

STATE OF IDAHO)
 : ss. Friday, November 1, 2024
County of Bingham)

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

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

CLAIMS

Claims were approved in the amount of \$425,210.16.

PERSONNEL ACTION FORMS

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

New Employee Status Sheet:	Trainee Appraiser
Employee Status Sheet:	Truck Driver to Shop Technician
Salary Increase Form:	Legal Assistant/Victim Witness Coordinator
	Lead Emergency Communication Officer
	Road & Bridge Lead
	Truck Driver
	Probation Services Secretary
	Patrol Deputy
	Patrol Deputy

Decision: Commissioner Jackson moved to approve Cash Warrants, Claims, Administrative Documents and Personnel Action Forms for November 1, 2024. Commissioner Jensen seconded. All voted in favor. The motion carried.

ALCOHOL LICENSE

The Board approved one (1) Alcohol License, which was as follows:

American Legion Post #23 License No. 57

Decision: Commissioner Jensen moved to approve the Alcohol License for American Legion Post #23. Commissioner Jackson seconded. All voted in favor. The motion carried.


REASON & DECISION- UNDERWOOD ACRES SUBDIVISION

The Board met to approve the Reason & Decision document for Underwood Acres Subdivision.

Decision: Commissioner Jackson moved to approve the Reason & Decision for Underwood Acres Subdivision, as written. Commissioner Jensen seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL MONDAY NOVEMBER 4, 2024


PAMELA W. ECKHARDT, CLERK
Lindsey Dalley- Commission Clerk


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Monday, November 4, 2024
County of Bingham)

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

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

STAFF MEETING

Present: Pamela Eckhardt- County Clerk
 Debbie Cunningham- Chief Deputy Assessor
 Scott Reese- Parks & Recreation/Emergency Services
 Sheri Landon- Court Supervisor
 Laraine Pope- Human Resources Director
 Tiffany Olsen- Planning & Development Director
 Mark Gough- Probation Department
 Bill Haight- IT Department
 Dusty Whited- Public Works Director
 Jordyn Nebeker- Chief Deputy Sheriff
 Jeff Gardner- Sheriff
 Ryan Jolley- Prosecuting Attorney/ County Legal Counsel
 Jimmy Roberts- County Coroner
 Cody Lewis- Treatment Court
 Barbara Marlatt- Chief Deputy Treasurer

Excused: Julie Buck- Extension Office
 Jason Marlow- Building Maintenance Supervisor
 Gordon Croft- Blackfoot Chief of Police
 Donavan Harrington- Assessor
 Laura Lora- Payroll/Indigent Services
 Matt Galloway- IT Director
 Tanna Beal- County Treasurer
 Danette Miller- Elections Office
 Shawn Hill- Probation Department

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

Pledge of Allegiance: Commissioner Jackson conducted.

Approval of Minutes for Staff Meeting held in October 2024: There were no changes to the October 2024 staff meeting minutes and said minutes were approved as written.

Special Presentation: Clerk Eckhardt conducted special presentation in regards to fraud and stated that she and Laura Lora would be visiting the departments who handle cash to discuss cash handling and the procedure being followed.

Safety Concerns: None.

Employee Years of Service Recognition: Dusty Whited recognized Derrick Going for five (5) years of service to Bingham County. Derrick is the Solid Waste Supervisor and supervises all three solid waste locations. Derrick has assisted with a lot of positive changes and dedicates a lot of time to his job.

Derrick Going stated that he enjoys his job and is glad that he came to work for Bingham County.

Debbie Cunningham recognized Audrey Stanfield for five (5) years of service to Bingham County. Audrey retired but came back to work part time. Audrey does all of the mapping to be sure that all plat maps are correct. She has a lot of knowledge and is an asset to the county.

Dusty Whited: Had no updates at this time.

Chairman Manwaring: Briefly reviewed the Board of County Commissioner department assignments and who supervises each department since the appointment of Commissioner Drew Jensen.

Commissioner Eric Jackson: Stated that Veterans Day is approaching and to be sure to thank a Veteran.

Commissioner Drew Jensen: Stated that he appreciates everyone and their support.

Clerk Pamela Eckhardt: Stated that there were 150 early voters on the first day of early voting and on the last day of early voting there were 526 early voters. There were 591 same day registrations during early voting and 2500 absentee ballots were sent out. Clerk Eckhardt added that the Election Department would like to thank the Building Maintenance Department for assisting with delivery of election equipment to the polling locations.

Clerk Eckhardt gave an update on the Historical Museum and a few remodel projects that have occurred and stated that she would like to thank Jason Marlow and Rhonda Wixom for their assistance on the project.

Debbie Cunningham: Had no updates at this time.

Dusty Whited: Had no updates at this time.

Jimmy Roberts: Reviewed death statistics within Bingham County for the month of October.

Scott Reese: Stated that he and his staff would like to thank the Board of County Commissioners for the 2% cost of living. Mr. Reese stated that he would like to remind everyone of the Veterans Concert fundraiser to take place at the Blackfoot Performing Arts Center this upcoming Saturday.

Sheri Landon: Stated that the District Court Clerk's have been moved into their newly remodeled office and that Courtroom #5 is completed as well. She stated that she would like to thank Jason Marlow for all of this work throughout the remodel project.

Laraine Pope: Stated that the Human Resources Department will be attending a recruitment fair in Pocatello.

Tiffany Olsen: Had no updates at this time.

Mark Gough: Stated that the Probation Department has hired a male part time drug testing technician, Daniel Molina, which makes their department fully staffed.

Cody Lewis: Stated that Felony Drug Court Graduation will take place on November 26th at 4:00 p.m., and Misdemeanor Drug Court Graduation will take place on November 21st at 4:00 p.m.

Ryan Jolley: Stated that he will be preparing for a double vehicular manslaughter Jury Trial that will be taking place this upcoming Friday. Mr. Jolley also stated that there is one (1) vacancy within his office for a Deputy Prosecuting Attorney/Civil Attorney.

Jeff Gardner: Had no updates at this time.

Barbara Marlatt: Stated that the Treasurers Office is preparing to send out tax notices.

Bill Haight: Stated that there are several large projects that the IT Department will be working on over the next few months. They are currently testing out three (3) telephone systems in order to prepare to make a recommendation to the Board of County Commissioners for purchase. If anyone has any questions about the three (3) options, please contact the IT Department.

Commissioner Jackson stated next Staff Meeting is scheduled for Monday, December 2, 2024 at 8:30 a.m.

Nothing further.

APPROVAL OF ALCOHOL LICENSE

The Board met to approve one (1) Alcohol License for the following business:

Odin's Smokehouse LLC License No. 58

Decision: Commissioner Jensen moved to approve the Alcohol License for Odin's Smokehouse LLC. Commissioner Jackson seconded. All voted in favor. The motion carried.

PRIOR APPROVAL FOR MAJOR PURCHASE- COURTS

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

The Board met to make a decision in regards to the submitted Prior Approval for Major Purchase of four (4) Hon leather pillow soft executive chairs for council tables in newly remodeled courtroom, in the amount of \$601.07 each/\$50.00 installation, for an estimated cost of \$2,454.28. These chairs will be placed within Courtroom #5, which has recently been remodeled.

The second portion of the Prior Approval for Major Purchase is for 38 Lenox steel oversized chairs for gallery in remodeled courtroom, in the estimated amount of \$14,313.46 to \$15,000.00. Said purchase is to be paid from \$25,000.00 bond deposited in the District Court Fund 06-50.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of four (4) Hon leather pillow soft executive chairs for council tables in newly remodeled courtroom, in the amount of \$601.07 each/\$50.00 installation, for an estimated cost of \$2,454.28. Also purchase of 38 Lenox steel oversized chairs for gallery in remodeled courtroom, in the estimated amount of \$14,313.46 to \$15,000.00. Said purchase is to be paid from \$25,000.00 bond deposited in the District Court Fund 06-50. Commissioner Jensen seconded. All voted in favor. The motion carried.

DECISION REGARDING SOLID WASTE CREDIT APPLICATION FOR EZ DUMP LLC.

Present: Dusty Whited- Public Works Director
Derrick Going- Solid Waste Supervisor

The Board met to make a decision in regards to the Solid Waste Credit Application for EZ Dump LLC.

Mr. Whited stated that the Applicant contacted him this morning stating that he could not be present for this meeting. Therefore, Mr. Whited proposed to continue this meeting until the Applicant can be present.

Decision: Commissioner Jensen moved to postpone the submitted Solid Waste Credit Application for EZ Dump LLC, to allow the Applicant to be present for the discussion and decision. Commissioner Jackson seconded. All voted in favor. The motion carried.

DISCUSSION REGARDING LEASE AGREEMENT WITH VOCATIONAL REHABILITATION-
REQUESTED BY MATT JENSEN, WITH POTENTIAL DECISION

Present: Matt Jensen- Center Manager- Idaho Division of Vocational Rehabilitation
Pamela Eckhardt- County Clerk

The Board met to hold discussion and make a potential decision in regards to the Lease Agreement with Idaho Division of Vocational Rehabilitation.

Mr. Jensen explained that he is the Center Manager with the Customer Center Southeast for Vocational Rehabilitation and he has been asked to approach the county in proposing to downsize their lease from two office to one office and would like to know if a one-year lease is possible. Currently the lease includes two offices, the reception area and three parking spaces.

The Board had no issues with the proposal and Mr. Jensen stated that he would report to the state to proceed with drafting an amended lease.

Decision: Commissioner Jensen moved to allow Mr. Jensen to go back to Vocational Rehabilitation with the accepted proposal to utilize one office, the restroom and three parking spaces. Commissioner Jackson seconded. All voted in favor. The motion carried.

