hearing.

Clerk Eckhardt swore in all those who will testify.

Glen Randall testified that he is appealing the raising of his property value by 350% within one (1) year. He has made no improvements since he has owned the building and it is not insulated or heated, no water or sewer and also, he does not own the land. Mr. Randall stated that the Assessor presented a number of comparable structures, which he would like to compare. Mr. Randall referred to page two of the Assessors documents, which shows a hanger that is for sale in the Blackfoot Airport and has been on the market for over one (1) year with no sale. This hanger is insulated and heated. Mr. Randall then referred to page three (3), which shows a hanger located in Blackfoot, is insulated and propane heated and has sold twice within the last two (2) years. Mr. Randall referred to page four (4), which includes such vague information that he is not sure if it is located in Bingham County nor in the State of Idaho. Mr. Randall referred to page five (5), which shows a structure not located in Bingham County, is heated, insulated and has its own restroom and has not sold at its current price. Mr. Randall referred to page six (6), which is located in North Idaho, is a rental hanger, not a property of value.

Chairman Manwaring asked if there were questions for the Appellant, to which Gary Shewey stated that Mr. Randall indicated that he may have purchased the hanger a couple of years ago and therefore, Mr. Shewey stated that he would request the cost of what the hanger was purchased for. Mr. Shewey stated that he realizes there was an airplane involved but usually there is a breakdown of cost between the cost of the airplane and the hanger. This would give Mr. Shewey an idea, in addition to what has been presented, as to what market value for hangers may be. Mr. Randall stated that he would like to deny answering the question as many other items involved in the purchase and those costs were not broken down. Mr. Randall stated mostly it was the plane, a tin shed that has electricity, tools and equipment for the plane, among other things. In his opinion the several items bought would cloud the judgement for a proper assessment. Mr. Randall stated his concern is that there should be a cap on annual increases and asked who is in control of the increases, to which Donovan Harrington stated that the State Tax Commission is in control and that they require the County to keep the properties at market value level. The only way to do so is to review the sales, the State Tax Commission does a ratio studies on the assessed values that the county has assigned, to be sure they are accurate and within market value. Mr. Harrington stated that he recognizes in 2021 everything was increasing at 3% to 4% per month in values, which is because of the influence of the outside states coming to Idaho and purchasing homes at a higher rate which increases prices.

Chairman Manwaring asked what year the hanger was constructed, to which Mr. Randall stated was in 2010.

Gary Shewey stated that the assessment has not changed in value since 2010. Mr. Shewey stated that he has submitted to the Board and the Appellant, a building permit for the subject hanger in 2010 for \$16,000.00. Mr. Shewey stated previously the value was \$8.52 per square foot. In his opinion, you cannot build anything for \$8.52 per square foot today. Mr. Shewey stated that the value was in arrears and it was time to complete a new appraisal.

Mr. Shewey reviewed his provided comparable properties, which were as follows:

Comparable 1) Mr. Shewey stated while the sale price for this hanger is out of line, it is an indication that because there is a large amount of hangers that there is an increment value above a shed value.

Comparable 2) Mr. Shewey stated this hanger sold several times, which is an older hanger that is north of here and sold for \$55,000.00. If you take the square foot area of this specific hanger, regardless of whether it has heat or sewer, it sold for \$50.83 per square foot and this is at best an average hanger that has been in place for over as long as most of the original hangers that were built.

Mr. Shewey stated that the county is required by the State of Idaho to be within market value levels and the State of Idaho monitors the county.

Comparable 3) Mr. Shewey stated this hanger is located in Shoshone but was included to show that there is a demand for hangers in other counties. The other two comparable hangers were added as additional information and based upon cost approach, the subject hanger is valued conservatively and a shed value on today's market with depreciation added.

Donavan Harrington stated that the State of Idaho is a non-disclosure state and the information provided by Mr. Shewey is the best information that he has collected.

Commissioner Bair asked if all hangers were re-evaluated, to which Mr. Shewey stated yes, they were all re-evaluated.

Commissioner Bair asked for verification and that since the City of Blackfoot owns the land that there is no land value in this assessment, which Mr. Shewey verified that was correct.

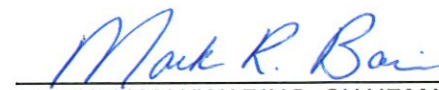
Mr. Randall had no questions for Mr. Shewey.