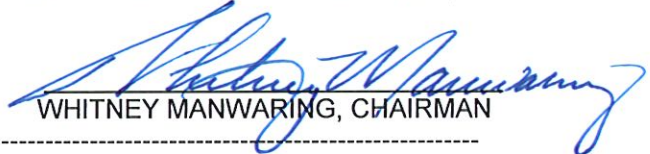
REQUEST BY JOE CANNON TO DISCUSS FIRE PROTECTION AND PLACEMENT OF FIRE
HYDRANTS FOR DEVELOPMENTS

Present: Joe Cannon- Citizen/Developer
Tiffany Olsen- Planning & Development Director
Chase Clark- Building Official
Dusty Whited- Public Works Director
Chief Howell- Blackfoot Fire
Scott Tweedy- Blackfoot Fire

The Board met with Joe Cannon to discuss fire protection and placement of fire hydrants for developments.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY NOVEMBER 6, 2024


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
: ss. Wednesday, November 6, 2024
County of Bingham)

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

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

COLLEGE OF SOUTHERN IDAHO

One (1) Certificate of Residency was approved and sent to the College of Southern Idaho for the following Bingham County Student: Macy A. Johnson.

Decision: Commissioner Jackson moved to approve and sign Cash Warrants, Claims and Administrative Documents for November 6, 2024. Commissioner Jensen 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 Jensen 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 8:40 a.m. Commissioner Jackson moved to go out of Executive Session. Commissioner Jensen seconded. The Board moved out of Executive Session at 9:29 a.m.

Decision: Commissioner Jensen move to approve and allow the individual discussed within Executive Session to pull PTO out of the bank and utilized said PTO as designed. Commissioner Jackson seconded. All voted in favor. The Motion carried.

Commissioner Jackson moved to approve and sign the name clearing letter as discussed within Executive Session. Commissioner Jensen seconded. All voted in favor. The motion carried.

SHERIFF'S OFFICE

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

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

Discussion was held in regards to the submitted Prior Approval for Major Purchase of renewal for Annual Motorola Service Agreement under Contract #USC000105970/Transaction #8230486888. This agreement is pertaining to radio coverage for 10/1/2024 through 9/30/2025, which will include Dispatch and applicable network sites. Said renewal is in the amount of \$90,470.05 and is to be paid from 28-00-500-00 (911 Emergency Communication Maintenance Line).

Decision: Commissioner Jensen moved to approve the Prior Approval for Major Purchase of renewal for Annual Motorola Service Agreement under Contract #USC000105970/Transaction #8230486888. This agreement is pertaining to radio coverage for 10/1/2024 through 9/30/2025, which will include Dispatch and applicable network sites. Said renewal is in the amount of \$90,470.05 and is to be paid from Fund: 28-00-500-00 (911 Emergency Communication Maintenance Line). Commissioner Jackson seconded. All voted in favor. The motion carried.

Next, discussion was held in regards to the submitted Prior Approval for Major Purchase of annual pistol training ammo order. Said purchase will be for 35 cases estimated at \$248.44 per case of 9mm FMJ to Dooley Enterprises, Inc. (price TBD by marginal amount due to daily fluctuation in cost). Said purchase is in the amount of \$8,695.40 and is to be paid from Fund: 05-02-556-00 (Sheriff- Weapons/Ammunition).

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of annual pistol training ammo order. Said purchase will be for 35 cases estimated at \$248.44 per case of 9mm FMJ to Dooley Enterprises, Inc. (price TBD by marginal amount due to daily fluctuation in cost). Said purchase is in the amount of \$8,695.40 and is to be paid from Fund: 05-02-556-00 (Sheriff-Weapons/Ammunition). Commissioner Jensen seconded. All voted in favor. The motion carried.

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
 Tiffany Olsen- Planning & Development Director
 GaryDee VanOrden- Spudnik
 Terrell Bair- Bair Irrigation and Landscape

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

Discussion was held in regards to the proposed verbiage regarding Approach Spacing Standards, which were presented by GaryDee VanOrden and are as follows:

1. APPROACH SPACING STANDARDS

(Approach to Approach) or (Approach to Road Intersection) Spacing

Spacing between approaches shall have a minimum spacing of sixty feet (60') regardless of road functional classification (see exceptions below).

(Intersection to Intersection) Spacing

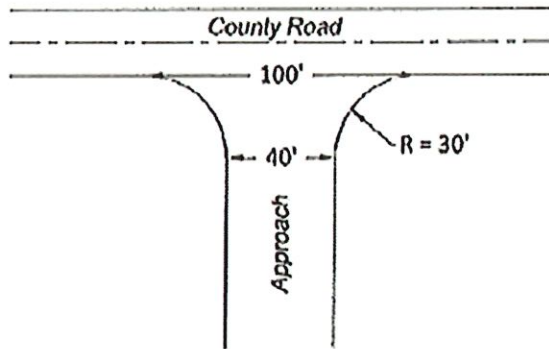
Spacing between a road intersection and any other road intersection shall meet a minimum of one hundred ninety feet (190').

Exceptions

Approaches on cul-de-sacs, dead ends, residential subdivisions, and other non-through residential streets shall be a minimum of twenty feet (20') apart.

2. APPROACH WIDTH STANDARDS

Approach width should not exceed forty feet (40') at the property (ROW) line with no more than a thirty-foot (30') radius to the pavement of the County road.



3. If a property is higher or lower than the adjacent public roadway, the approach coming onto the roadway shall not have more than a three percent (3%) grade connecting it to the roadway for a distance of not less than thirty feet (30'), and the approach leading to the roadway must allow the vehicle to stop on the thirty-foot (30') approach at the three percent (3%) grade.

WHEREAS after discussion the Board of County Commissioners believe that it is in the best interest of Bingham County citizens to repeal the Approach Standards and amend the Bingham County Road Standards Manual as presented;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Bingham County, Idaho, that the Bingham County Approach Standards are hereby repealed and the Bingham County Road Standards Manual be amended as listed above.

Dusty Whited, Public Works Director, and the Board of County Commissioners had no issues with the proposed verbiage.

The Bingham County Approach Spacing Standards are proposed to be repealed and the above verbiage is to be added into the Bingham County Road Standards Manual.

Decision: Commissioner Jackson moved to repeal the Bingham County Approach Spacing Standards. Commissioner Jensen seconded. All voted in favor. The motion carried.

Commissioner Jensen moved to amend the Road Standards Manual to add the proposed verbiage pertaining to approach spacing standards, which will be done via Bingham County Resolution 2024-40. Commissioner Jackson seconded. All voted in favor. The motion carried and said resolution was adopted as follows:

**BINGHAM COUNTY
RESOLUTION NO. 2024-40**

**A RESOLUTION REPEALING THE BINGHAM COUNTY APPROACH STANDARDS AND
AMENDING THE BINGHAM COUNTY ROAD STANDARDS MANUAL**

WHEREAS the Bingham County Board of Commissioners have reviewed concerns that citizens have had in dealing with the Bingham County Approach Standards and have found that it is in the best interest of the county to repeal said standards;

WHEREAS the Bingham County Road Standards Manual being used by the Bingham County Public Works Department, will have amendments to Section 3, Subsection H, which will read as follows:

1. APPROACH SPACING STANDARDS

(Approach to Approach) or (Approach to Road Intersection) Spacing

Spacing between approaches shall have a minimum spacing of sixty feet (60') regardless of road functional classification (see exceptions below).

(Intersection to Intersection) Spacing

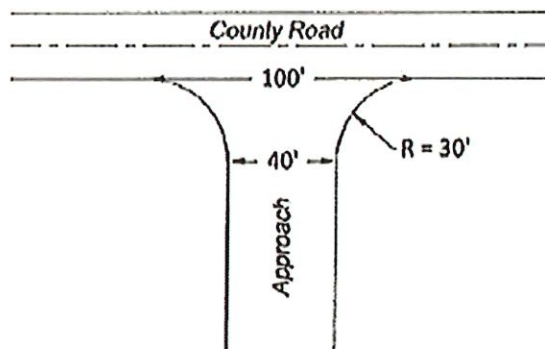
Spacing between a road intersection and any other road intersection shall meet a minimum of one hundred ninety feet (190').

Exceptions

Approaches on cul-de-sacs, dead ends, residential subdivisions, and other non-through residential streets shall be a minimum of twenty feet (20') apart.

2. APPROACH WIDTH STANDARDS

Approach width should not exceed forty feet (40') at the property (ROW) line with no more than a thirty-foot (30') radius to the pavement of the County road.



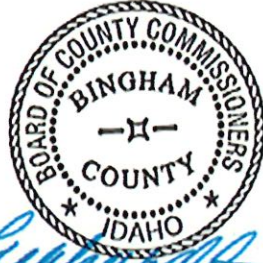
3. If a property is higher or lower than the adjacent public roadway, the approach coming onto the roadway shall not have more than a three percent (3%) grade connecting it to the roadway for a distance of not less than thirty feet (30'), and the approach leading to the roadway must allow the vehicle to stop on the thirty-foot (30') approach at the three percent (3%) grade.

WHEREAS after discussion the Board of County Commissioners believe that it is in the best interest of Bingham County citizens to repeal the Approach Standards and amend the Bingham County Road Standards Manual as presented;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Bingham County, Idaho, that the Bingham County Approach Standards are hereby repealed and the Bingham County Road Standards Manual be amended as listed above.

Said changes will be in effect as of November 7, 2024

DATED this 6th day of November, 2024.



ATTEST:

Pamela Eckhardt

Pamela W. Eckhardt
Bingham County Clerk

BOARD OF COUNTY COMMISSIONERS

Whitney Manwaring
Whitney Manwaring, Chairman

Eric Jackson
Eric Jackson, Commissioner

Drew Jensen
Drew Jensen, Commissioner

Next, discussion was held in regards to proposals for irrigation system installation on county owned property, also known as the Hillman tree farm. Mr. Whited received two (2) bids, which were from Bair Irrigation and Landscape or Double M Ag & Irrigation.

Decision: Commissioner Jensen moved to accept the quote from Bair Irrigation and Landscaping in the amount of \$79,000.00, along with an additional \$1,000.00 to clean up the old system, which is to be paid from Fund: 50-00-559-00 (PILT Fund). Commissioner Jackson seconded. All voted in favor. The motion carried.

JAIL INSPECTION

The Board of County Commissioners attended the annual Jail Inspection with Sheriff Gardner and Chief Deputy Sheriff Nebeker.

PRIOR APPROVAL FOR MAJOR PURCHASE OF STRYKER POWER LIFT FOR SHELLEY FIRTH AMBULANCE- REQUESTED BY LYLE BARNEY

Present: Pamela Eckhardt- County Clerk
Lyle Barney- Shelley-Firth Ambulance

The Board met to discuss the Prior Approval for Major Purchase of a Stryker power lift for Shelley Firth Ambulance.

Lyle Barney explained that the Shelley Firth Ambulance has been awarded \$40,000.00 for a CHC Grant. Clerk Eckhardt stated that the funding will be used to purchase a Stryker Powered loading system ambulance cot, which will include the stretched, loading system, battery and a warranty. Clerk Eckhardt is proposing that the remaining \$25,877.80, still owing after grant funding, be paid from the Ambulance Fund or PILT.

After further review, it became known that the \$40,000.00 is subject to reimbursement and therefore would need to be paid as well. Chairman Manwaring proposed paying \$45,147.74 from PILT and the remaining \$20,000.00 to be paid from the Ambulance Trust Fund. Commissioner Jensen and Commissioner Jackson were in favor of said proposal.

Decision: Commissioner Jensen moved to approve the Prior Approval for a Stryker powered loading system ambulance cot: includes stretcher, loading system, battery and warrant. Said purchase is in the amount of \$65,147.75. \$40,000.00 is to be paid with the CHC Foundation Grant by reimbursement. Funding is to be paid as follows: \$20,000.00 from Ambulance Trust Fund and \$45,147.74 to be paid from PILT, subject to reimbursement from the CHC Grant back into PILT. Commissioner Jackson seconded. All voted in favor. The motion carried.

PRIOR APPROVAL FOR MAJOR PURCHASE FOR RENEWAL OF ESRI CONTRACT FOR ARCGIS- REQUESTED BY DONAVAN HARRINGTON

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


The Board met to discuss the submitted Prior Approval for Major Purchase for renewal of ESRI Contract for ARCGIS.

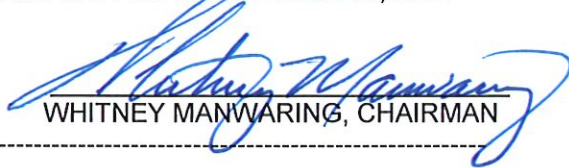
Mr. Harrington explained that the annual subscription is in the amount of \$21,760.00 and has previously been paid by the IT Department but for Fiscal Year 2025, was moved to the Revaluation Budget.

The Board had no concerns.

Decision: Commissioner Jackson moved to approve the Prior Approval for ESRI Renewal in the amount of \$21,860.00 and is to be paid from Fund: 20-04-440-00 (Revaluation- GIS- Supplies-Survey). Commissioner Jensen seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY NOVEMBER 8, 2024


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Friday, November 8, 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 Jensen

CLAIMS

Claims were approved in the amount of \$904,726.64.

COLLEGE OF EASTERN IDAHO

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

PERSONNEL ACTION FORMS

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

Salary Increase Form: Detention Deputy
 Detention Deputy
 Certified Appraiser/Deeds Specialist
Employee Status Sheet: Treatment Court Coordinator

Decision: Commissioner Jackson moved to approve Cash Warrants, Claims, Administrative Documents and Personnel Action Forms for November 8, 2024. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF RESOLUTION 2024-41

The Board met to approve and sign Bingham County Resolution 2024-41, a resolution regarding the destruction of records maintained by the Public Works Department and Solid Waste Department.

Decision: Commissioner Jackson moved to approve Bingham County Resolution 2024-41, a resolution regarding the destruction of records maintained by the Public Works Department and Solid Waste Department. Chairman Manwaring seconded. Both voted in favor. The motion carried and said resolution was adopted as follows:

**BINGHAM COUNTY
RESOLUTION 2024-41**

**RESOLUTION REGARDING THE DESTRUCTION
OF RECORDS MAINTAINED BY THE PUBLIC WORKS DEPARTMENT & SOLID WASTE
DEPARTMENT**

WHEREAS the Bingham County Clerk has requested permission to destroy certain Public Works Department and Solid Waste Department 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.

Bingham County Solid Waste Department

See the attached "Exhibit A"


Bingham County Public Works Department

Time Sheets from 2014 through September 20, 2019

Furthermore, such records may now be destroyed.


Dated this 8th day of November, 2024.


ATTEST:


Pamela W. Eckhardt
Bingham County Clerk



BINGHAM COUNTY COMMISSION


Whitney Manwaring, Chairman


Eric Jackson Commissioner

Drew Jensen, Commissioner

FILES TO BE DESTROYED

Daily Activity Reports from the Central Transfer Station:

January – December 2007
January – December 2008
January – December 2009
January – December 2010
January – December 2011
January – December 2012

Fiscal Year Account Tickets:

October 1, 2006 – September 30, 2007
October 1, 2007 – September 30, 2008
October 1, 2008 – September 30, 2009
October 1, 2009 – September 30, 2010
October 1, 2010 – September 30, 2011
October 1, 2011 – September 30, 2012

Daily Activity Reports from the Aberdeen Landfill:

January – December 2007
January – December 2008
January – December 2009
January – December 2010
January – December 2011
January – December 2012
April 2013 – August 2014

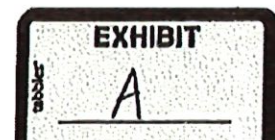
Weekly Money Recelpts from the Aberdeen Landfill:

January – December 2007
January – December 2008
January – December 2009

Daily Activity Reports from the Rattlesnake Landfill:

January – December 2007
January – December 2008
May – December 2009
January – December 2010
January – December 2011
January – December 2012

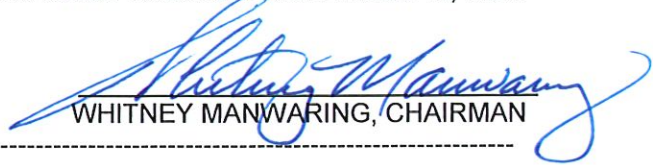
Old Physical Time Sheets: 2005 -- 2012



THE MOTION PASSED TO DISMISS UNTIL TUESDAY NOVEMBER 12, 2024



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. **Tuesday, November 12, 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 Jensen

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(f), to communicate with legal counsel regarding pending/imminently-likely claims. Commissioner Jackson moved to go into Executive Session pursuant to Idaho Code §74-206(1)(f), to communicate with legal counsel regarding pending/imminently-likely claims. Commissioner Jensen seconded. Both in favor. The Board moved into Executive Session at 2:43 p.m. Commissioner Jackson moved to go out of Executive Session. Commissioner Jensen seconded. The Board moved out of Executive Session at 3:10 p.m.

Decision: No decision to be made on the record.

MEETING WITH GEOBITMINE TO DISCUSS PROJECT PROGRESSION

Present: Tiffany Olsen- Planning & Development Director
 Gwen Inskeep- County Surveyor
 Ryan Jolley- Prosecuting Attorney/County Legal Counsel
 Scott Reese- Parks & Recreation/Emergency Management & Chairman for REDI
 Teresa McKnight- REDI
Zoom: Jay Jorgensen- GeoBitmine
 Alicia Atkinson- GeoBitmine

The Board met to discuss project progression. Chairman Manwaring welcomed all to the meeting and introductions were held.

Jay Jorgensen stated that he has received three offers from investment companies who are interested in the GeoBitmine project and he is looking forward to proceeding

Mr. Jorgensen stated that Rocky Mountain Power has officially taken ownership of the equipment that is positioned within the right-of-way. Chairman Manwaring asked if they had received confirmation in writing of the ownership, to which Mr. Jorgensen stated that Mr. Whited should have an email from Rocky Mountain Power advising. Ms. Olsen stated that she had not received said confirmation from Rocky Mountain Power and requested that GeoBitmine gain a copy of written confirmation and provide said document to the county.

Chairman Manwaring asked for a status update on the lien and stated that he is aware that there was an extension given to GeoBitmine to get the lien released, with the new deadline being November 30, 2024.

Alicia Atkinson stated that she has been in contact with Precision Electric in regards to the lien, wherein she was informed that Precision Electrical did not pay any of their bills to Crescent Supply Services regarding the GeoBitmine site, although GeoBitmine has paid Precision Electrical in full for their work. Ms. Atkinson stated that she has confirmed that GeoBitmine has paid all invoices and there is no reason that the lien should have been placed on the property. Ms. Atkinson stated that she was advised that payments made by GeoBitmine were in fact applied to a different account and she has been working with Crescent Supply Services and Precision Electrical to cure this issue. The only way that Crescent Supply Services will release the lien is if Precision Electrical pays the \$316,000.00 owed. Therefore, the two businesses are working together to cure this matter and Ms. Atkinson stated that she is doing daily check-ins to see if there are any updates. Ms. Atkinson stated that Eva from Crescent Electrical Supply Services, had sent her an email stating that this needs to be resolved right away but confirmed that they are working endlessly to get the lien removed.

Chairman Manwaring asked for a status on the Certificate of Completion for the structures, wherein Mr. Jorgensen stated to his knowledge, the main data center area is ready for inspection. However, the one outstanding but small item that they could not complete until GeoBitmine was aware as to who would take ownership over the primary meter and if that was going to hold the project completely. Mr. Jorgensen stated that GeoBitmine can now construct a four (4) inch barrier around those out front where the two meters are by the road and that would suffice for the flood zone requirements. GeoBitmine still needs to submit the actual plan in order for Chase Clark and the Development team to review and approve. Mr. Jorgensen stated to his understanding, at that time, Ms. Olsen and her team would give final inspection for the Certificate of Occupancy.