There was nothing further. Chairman Manwaring stated this matter will be taken under advisement and will send a letter to Mr. Randall in regards to the decision made.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY, JUNE 26, 2024



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Wednesday, June 26, 2024
County of Bingham)

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

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

CLAIMS

One Claim was approved in the amount of \$1,843.50.

COLLEGE OF EASTERN IDAHO

Four (4) Certificate of Residency documents were approved by the Board and sent to the College of Eastern Idaho for the following Bingham County student's: Jessica D. McPhetridge, Crystal T. Bullock, Brianna L. Winmill and Matthew W. Munoff.

Decision: Commission Bair moved to approve Cash Warrants, Claims and Administrative Documents for June 26, 2024. Commissioner Jackson seconded. All voted in favor. The motion carried.

APPROVAL OF MAY 2024 COMMISSION MINUTES

The Board met to approve Commission Minutes for May 2024. Chairman Manwaring confirmed that all Commissioners had reviewed the proposed minutes and if there were any changes, those had been made.

Decision: Commissioner Jackson moved to approve and sign Commission Minutes for May 2024, as written. Commissioner Bair seconded. The motion carried.

SHERIFFS OFFICE

Present: Jeff Gardner- Sheriff
 Kris Talbot- Detention Lieutenant
 Pamela Eckhardt- County Clerk
 Troy Lenhart- Road & Bridge Supervisor
 Laura Lora- Chief Deputy Clerk

The Board met with Sheriff Gardner to discuss updates within the Sheriffs Office, which included jail population, construction update on jail expansion project and review of budget for 911 and Waterways.

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
 Troy Lenhart- Road & Bridge Supervisor
 Gordon Simpson- Citizen
 Tiffany Olsen- Planning & Development Director
 Pamela Eckhardt- County Clerk
 Laura Lora- Chief Deputy Clerk

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

Discussion was held in regards to the request for removal of cattle guard on Reid Road in Firth, which was submitted by Cody and Paul Reid.

After discussion, this matter was tabled in order for Mr. Whited to contact surrounding property owners to receive their input pertaining to the request for removal of the subject cattle guard.

Next, discussion was held in regards to the proposed Internal Directive and Policy pertaining to traffic counts and speed studies. Mr. Whited stated this matter was brought before the Board several weeks ago but there were a few changes to be made and review by Legal Counsel was needed. At this time, Mr. Whited request that the Board approve the request.

Decision: Commissioner Jackson moved to approve the Internal Directive and Policy pertaining to traffic counts and speed studies, as discussed. Commissioner Bair seconded. All voted in favor. The motion carried.

Next, discussion was held in regards to the Lease Agreement between Bingham County and BLM, pertaining to a model airplane landing strip in regards to paving the landing strip. Mr. Whited was directed to contact BLM to be sure that the county is allowed to do so.

There was no decision made at this time and this matter will be scheduled at a later date in order to complete further research.

Lastly, the Board reviewed the Public Works & Road and Bridge proposed Fiscal Year 2025 budget.

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 10:49 a.m. Commissioner Bair moved to go out of Executive Session. Commissioner Jackson seconded. The Board moved out of Executive Session at 11:15 a.m.

Decision: Commissioner Bair moved to accept the proposal to combine the positions, Clerk/Payroll Auditor into one position of Deputy Clerk/Senior Auditor with a wage of N23, Step 10 (\$30.47 per hour). Commissioner Jackson seconded. All voted in favor. The motion carried. Chairman Manwaring stated because of this increase, there will be no step increase for two years and will reset the anniversary date.

HUMAN RESOURCES

Present: Laraine Pope- Human Resources Director

The Board met with Laraine Pope to discuss updates within the Human Resources Division, which included current recruitments, recent resignations and recently hired positions.

REVIEW OF COURTS BUDGET

Present: Sheri Landon- Courts Supervisor
Pamela Eckhardt- County Clerk

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

REVIEW OF TREASURERS BUDGET

Present: Tanna Beal- Treasurer
Pamela Eckhardt- County Clerk

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

DISCUSSION & DECISION REGARDING THE REQUEST FROM BRANDON BIRD, EASTERN IDAHO STATE FAIR, FOR THE COUNTY TO ASSIST WITH LAYING DUST INHIBITOR

Present: Troy Lenhart- Road & Bridge Supervisor
Brandon Bird- Eastern Idaho State Fair

The Board met to hold discussion and make a decision in regards to the request submitted by Brandon Bird, requesting the county to assist with laying dust inhibitor.