Ms. Olsen referenced the letter sent on the 18th of October, 2024, wherein there were Elevation Certificates that Krista Aten-Schell was in the process of correcting, which have not been re-submitted. Second, the stairs over the flood wall, the third item was in regards to the electrical infrastructure, item four is the engineered design and the specification for the floodwall, which will need to be engineered and added to the Flood Plain Development Permit. Once that design is approved by Chase Clark, Building Official, it would be constructed and once that construction is complete, the inspection would be conducted. If approved, they would have a Final Elevation Certificate for all structures, wherein the county only has the first and second but do not have the third and final Elevation Certificate. Lastly, the site plans would need to be updated in order for the Board of County Commissioners to approve.

Ms. Olsen stated that she tried to itemize the items with pertinent information and that there were seven items to be completed. Ms. Atkinson stated that she has reviewed said list and that she looks forward to complete the list but was making sure that the design team is tackling the issues as these items were originally the responsibility of Krysta Aten-Schell, who no longer is employed with GeoBitmine.

Chairman Manwaring reiterated that GeoBitmine should provide the county with a letter with their intent to renew the lease, which should have been submitted in July, along with their plan before the end of the year (December 31, 2024). Mr. Jorgensen stated that he fully anticipates that they can get said letter to the county before the end of the month.

PLANNING & DEVELOPMENT UPDATE

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


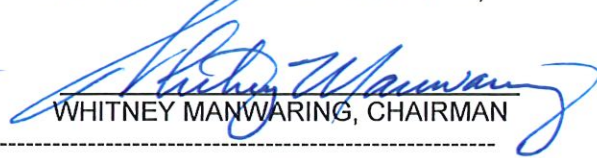
The Board met with Tiffany Olsen to discuss updates within the Planning & Development Division and other agenda items.

Discussion was held in regards to the Building Inspector position, wherein Ms. Olsen stated that she has received notice of resignation from one of the Building Inspectors and his last day will be Thursday of this week. Ms. Olsen stated that she would like to request that the Building Inspector position be advertised with a range of pay and reviewed a few brief changes that she would like to make to the job description.

Ms. Olsen stated that she would forward the proposed changes onto Human Resources and would schedule a meeting at a later date for further discussion and decision.

No decision was made at this time.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY NOVEMBER 13, 2024


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

WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Wednesday, November 13, 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 Jensen

DISCUSSION & DECISION REGARDING CHRISTMAS/NEW YEARS OFFICE HOURS FOR THE EXTENSION OFFICE

The Board met to hold discussion and make a decision regarding Christmas/New Years office hours for the Extension Office.

Chairman Manwaring stated that is has been requested for the Extension Office to be closed on December 27, 30 and 31, 2024, due to the lack of individuals coming into the office for business. The two full time Bingham County employees have enough comp time to cover those days and the three individuals that are compensated by the University of Idaho would not be working those days.

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

Decision: Commissioner Jackson moved to approve that the Extension Office be closed on December 27, 30 and 31, 2024. Chairman Manwaring seconded. Both voted in favor. The motion carried.

SHERIFF'S OFFICE

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

The Board met with Sheriff Gardner to discuss updates within the Sheriff's Office, which included updates on the jail expansion project, jail population and the relocation of the evidence storage location.

HUMAN RESOURCES

Present: Laraine Pope- Human Resources Director

The Board met with Laraine Pope to discus updates within the Human Resources Department, which included, current recruitments, recent resignations, recently closed positions, interviews held, recent hires and offers that have been made, along with discussion regarding proposed amendments to be made to

the Employee Personnel Handbook, specifically Section 25 (Separation of Employment) and Section 17.10 (Leave Time Bank and its usage). These amendments would be sent to the Personnel Board for approval and a meeting has been scheduled for November 27, 2024 at 10:30 a.m., for final approval by the Board.

PRIOR APPROVAL FOR MAJOR PURCHASE- BUILDING MAINTENANCE

Present: Jason Marlow- Building Maintenance Supervisor
Jimmy Roberts- County Coroner

The Board met to discuss the submitted Prior Approval for Major Purchase of mag lock and fob setups for the Assessors Office hallway and the Coroners' office door.

Mr. Marlow explained that the Assessor has asked to have a fob system installed on the outer door of the employee restroom hallway that leads back to several offices. Discussion was held in regards to the same, wherein Chairman Manwaring stated that he would rather the fob system be placed in the door just past the restrooms, wherein Commissioner Jackson agreed. Mr. Marlow stated that he was also approached by Mr. Roberts in regards to installing a fob system on his office door.

Said purchase is in the amount of \$2,400.00, to be purchased from Teton Fire and is to be paid from Fund: 01-10-494-00 (Repairs/Maintenance-Building & Fixtures).

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of mag lock and fob systems to be installed on the second door within the Assessors office hallway, just past the restrooms and on the Coroners' office door. Said purchase is in the amount of \$2,400.00 (Teton Fire- Ken, via verbal agreement) and is to be paid from Fund: 01-10-494-00 (Repairs/Maintenance-Building & Fixtures). Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF CANVASS FOR NOVEMBER 5, 2024 GENERAL ELECTION

Present: Danette Miller- Election Supervisor
Megan Kearsley- Election Clerk
Pamela Eckhardt- County Clerk
Ryan Jolley- Prosecuting Attorney

The Board met to approve the CANVASS for the November 5, 2024 General Election.

Danette Miller presented the Canvass, which was as follows:

**Bingham County
Voting Statistics
November 5, 2024 General Election**

Precincts	Total Number of Registered Voters at the cutoff	Number of Election Day Registrants	Total Number of Registered Voters	Number of Ballots Cast	% of Registered Voters who Voted
BLACKFOOT 1	870	123	993	762	77%
BLACKFOOT 2	929	120	1049	843	80%
BLACKFOOT 3	947	122	1069	804	75%
BLACKFOOT 4	1092	191	1283	942	73%
BLACKFOOT 5	1194	182	1376	1035	75%
BLACKFOOT 6	989	155	1144	930	81%
FIRTH 7	1223	147	1370	1160	85%
FIRTH 8	1057	133	1190	968	81%
GROVELAND 9	1115	176	1291	1042	81%
JAMESTON 10	970	99	1069	841	79%
MORELAND 11	588	67	655	505	77%
Rockford 12	826	93	919	790	86%
SHELLEY 13	1274	235	1509	1102	73%
SHELLEY 14	1314	194	1508	1211	80%
ABERDEEN 15	901	148	1049	785	75%
SPRINGFIELD/STERLING 16	354	37	391	327	84%
RIVERSIDE 17	1031	108	1139	972	85%
PINGREE 18	622	74	696	560	80%
WAPELLO 19	508	79	587	497	85%

**Bingham County
Voting Statistics
November 5, 2024 General Election**

Precincts	Total Number of Registered Voters at the cutoff	Number of Election Day Registrants	Total Number of Registered Voters	Number of Ballots Cast	% of Registered Voters who Voted
FORT HALL 20	846	117	963	627	65%
SHELLEY WEST 21	1485	189	1674	1354	81%
GROVELAND 22	1014	111	1125	922	82%
BLACKFOOT 23	583	77	660	547	83%
RIVERSIDE 24	724	79	803	640	80%
MORELAND 25	743	110	853	705	83%
ATOMIC CITY 26	15	0	15	11	73%
BONNEVILLE 27	0	0	0	0	0%
MORGAN'S PASTURE 28	4	0	4	4	100%
Total:	23218	3166	26384	20886	79%

	REQUESTED	RECEIVED	PERCENTAGE
EARLY VOTING	3736	3736	N/A
ABSENTEE	2514	2306	91%
MAIL BALLOT	19	15	78%

Summary Results Report
 General Election
 November 5, 2024

UNOFFICIAL RESULTS

Blingh

Statistics	TOTAL	Election Day	Absentee	Early Voting
Election Day Precincts Reporting	28 of 28	28	0	0
Precincts Complete	28 of 28	28	0	0
Registered Voters - Total	23,218			
Ballots Cast - Total	20,886	14,844	2,306	3,736
Voter Turnout - Total	89.96%			

President

Vote For 1

	TOTAL	VOTE %	Election Day	Absentee	Early Voting
IND Ayyadurai/Ellis	10	0.05%	7	3	0
IND De la Cruz/Garcia	24	0.12%	21	0	3
DEM Harris/Walz	3,878	18.68%	2,427	743	708
IND Kennedy Jr./Shanahan	322	1.55%	253	36	33
LIB Oliver/ter Maat	87	0.42%	64	10	13
CON Skousen/Combs	47	0.23%	33	6	8
IND Stein/Kpadenou	48	0.23%	37	7	4
IND Terry/Broden	39	0.19%	32	5	2
REP Trump/Vance	16,188	77.97%	11,803	1,447	2,938
Write-In Totals	120	0.58%	82	24	14
Write-In: Non-Qualified	112	0.54%	79	21	12
Write-In: Peter Sonski	8	0.04%	3	3	2
Write-In: Brian Larry Klenitz	0	0.00%	0	0	0
Not Assigned	0	0.00%	0	0	0
Total Votes Cast	20,763	100.00%	14,759	2,281	3,723
Overvotes	11		7	2	2
Undervotes	112		78	23	11
Contest Totals	20,886		14,844	2,306	3,736

United States Representative Dist 2

Vote For 1

	TOTAL	VOTE %	Election Day	Absentee	Early Voting
LIB Todd Corsetti	1,317	6.58%	934	127	256
CON Idaho Law - Carlo Sierra	614	3.07%	465	37	112
JEM David Roth	3,110	15.54%	1,935	623	552
REP Mike Simpson	14,966	74.80%	10,978	1,425	2,563
Total Votes Cast	20,007	100.00%	14,312	2,212	3,483
Overvotes	25		17	1	7
Undervotes	854		515	93	246
Contest Totals	20,886		14,844	2,306	3,736

Summary Results Report
 General Election
 November 5, 2024

UNOFFICIAL RESULTS
 Bingham

State Senator District 30

Vote For 1

	TOTAL	VOTE %	Election Day	Absentee	Early Voting
DEM Keren Keith	3,256	16.30%	2,119	573	564
REP Julie VanOrden	16,725	83.70%	12,161	1,650	2,914
Total Votes Cast	19,981	100.00%	14,280	2,223	3,478
Overvotes	3		2	0	1
Undervotes	902		562	83	257
Contest Totals	20,886		14,844	2,306	3,736

State Representative Dist 30 Seat A

Vote For 1

	TOTAL	VOTE %	Election Day	Absentee	Early Voting
REP David Cannon	17,759	100.00%	12,983	1,846	2,930
Total Votes Cast	17,759	100.00%	12,983	1,846	2,930
Overvotes	0		0	0	0
Undervotes	3,127		1,861	460	806
Contest Totals	20,886		14,844	2,306	3,736

State Representative Dist 30 Seat B

Vote For 1

	TOTAL	VOTE %	Election Day	Absentee	Early Voting
DEM Breane L. Buckingham	3,593	18.32%	2,320	643	620
REP Ben G. Fuhriman	15,976	81.68%	11,675	1,544	2,757
Total Votes Cast	19,559	100.00%	13,995	2,187	3,377
Overvotes	3		2	1	0
Undervotes	1,324		847	118	359
Contest Totals	20,886		14,844	2,306	3,736

County Commissioner District 1

Vote For 1

	TOTAL	VOTE %	Election Day	Absentee	Early Voting
REP Drew Jensen	17,715	100.00%	12,984	1,837	2,894
Total Votes Cast	17,715	100.00%	12,984	1,837	2,894
Overvotes	0		0	0	0
Undervotes	3,171		1,860	469	842
Contest Totals	20,886		14,844	2,306	3,736

County Commissioner District 3

Vote For 1

	TOTAL	VOTE %	Election Day	Absentee	Early Voting
REP Eric Jackson	17,711	100.00%	12,987	1,829	2,895
Total Votes Cast	17,711	100.00%	12,987	1,829	2,895
Overvotes	0		0	0	0
Undervotes	3,175		1,857	477	841
Contest Totals	20,886		14,844	2,306	3,736

Summary Results Report
 General Election
 November 5, 2024

UNOFFICIAL RESULTS

Bingham

County Sheriff

Vote For 1

	TOTAL	VOTE %	Election Day	Absentee	Early Voting
IND Vaughn A. LeFevre	2,799	14.25%	2,007	374	418
REP Jeff Gardner	16,844	85.75%	12,070	1,778	2,996
Total Votes Cast	19,643	100.00%	14,077	2,152	3,414
Overvotes	4		3	1	0
Undervotes	1,239		764	153	322
Contest Totals	20,886		14,844	2,306	3,736

County Prosecuting Attorney

Vote For 1

	TOTAL	VOTE %	Election Day	Absentee	Early Voting
REP Ryan William Jolley	17,631	100.00%	12,894	1,847	2,890
Total Votes Cast	17,631	100.00%	12,894	1,847	2,890
Overvotes	0		0	0	0
Undervotes	3,255		1,950	459	846
Contest Totals	20,886		14,844	2,306	3,736

District Court Magistrate

Vote For 1

	TOTAL	VOTE %	Election Day	Absentee	Early Voting
YES	16,014	87.19%	11,423	1,853	2,738
NO	2,353	12.81%	1,827	225	301
Total Votes Cast	18,367	100.00%	13,250	2,078	3,039
Overvotes	5		3	2	0
Undervotes	2,514		1,591	226	697
Contest Totals	20,886		14,844	2,306	3,736

Idaho Constitutional Amendment

Vote For 1

	TOTAL	VOTE %	Election Day	Absentee	Early Voting
YES	14,220	69.77%	10,063	1,584	2,573
NO	6,162	30.23%	4,445	687	1,029
Total Votes Cast	20,382	100.00%	14,509	2,271	3,602
Overvotes	37		19	9	9
Undervotes	467		316	26	125
Contest Totals	20,886		14,844	2,306	3,736

Proposition 1

Vote For 1

	TOTAL	VOTE %	Election Day	Absentee	Early Voting
YES	3,946	19.20%	2,542	729	675
NO	16,604	80.80%	12,105	1,531	2,968
Total Votes Cast	20,550	100.00%	14,647	2,260	3,643
Overvotes	7		1	4	2
Undervotes	329		196	42	91
Contest Totals	20,886		14,844	2,306	3,736

Decision: Commissioner Jackson moved to approve and sign the CANVASS for the November 5, 2024, General Election, as presented. Chairman Manwaring seconded. Both voted in favor. The motion carried

APPROVAL OF COMMISSION MINUTES FOR OCTOBER 22-31, 2024

The Board met to approve and sign Commission Minutes for October 22-31, 2024, as written. Chairman Manwaring confirmed with Commissioner Jackson that he had reviewed the draft minutes and if there were changes to be made, those had been made. Commissioner Jackson confirmed that he had no changes.

Decision: Commissioner Jackson moved to approve and sign the Commission Minutes for October 22-31, 2024, as written. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF TAX INQUIRY DOCUMENTS SUBMITTED BY THE COUNTY ASSESSOR

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

RP2080747	Year 2024	Homeowner signed up for Homeowners Exemption for 2024
RP1272502	Year 2024	Homeowner signed up for Homeowners Exemption for 2024
RP0234702	Year 2024	Homeowner signed up for Homeowners Exemption for 2024

Decision: Commissioner Jackson moved to approve the submitted Tax Inquiry Documents. Chairman Manwaring seconded. Both voted in favor. The motion carried.

DISCUSSION & DECISION REGARDING CLAIM FOR PAYMENT PERTAINING TO ANNUAL CLOUD SEEDING SUPPORT FOR 2024-25

The Board met to hold discussion and make a decision in regards to the submitted claim for payment pertaining to Annual Cloud Seeding Support for 2024-2025, which is in the amount of \$3,381.00.

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

Decision: Commissioner Jackson moved to approve the payment to High Country RC&D, INC, in the amount of \$3,381.00 for Annual Cloud Seeding Support for 2024-2025. Said purchase is to be paid from Fund: 50-00-559-00 (PILT). Chairman Manwaring seconded. Both voted in favor. The motion carried.

REQUEST FOR USE OF OPIOID SETTLEMENT FUNDING FOR OPERATING COSTS OF THE CENTER FOR HOPE SOUTH IN BLACKFOOT- REQUESTED BY NANCY ESPESETH

Present: Benji Pedroza- Center for Hope South
Nancy Espeseth- Center for Hope South
DeVere Hunt- Center for Hope South
Zack Mahan- Center for Hope South
Aimee Austin- Treatment Court District Manager- 7th District
Cody Lewis- Treatment Court Coordinator

The Board met to hold discussion regarding the submitted request for use of Opioid Abatement Funding for operating costs for the Center for Hope South. Chairman Manwaring welcomed all to the meeting and introductions were held.

Ms. Espeseth explained that the lease will expire on January 22, 2025, which is proposed to be renewed. Said lease for one year is in the amount of \$19,200.00. The reason for the meeting today is that the

Center for Hope South would like to request from the county and the city, for use of Opioid Abatement Funding for the lease. These funds would be used solely for the purpose of paying for the one-year lease on the current building being used.

A brief discussion was held in regards to other funding that has been obtained from the Idaho Response to the Opioid Crisis Grant, the Behavioral Health Board and Optum Idaho, and how said funding was used.

A brief over view was provided to the Board explaining the different activities and meetings that have been held from March to October of 2024, at the Center for Hope South.

Chairman Manwaring stated that this is a positive use of Opioid Abatement Funding but would like to meet with the Mayor of the City of Blackfoot to see if the city would be willing to participate in providing of funds. Commissioner Jackson was also in favor.

There was no decision made. A meeting will be scheduled at a later date in order to meet with Mayor Carroll, City of Blackfoot, to see if the City of Blackfoot is willing to contribute funding.

REVIEW OF COUNTY ANNUAL JUVENILE JUSTICE REPORT AND APPROVAL OF THE SAME- REQUESTED BY MARK GOUGH- JUVENILE PROBATION DEPARTMENT

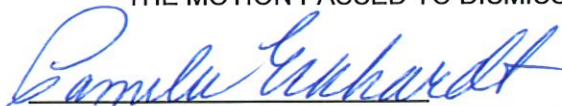
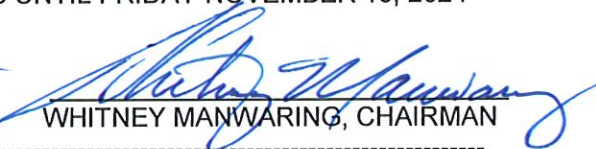
Present: Mark Gough- Juvenile Probation
Shawn Hill- Probation Department
Shane Boyle- Idaho Department of Juvenile Corrections

The Board met to review and sign the Annual Juvenile Justice Report presented by Shane Boyle.

Mr. Boyle reviewed the statistics listed within the Annual Juvenile Justice Report and stated that a second presentation would be made for the Board with the final statistics input into graphing.

Chairman Manwaring signed said Annual Juvenile Justice Report.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY NOVEMBER 15, 2024


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

WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Friday, November 15, 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 Jensen

CLAIMS

Claims were approved in the amount of \$408,101.60.

ELECTION CLAIMS

Election Claims were approved in the amount of \$32,980.40.

PERSONNEL ACTION FORMS

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

Salary Increase Form:	Mechanic
New Employee Status Sheet:	Truck Driver- R&B Detention Deputy Commissioner

Decision: Commissioner Jackson moved to approve Cash Warrants, Claims, Administrative Documents and Personnel Action Forms for November 15, 2024. Chairman Manwaring seconded. Both voted in favor. The motion carried.

RESOLUTION 2024-42

The Board met to approve Bingham County Resolution 2024-42, a resolution regarding the destruction of records maintained by the Public Works Department, specifically physical timesheets for 2013 through 2019.