Brandon Bird stated the request is to continue receiving assistance from the county pertaining to laying dust inhibitor. The County will only lay out the materials and the Eastern Idaho State Fair will purchase all materials.

The Board had no concerns in regards to the request.

Decision: Commissioner Jackson moved to approve the request submitted by Brandon Bird, to assist the Eastern Idaho State Fair with laying of dust inhibitor. Chairman Manwaring seconded. All voted in favor. The motion carried.

BOARD OF EQUALIZATION APPEAL HEARING- SHJH SHELLEY LLC- REQUESTED BY SCOTT HARRIS

Present: Scott Harris- Property Owner/Appellant
Gary Shewey- Commercial Appraiser
Donavan Harrington- Assessor
Jeff Hawks- Appellant
Debbie Cunningham- Chief Deputy Assessor
Shellie Conn- Appraiser
Kelia Meskel- Appraiser
Becca Goodwin- Appraiser
Rob Lora- Appraiser

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

Jeff Hawks, Appellant, provided testimony and submitted Exhibit Appellant 1. Mr. Hawks stated they have a few apartment complexes in Southeast Idaho and 2023 has been a tough year with declining rent and flat rents.

Mr. Hawks stated that in an environment or market where rents are declining, if you look at the national statistics, rents through October of 2023 were down. October was flat and they declined in November and December. Mr. Hawks stated it is hard to understand how their valuation was increased 15.29%, when vacancy is down, EGI is flat and expenses are up. It feels as though it is a year where values certainly did not increase and most valuations through the country have gone down on multi-families. Mr. Hawks stated that he wants to be fair but it is hard to operate these properties under the circumstances today and they are trying to be good neighbors and provide good housing but would like to see some relief today.

Chairman Manwaring asked with all of the building going on for rentals, how is that affecting owners that have been renting for several years. Mr. Hawks stated that it is affecting them and there is an oversupply, which is increasing interest rates and expenses going up. It is a tough market right now and it is not what was experience three (3) years ago.

Mr. Shewey referred to the costs projected on Mr. Hawks' website and asked if those numbers were accurate, to which Mr. Hawks stated those rates are the published rates and what they are trying to get. Mr. Hawks stated they have not gotten published rates on all units and have had to drop rents. For the most part rent rates average around \$1,100.00 on the occupied units. Mr. Shewey stated that he attempted to check on the occupancy and was told there were only two vacant. Mr. Hawks stated that was not correct and that there were at least 9 vacant currently.

Gary Shewey provided testimony and stated the value that was previously on the tax roll was before rents were stabilized and before it was at start up and therefore was the original value that has always been on

the property. Mr. Shewey completed a re-appraisal of all apartment complexes in Shelley. To his knowledge, if there are that many vacancies, Mr. Hawks is the only apartment complex having that issue. All four plex's and other units are completely full per his research and Mr. Shewey stated that he finds that unusual. Mr. Shewey referred to the income approaches and stated that he developed 1-bedroom units at \$1,050.00 and what he found on other units throughout North Shelley was that they are renting for \$1,200.00 which is what he used and for three (3) bedrooms he used \$1,350.00. He used the expenses that he could determine based upon the last reports that he received at 30%. If considering what he used for capitalization rate at 7.5%, that is not a market capitalization rate by at least 1½%. If he has an error to a degree on expense or vacancy, then he has compensated for such error in the capitalization rate.

Mr. Shewey referred to the documentation on Opal Street Apartments, which is a property that sold for \$3,300,000.00 and he developed a rate from the market that was 6.3%, although the realtors projected at 6%. With that in mind and his capitalization rate at 7.5%. Mr. Shewey stated the higher the rate, the lower the value and therefore he tried to compensate for any area that may be off base.

Mr. Shewey stated that last year SHJH Shelley LLC appealed to the State Board of Tax Appeals over the previous value, wherein there was a ruling in favor of the County valuation, with information from the State Board of Tax Appeals that mentions that the capitalization rates was high and based upon the information on income statement that Mr. Harris provided, they re-capitalized the value and came up with over \$7.5 million. Everything that he has indicates that his value is conservative based upon the fact that he tried to give compensation based on capitalization rate.