Decision: Commissioner Jackson moved to approve Bingham County Resolution 2024-42, a resolution regarding the destruction of records maintained by the Public Works Department, specifically physical timesheets for 2013 through 2019. Chairman Manwaring seconded. Both voted in favor. The motion carried and said resolution was approved as follows:

**BINGHAM COUNTY
RESOLUTION 2024-42**

**RESOLUTION REGARDING THE DESTRUCTION
OF RECORDS MAINTAINED BY THE PUBLIC WORKS DEPARTMENT**

WHEREAS the Bingham County Clerk has requested permission to destroy certain Public Works Department 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.

Bingham County Public Works Department

Physical Timesheets for 2013 through 2019


Furthermore, such records may now be destroyed.

Dated this 15th day of November, 2024.

BINGHAM COUNTY COMMISSION


Whitney Manwaring, Chairman


Eric Jackson Commissioner


Drew Jensen, Commissioner

ATTEST:



Pamela W. Eckhardt
Bingham County Clerk



MEETING REGARDING THE WAPELLO VILLA SUBDIVISION, DIVISION NO.3- (1) SIGN FINAL PLAT FOR WAPELLO VILLA SUBDIVISION, DIVISION 3; (2) ACCEPT THE COUNTY ROADS WITHIN WAPELLO VILLA SUVDIVISION, DIVISION 3 (A PORTION OF 335 N MARLOW LOOP AND 330 N MARLOW LOOP) BY RESOLUTION; AND (3) SIGN THE PARTIAL SATISFACTION OF DEVELOPMENT AGREEMENT

Present: Tiffany Olsen- Planning & Development Director
Gwen Inskeep- County Surveyor
Aaron Redd- Gale Lim Construction
Dusty Whited- Public Works Director
Nadene Marlow- Wapello Villa Subdivision
Jay Marlow- Wapello Villa Subdivision

The Board met to hold discuss regarding Wapello Villa Subdivision, Division 3.

Ms. Olsen presented the Final Plat for Wapello Villa Subdivision, Division 3 and stated that it is ready for approval by the Board, acceptance of 335 N. Marlow Loop and 330 N. Marlow Loop and signing of the Partial Satisfaction of Development Agreement.

Decision: Commissioner Jackson moved to approve signing of the Final Plat for Wapello Villa Subdivision, Division 3, acceptance of county roads within Wapello Villa Subdivision, Division 3 (a portion of 335 N Marlow Loop and 330 N Marlow Loop) via resolution 2024-39 and signing of Partial Satisfaction of Development Agreement. Chairman Manwaring seconded. Both voted in favor. The motion carried and said Resolution 2024-39 was approved as follows:

BINGHAM COUNTY
RESOLUTION NO. 2024-39

A RESOLUTION AUTHORIZING ACCEPTANCE OF 330 N. MARLOW LOOP, IN
BINGHAM COUNTY, IDAHO

WHEREAS, The Bingham County Commissioners have the authority to accept and confirm the dedication of a road right-of-way to be open for public travel, (Idaho Code § 50-1313);

WHEREAS, The Record of Survey for the Wapello Villa Subdivision, Division 3, was recorded in the Bingham County Clerk's Office as Instrument Number 766499 and is attached as Exhibit "A", along with a site plan map created by HLE Engineering; and

WHEREAS, The Bingham County Public Works Director has acknowledged that Bingham County Road Standards have been met and recommends that 330 N. Marlow Loop, be accepted; and

THEREFORE, BE IT HEREBY RESOLVED, at a Public Meeting held on November 15, 2024, the Board of County Commissioners of Bingham County, Idaho, in the interest of the public, accepted 330 N. Marlow Loop and dedicated it as 330 N Marlow Loop.

SIGNED this 15th day of November 2024.



ATTEST:


Pamela W. Eckhardt
Bingham County Clerk

BINGHAM COUNTY COMMISSION


Whitney Manwaring, Chairman

Eric Jackson, Commissioner

Drew Jensen, Commissioner

MEETING TO SIGN THE PARTIAL SATISFACTION OF DEVELOPMENT AGREEMENT FOR THE LAVA RIDGE COVE SUBDIVISION

Present: Tiffany Olsen- Planning & Development Director
Gwen Inskeep- County Surveyor
Aaron Redd- Gale Lim Construction
Dusty Whited- Public Works Director

The Board met to sign the Partial Satisfaction of Development Agreement for Lava Ridge Cove Subdivision.

Decision: Commissioner Jackson moved to approve and sign the Partial Satisfaction of Development Agreement for the Lava Ridge Cove Subdivision, as presented. Chairman Manwaring seconded. Both voted in favor. The motion carried.

FURTHER DISCUSSION & DECISION IN REGARDS TO JOB DESCRIPTION FOR BUILDING INSPECTOR

Present: Tiffany Olsen- Planning & Development Director
Laraine Pope- Human Resources Director
Chase Clark- Building Official

The Board met to hold further discussion and make a decision in regards to the job description for Building Inspector.

Ms. Olsen explained the blue line additions made to the Building Inspector Job Description, along with the red line removals from the description.


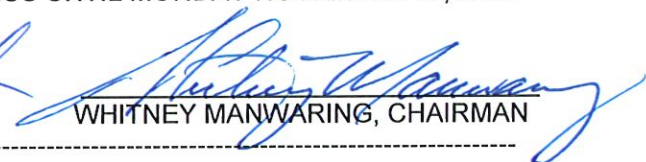
Ms. Pope had one concern in regards to the verbiage stating "daily on-site building inspections" and stated that she would propose removing the word "daily" from that essential duty. Ms. Pope explained this is due to becoming a commitment and if it is within the job description, which reduces flexibility of the team to be able to prioritize their work load. Job descriptions generally focus on the major tasks and responsibilities, than the specifics such as "daily", "hourly", and "weekly", becomes part of the teams work for them to have the flexibility to decide, according to work load, what is done. Ms. Olsen stated that proposal makes sense and in the practical nature of knowing what the schedules are, inspectors are in the field every day, five days per week and there has not been one day that there has not been an inspection but the word "daily" could easily be removed.

The Board was in favor of the proposal.

Ms. Olsen stated that she would remove the word "daily" and provide a clean document to Ms. Pope.

Decision: Commissioner Jackson moved to approve the Job Description for Building Inspector, as presented by Ms. Olsen. Chairman Manwaring seconded. Both voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL MONDAY NOVEMBER 18, 2024


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

WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Monday, November 18, 2024
County of Bingham)

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

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

PUBLIC HEARING FOR AMENDMENTS TO BINGHAM COUNTY CODE TITLE 10, CHAPTER 2, SECTION 6 PUBLIC HEARINGS, AND TITLE 10, CHAPTER 10, VARIANCES AND APPEALS, AS RECOMMENDED BY THE PLANNING & ZONING COMMISSION

Present: Tiffany Olsen- Planning & Development Director
 Ryan Jolley- Prosecuting Attorney/County Legal Counsel
 Stephen Serr- Citizen

The Board held a Public Hearing for Amendments to Bingham County Code Title 10, Chapter 2, Section 6 Public Hearings, and Title 10, Chapter 10 variances and appeals as recommended by the Planning & Zoning Commission. Chairman Manwaring welcomed all to the meeting and introductions were held.

Ms. Olsen presented Staff Report for the record at this time and reviewed the proposed amendments, which were as follows:

**CHAPTER 3
ADMINISTRATION; HEARING REGULATIONS**

SECTION:

10-3-1: Purpose And General Organization

10-3-2: Zoning Administrator

10-3-3: Planning And Zoning Commission

10-3-4: Expenditures And Staff

10-3-5: Conflict Of Interest

10-3-6: Public Hearings

10-3-7: Remand By Board To Commission Appeal of Commission Decision, Reconsideration of a Board Decision, Remand by Board to Commission and Judicial Review

10-3-8: Findings

10-3-9: Transcript Of Public Hearings

10-3-1: PURPOSE AND GENERAL ORGANIZATION:

A. Purpose: This chapter identifies the means and provisions for administration of this title.

B. General Organization: For the purpose of carrying out the provisions of this title, a Zoning Administrator and Planning and Zoning Commission are hereby created. They shall be designated and duly

appointed, respectively, by the Board of County Commissioners. (Ord. 2012-08, 10-9-2012, eff. 10-26-2012)

10-3-2: ZONING ADMINISTRATOR:

The Board of County Commissioners may appoint an Administrator or designee to administer the provisions of this title. The Administrator shall manage the relevant staff of the Planning and Zoning Office and, for the purpose of this title, shall have the following responsibilities:

- A. Advise interested persons of the ordinance provisions.
- B. Notify the news media regarding matters of public interest.
- C. Aid applicants in the preparation and expedition of required applications.
- D. Make on site examination, or ensure that such examinations are made, of all permit application locations.
- E. Oversee the issuance of permits, notifications, publications, and similar administrative duties.
- F. Investigate all violations, or ensure that such investigation is made of this and notify the person(s) responsible for such violation(s), ordering the action necessary to correct the same.
- G. Assist the Board and commission in carrying out the provisions of this title.
- H. In carrying out these duties, the Administrator, or designated personnel, may call upon the services of appropriate County departments or other governmental agencies for assistance in enforcing these provisions.
- I. All administrative decisions made in writing shall contain language informing the recipient or other affected persons of their right to an administrative appeal under section 10-10-1 of this title, where appropriate. (Ord. 2012-08, 10-9-2012, eff. 10-26-2012)

10-3-3: PLANNING AND ZONING COMMISSION:

A. Membership:

1. The commission shall consist of nine (9) voting members, a minimum of two (2) from each County Commissioner's district with no more than four (4) from any one district, all appointed by the Board Chairperson and confirmed by majority vote of the Board in compliance with State law.
2. An appointed commission member must be a U.S. citizen and have resided in the County for at least two (2) years prior to appointment; and must remain a resident of the County while serving on the commission.
3. Not more than three (3) commission members may reside within an incorporated City with a population of one thousand five hundred (1,500) or more and at least one-half (1/2) of the commission members must reside outside the boundaries of any city's area of impact; provided however, if this requirement cannot be met, then the procedures set forth in Idaho Code Section 67-6504 shall apply.
4. The term of office shall be three (3) years and a commission member may serve no more than two (2) consecutive terms without specific concurrence by two-thirds (2/3) of the Board as adopted by motion and recorded in the Board's minutes.
5. Vacancies shall be filled in the same manner as the original appointment.
6. Commission members shall be selected without respect to political affiliation and may be removed for cause by a majority vote of the Board.
7. A majority of current commission members shall constitute a quorum.

8. At least one regular meeting shall be held each month for not less than nine (9) months of the year and commission members will receive mileage and a stipend to attend regular or special commission meetings as established by the Board.

B. Organization: The commission shall elect a Chairperson and create other offices that may be deemed necessary. The commission may also establish subcommittees, advisory committees or neighborhood groups to advise or assist in carrying out the commission's responsibilities.

C. Rules, Records And Meetings: Written organization papers or bylaws shall be adopted. Records of meetings, hearings, resolutions, studies, findings, permits, and actions taken by the commission shall be maintained and open to the public.

D. Duties And Responsibilities: The commission shall have the following powers and responsibilities:

1. Full authority of the Board as it applies to this title, excluding the authority to adopt ordinances, zone changes, or final approval of platted subdivisions.

2. Review and make recommendations to the Board on amendments to the plan.

3. Periodically review and initiate proposed amendments to the zoning ordinance, and make recommendations to the Board.

4. Review and hold public hearings for all planned unit development, subdivision and zone change applications, and make recommendations to the Board.

5. Review and hold public hearings for all conditional use and variance applications and make appropriate decisions in accordance with this title.

6. Hear all appeals regarding decisions made by the Administrator.

7. Endeavor to promote understanding and public interest of commission activities by holding citizen informational meetings, consulting with public officials, public utilities, educational or other organizations and by holding hearings, doing informational surveys or using other methods to obtain advice on the planning process.

8. With the express consent of the owner, the commission or County employees in the performance of their duties, may enter upon any land and make examinations.

9. The commission shall have the right to seek judicial process as may be necessary to enable it to fulfill applicable commission functions. (Ord. 2012-08, 10-9-2012, eff. 10-26-2012)

10-3-4: EXPENDITURES AND STAFF:

With the approval of the Board, the commission and/or the Administrator, the commission may receive and expend funds, goods and services in accordance with State law. (Ord. 2012-08, 10-9-2012, eff. 10-26-2012)

10-3-5: CONFLICT OF INTEREST:

A. Conflicts of interest in the planning and zoning process shall be governed by applicable provisions of the Idaho Code, including but not limited to, Idaho Code section 67-6506; title 59, chapter 7; and title 18, chapter 13.

B. In the event that there has been a violation of laws regarding conflicts of interest, any final recommendation or final decision involving the person committing such violation may be vacated after due consideration by disinterested members of the commission. (Ord. 2012-08, 10-9-2012, eff. 10-26-2012)

10-3-6: PUBLIC HEARINGS:

A. Procedures For Subdivision, Planned Unit Development, Ordinance Or Plan Amendment And Rezone Public Hearings: Any person seeking an amendment of the plan, ordinance or zoning map shall submit to the County Zoning Administrator a written petition designating the change desired and the reasons therefor, together with a fee as determined by the Board. Before recommending an amendment to the zoning ordinance, evidence must be submitted to the commission showing that such an amendment is reasonably necessary, is in the interest of the public and is in harmony with the objectives and purposes of this title. The following procedures shall apply:

1. The commission shall conduct at least one public hearing on each: subdivision application; ordinance or plan text and/or map revision in which interested persons shall have an opportunity to be heard.

2. The hearing notice shall give the date, time and place of hearing, the name of the applicant, name of the property owner if not the applicant, identification of the property and such other facts as required by this title. Identification of the property may include (a) the grid address of the location or approximate location if an address has not been assigned; (b) the parcel number and the Township, Range, and Section. If for any reason one of the notification identifiers is inaccurate or contains a scrivener's error, but all other identifiers are accurate, the notice will still be deemed valid and not require a new publication.

3. At least twenty two (22) days prior to the hearing, notice of the time and place and a summary of the proposal shall be published in the official newspaper or paper of general circulation within the jurisdiction. Notice shall also be made available to other newspapers, radio and television stations serving the jurisdiction for use as a public service announcement.

4. A summary of the proposed action shall be sent to all political subdivisions providing services within the planning jurisdiction, including fire districts, school districts, utility companies, etc., at least twenty two (22) days prior to the hearing.

5. Notice shall be provided by regular parcel post to all property owners within three hundred feet (300') beyond the external boundaries of the land being considered for the proposed application at a minimum of twenty two (22) days prior to the meeting. Comprehensive Plan changes and changes to this title, which do not relate to a specified real property, do not require mailed individual notices.

6. Notice shall be posted on the premises, not less than fifteen (15) days prior to the hearing. Should the property be inaccessible to the public, additional notice shall be posted at the closest public access of the site.

7. When notice is required for two hundred (200) or more property owners or purchasers of record, in lieu of mailing notification, the following alternate form of notice may be followed: The notice shall be published three (3) times in a newspaper of general circulation in the County, the last publication of such notice shall be at least ten (10) days before the date set for the public hearing, ~~the notice shall give the date, time and place of hearing, the name of the applicant, identification of the property, and closest approximate grid address and such other facts as required by this title.~~

8. No more than two (2) pages of written testimony will be accepted less than eight (8) calendar days before a hearing.

9. Before recommending an amendment to the zoning ordinance, evidence must be submitted to the commission showing that such an amendment is reasonably necessary, is in the interest of the public and is in harmony with the objectives and purposes of the zoning ordinance.

10. If after the public hearing, the commission makes a material change to the advertised application, a second hearing shall be held before the commission unless a hearing will be held before the Board.

11. The Board, prior to adopting, revising or denying a zone change application as recommended by the commission, shall conduct at least one public hearing using the same notice and hearing procedures as the commission.

12. If the Board makes a significant material change from what was presented at the public hearing, further notice and hearing shall be provided before the Board adopts the amendment.

13. Amendments shall require a majority of the members of the Board before an amendment can be effective.

~~14. Ordinance or plan text changes shall have a public notice posted throughout the County in conspicuous locations. Notwithstanding the foregoing, Comprehensive Plan changes and changes to this title, which do not relate to a specified real property, do not require mailed individual notices. No Comprehensive Plan (and/or map) amendments shall be effective unless adopted by Resolution by definitive reference to the specific plan document.~~

15. A record of the hearings, findings made, and action taken shall be maintained.

B. Procedures For Conditional Use Permit And Variance Hearings:

1. The Planning and Zoning Commission shall conduct at least one public hearing on each conditional use permit or variance application in which interested persons shall have an opportunity to be heard.

2. The hearing notice shall give the date, time and place of hearing, the name of the applicant, name of the property owner if not the applicant, identification of the property and such other facts as required by this title. Identification of the property may include (a) the grid address of the location or approximate location if an address has not been assigned; (b) the parcel number and the Township, Range, and Section. If for any reason one of the notification identifiers is inaccurate or contains a scrivener's error, but all other identifiers are accurate, the notice will still be deemed valid and not require a new publication.

3. At least twenty-two (22) days prior to the conditional use hearing, notice of the time and place and a summary of the proposal shall be published in the official newspaper or paper of general circulation within the jurisdiction. Notice may also be made available to other newspapers, radio and television stations serving the jurisdiction for use as a public service announcement.

4. Notice shall be provided by regular parcel post to all property owners within three hundred feet (300') beyond the external boundaries of the land being considered for the proposed application at a minimum of twenty-two (22) days prior to the conditional use hearing and a minimum of fifteen (15) days prior to the variance hearing.

5. Notice shall be posted on the premises, not less than fifteen (15) days prior to the conditional use hearing. Should the property be inaccessible to the public, the notice shall additionally be posted at the closest public access of the site.

6. Alternate notice; when notice is required for two hundred (200) or more property owners or purchasers of record, in lieu of mailing notification, the following alternate form of notice may be followed: The notice be published three (3) times in a newspaper of general circulation in the County, the last publication of such notice shall be at least ten (10) days before the date set for the public hearing. ~~the notice shall give the date, time and place of hearing, the name of the applicant, identification of the property, and closest approximate grid address and such other facts as required by this title.~~

7. No more than two (2) pages of written testimony will be accepted less than eight (8) calendar days before a hearing.

8. A record of the hearings, findings made, and action taken shall be maintained. (Ord. 2012-08, 10-9-2012, eff. 10-26-2012)

10-3-7: REMAND BY BOARD TO COMMISSION APPEAL OF A COMMISSION DECISION, RECONSIDERATION OF A BOARD DECISION, REMAND BY BOARD TO COMMISSION AND JUDICIAL REVIEW:

A. The procedures for an appeal of a commission decision, reconsideration of a Board decision, Remand by the Board to the commission and judicial review are defined in this title, Chapter 10.

~~—A. The Board may direct that any matter before the Board that was previously heard by the commission be returned to the commission for additional fact finding on a specific issue and reconsideration of their previous decision in light of that additional fact finding.~~

~~—B. The taking of additional testimony and evidence shall be limited to those issues stated by the Board as per its written directive.~~

~~—C. The Administrator shall publish notice in the official newspaper at least fifteen (15) days prior to the hearing as well as sending such notice by regular mail to the applicant and to any parties who presented testimony or evidence regarding the application.~~

~~—D. The notice shall list the limitations on testimony as per the Board's directive.~~

~~—E. If after hearing the new testimony or evidence, the commission decision or recommendation is changed, new findings of fact and conclusions of law shall be sent to the Board for further action.~~

~~—F. If under appeal, the appeal may be withdrawn, or a different appeal may be filed by an affected party. (Ord. 2012-08, 10-9-2012, eff. 10-26-2012)~~

10-3-8: FINDINGS:

Whenever the Board or commission grant or deny an application, a written decision in compliance with Idaho Code section 67-6535 or its successor shall be approved. The date of the Board or commissions decision, once approved, is the effective date of the decision. (Ord. 2012-08, 10-9-2012, eff. 10-26-2012)

10-3-9: TRANSCRIPT OF PUBLIC HEARINGS:

Digital recordings of public hearings shall be made available to any person for a fee as determined by the Board. Any person requesting a transcript of the proceedings shall have the burden of all expenses for preparing said transcript except as provided for by Idaho Code. (Ord. 2012-08, 10-9-2012, eff. 10-26-2012)

**CHAPTER 10
APPEALS AND VARIANCES**

SECTION:

10-10-1: Administrative Appeal

10-10-2: Commission Appeal Appeal of a Planning and Zoning Commission Decision

10-10-3: Judicial Review Reconsideration of a Decision by the Board of County Commissioners

10-10-4: Request For Hearing By Affected Person Remand by Board of County Commissioners to the Planning and Zoning Commission

10-10-5: Judicial Review

10-10-6: Request for Hearing by Affected Persons

10-10-~~7~~5: Variances

10-10-1: ADMINISTRATIVE APPEAL:

Appeals to the commission concerning interpretation or administration of this title may be made by any person or agency aggrieved or affected by any decision of the Administrator.