Mr. Hawks stated that he agrees that 7.5% is appropriate as most of the properties that are trading in the market are about 6.5%, which he is not disputing. Mr. Hawks stated that his expense ratio is what he believes is off, as he stated that income has decreased but expenses increased, which increases expense ratio. He does not know if any properties that they operate that are operating at a 30% expense ratio. Mr. Hawks stated that is his biggest concern in regards to the calculations provided.

Rebuttal Statement: Mr. Hawks stated that the expense ratio is higher than 30% and he does not believe that is accounted for. There are no comparable sales that justify the increase in value.

Mr. Harrington stated the numbers provided by the Appellant to not include comparable properties and therefore, there is no way to know what is contained within the numbers as they have not provided income documents.

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, JUNE 28, 2024

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

WHITNEY MANWARING, CHAIRMAN

Commissioner Bair asked Mr. Harrington who administers the Property Tax Relief Program, to which Mr. Harrington explained that is known as the Circuit Breaker. They have a list of individuals that have previously applied for the program and they contact them to provide a reminder each year. They will be adding Ms. Findlay to that list in order to advise her of the timeline.

Kelia Meskel, Appraiser, presented testimony and stated that the point of the appeal today is for the homeowner to provide information as to why the value provided by the Assessor is incorrect and that was not done. She would submit that the values placed on the home are correct.

Shellie Conn stated that they did do a home visit and adjusted the value to one of the homes that needed adjusted.

Kelia Meskel reviewed the comparable properties, which were as follows: The subject home is located at 1519 W. 560 S. (RP7037602), which is the home that Ms. Findlay currently resides. This home was built in 2010, a total square footage of 3,420, no basement, a 676 Square Foot attached garage and is on .622 acres. Ms. Meskel reviewed two comparable properties. Sale #1 is located in Bonneville County, sold for \$500,000 on 5/12/2023, was built in 2002, has a main floor square footage of 2,640, no basement, an attached garage of 644 and is on 7.5 acres. Sale #2 is located at 971 W. 250 S., sold for \$525,000.00 on 10/20/2023, was built in 1973, has a main floor square footage of 3,153, no basement, an attached garage of 595 and is on 1.940 acres.

Shellie Conn reviewed the comparable properties which were as follows: The Subject Home is located at 1521 W. 560 S. (RP7037601). This home was built in 1993, has a total square footage of 895, no basement, no garage and is on .622 acres. Sale #1 is located at 448 W. Hwy 26, which sold for \$68,000.00 on 2/26/2024, was built in 1992, has a main square footage of 845, with no basement or garage. Sale #2 is located at 275 W. Oak Street, sold for 90,000.00 on 2/2/2024, was built in 1980, has a main floor square footage of 938, with no basement or garage. Sale #3 is located at 850 Parkway Drive, sold for 56,000.00 on 8/32/2023, was built in 1985, has a main floor square footage of 980, with no basement or garage.

Ms. Findlay stated the biggest surprise is why there was not a gradual increase rather than such a large increase. Being retired and on a fixed income, this is a devastating amount of money that she will have to come up with.

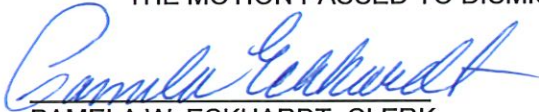
Donavan Harrington explained the market and how sales have increased immensely since Covid-19.

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.

CLAIMS FOR THE PREVIOUS MONTH WERE APPROVED AS FOLLOWS:

Current Expenses	\$470,327.39	Weeds.....	\$37,824.68
Road & Bridge	\$487,918.97	Emergency Communication... ..	\$15,785.13
Airport.....	\$1,445.00	Road & Bridge Special Project....	\$2,497.82
Justice Fund	\$525,740.39	Waterways.....	\$2,232.76
District Court.....	\$135,807.85	OPIOID Account.....	\$2,086.00
Preventative Health.....	\$14,000.00	PILT.....	\$1,250.00
Historical Society/Museum.....	\$11,263.31	Treatment Court Fund.....	\$6,995.64
Parks & Recreation.....	\$40,395.19	ARPA Funding.....	\$857,820.23
Revaluation.....	\$74,564.85	Consolidated Elections.....	\$14,420.10
Solid Waste	\$263,050.85		
Veterans Memorial.....	\$575.30		

THE MOTION PASSED TO DISMISS UNTIL MONDAY, JULY 1, 2024



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



WHITNEY MANWARING, CHAIRMAN