A. Such appeal shall be made within ~~fourteen (14) ten (10)~~ calendar days after receiving the decision of the Administrator by filing with the Administrator a notice of appeal. ~~specifying the grounds upon which the appeal is made. The appeal shall be accompanied with the filing fee, in an amount set by the Board of County Commissioners and adopted by Resolution, which shall be paid at the same time the appeal is filed. The written appeal must specify which portions of the decision the appellant finds to be in error and explain the appellant's reasons for determining that the decision is in error and contrary to the provisions of this title. Any supplemental information regarding the appeal must be submitted no later than seven (7) days prior to the date set for the appeal.~~

~~B. The Administrator shall transmit to the commission all papers constituting the record upon which the appeal is based.~~

~~CB.~~ An administrative appeal shall not stay all proceedings in furtherance of the action taken by the Administrator unless granted by the Board or by a court based upon an application showing due cause.

~~DC.~~ Upon receipt of an administrative appeal, the commission shall allow all affected persons, within 300 feet of the subject parcel and the appellant(s), an opportunity to be heard. At least seven (7) days prior to said opportunity, notice shall be given to all those affected persons by mail delivery, in such manner as shall be determined appropriate by the commission.

~~D. The Administrator shall transmit to the commission all papers constituting the record upon which the appeal is based.~~

E. The commission shall approve, conditionally approve or disapprove the appeal. Upon granting or denying an appeal, the commission shall specify:

1. The ordinance, facts and standards used in evaluating the application; and
2. The reasons and rationale for approval or denial.

F. The commission shall make their decision within a reasonable time.

G. Once the decision is made, the applicant, any affected person, or the Administrator may appeal the decision of the commission to the Board. The appeal shall be filed with the Administrator before five o'clock (5:00) P.M. of the ~~tenth~~ fourteenth calendar day following the commission's action and follow the procedures set forth in Section 10-10-2. (Ord. 2012-08, 10-9-2012, eff. 10-26-2012)

10-10-2: APPEAL OF A PLANNING AND ZONING COMMISSION DECISION:

A. Any applicant or any other affected person may file an appeal of the commissions' decision within fourteen (14) (40) days of the commissions' written decision once approved in writing. The Board shall serve as the decision-making body for appeals of decisions of the commission. Notice of the appeal shall be filed with the Planning Administrator, in writing, and in accordance with Idaho Code Section 67-6535. The appeal shall be accompanied with the filing fee, in an amount set by the Board and adopted by Resolution, and shall be paid at the same time the appeal is filed. The written appeal must specify which portions of the decision the appellant finds to be in error and explain the appellant's reasons for determining that the decision is in error and contrary to the provisions of this title. Any supplemental information regarding the appeal must be submitted no later than seven (7) days prior to the date set for the appeal.

B. A transcript of the commission's consideration of the request shall be provided to the Board by the county at the expense of the appellant. The Board shall determine the fee per page to be charged for transcripts. The appellant shall pay the estimated cost of the transcript to the county in advance, and be

refunded money or owe additional money when the transcript has been prepared, and the actual cost determined.

C. Not more than sixty (60) ~~thirty (30)~~ days following the date the appeal is filed, the preparation of the transcripts, the Board shall meet to consider the appeal. The hearing shall not be a public hearing, but shall be open to the public, and shall be an "on the record review." During the hearing, county staff and legal counsel shall be available to present the application and answer questions; however, oral testimony will not be received from the audience or the appellant. The Board shall consider such findings, reports, minutes, comments, and recommendations as were provided to them by the commission in rendering their decision. Any applicant or other affected person may request a reconsideration of the Board's decision.

D. Additional or new evidence may be received at the appeal hearing only if the Board remands the application/decision back to the commission. The Board may remand the application/decision, one time, when the appellant or affected party requests leave to present additional evidence. To remand an application/decision, the Board must find, in writing, that the additional evidence is material, relates to the validity of the underlying decision, and there was good reason for failure to present the additional evidence before the original decision-making body. The Board shall issue an Order remanding the matter and shall describe the nature of the additional evidence to be presented. The presentation of additional evidence on remand shall be limited to the evidence described in the Board's Remand Order. The additional evidence shall be presented at a duly noticed public hearing following the procedures contained in Section 10-3-6. An appellant or affected person may seek reconsideration of the resulting decision in accordance with the procedures set forth in this section.

E. The decision may be affirmed, reversed, or modified after compliance with applicable procedural standards. The final decision of the Board shall be issued in writing with findings and conclusions. The written decision shall be provided to the appellant within thirty (30) days of the appeal hearing and the commission shall also receive notice of the Board decision.

F. In the event more than one Board commissioner is required to recuse themselves from the appeal, the commission decision shall be deemed final and the appellant may proceed to judicial review without reconsideration.

G. Upon denial or approval of an appeal with adverse conditions, the applicant may request a regulatory takings analysis as per Idaho Code Section 67-8003.

H. No decision of the Planning and Zoning Commission shall become effective, and if applicable no permits shall be issued until the 1410-day appeal period has elapsed.

10-10-3: RECONSIDERATION OF A DECISION BY THE BOARD OF COUNTY COMMISSIONERS:

A. Any applicant or any other affected party may request a reconsideration of the Board's decision within fourteen (14) days of the Boards' decision once approved in writing and in accordance with Idaho Code Section 67-6535. The reconsideration request must be in writing and must identify the specific deficiencies in the decision for which reconsideration is sought and shall be accompanied by the filing fee, in an amount set by the Board and adopted by Resolution. The Board of County Commissioners shall provide a written decision to the applicant or affected person within sixty (60) days of receipt of the reconsideration request or the request is deemed denied. For purposes of judicial review, the decision of the Board of County Commissioners is not considered final unless the process for reconsideration as set forth in this title and in Idaho Code has been followed. Any applicant or affected person seeking judicial review must first request reconsideration of the decision.

B. The Reconsideration hearing shall not be a public hearing, but shall be a meeting open to the public. The hearing shall be an "on the record review." The Board shall only consider the underlying record, the written request for reconsideration, and written specific deficiencies in the decision submitted by affected persons if any. The hearing shall be limited to consideration of the issue(s) included in the request for reconsideration. No oral testimony will be allowed from the audience or by the appellant. The Board may request legal advice from county legal counsel.

C. The Board may affirm, reverse, or modify the underlying decision. The Board may reverse or modify the underlying decision only if: (1) the Board finds that the substantial rights of the appellant or affected party has/have been prejudiced; and (2) the underlying decision is in violation or excess of constitutional or statutory authority; made upon unlawful procedure; not supported by substantial evidence; or arbitrary, capricious, or an abuse of discretion. The Board shall not have the authority to waive any requirement of this title or to take any action that is contrary to the specific provisions of this title.

D. Pursuant to Idaho Code Section 67-6535, a decision shall not be deemed final for purposes of judicial review unless the process required in this subsection has been followed. The twenty-eight (28) day time frame for seeking judicial review is tolled until the date of the written decision regarding reconsideration or the expiration of the sixty (60) day reconsideration period, whichever occurs first.

E. No decision of the Board shall become effective, and if applicable no permits shall be issued, until the 14-day reconsideration period has elapsed or until the Board of County Commissioners has made a decision upon the reconsideration.

10-10-4: REMAND BY BOARD OF COUNTY COMMISSIONERS TO THE PLANNING AND ZONING COMMISSION:

A. The Board may direct that a matter previously heard by the commission be remanded to the commission for additional fact finding on a specific issue and reconsideration of the commissions' previous decision in light of that additional fact finding as set forth in Section 10-10-2(D). The following hearing procedures shall apply:

1. The Board shall issue an Order remanding the matter and shall describe the nature of the additional evidence to be presented.
2. The taking of additional testimony and evidence shall be limited to those issues stated by the Board as per its written Remand Order, at a duly noticed public hearing following the procedures found in Section 10-3-6 herein. Notice of the remanded hearing shall be delivered by regular U.S. Mail and shall also be sent to the applicant and to any parties who presented testimony or evidence regarding the application.
3. The notice shall list the limitations on testimony as per the Board's directive.

B. After hearing the new testimony or evidence, the commission shall issue new findings of fact and conclusions of law which shall be sent to the Board for further action.

C. If under appeal, the appeal may be withdrawn, or a different appeal may be filed by an affected party.

10-10-~~53~~: JUDICIAL REVIEW:

An affected person aggrieved by a decision may, within twenty-eight (28) days after all remedies have been exhausted under this title, seek judicial review under the procedures provided by Idaho Code title 67, chapter 52.

10-10-~~46~~: REQUEST FOR HEARING BY AFFECTED PERSON:

A. At any time prior to final action on an appeal application, if no hearing has been held, any affected person may petition the Board in writing to hold a hearing.

B. If twenty (20) affected persons petition for a hearing, the hearing shall be held.

C. The hearing and notice procedure shall comply with chapter 3 of this title and Idaho Code section 67-6509.

10-10-~~57~~: VARIANCES:

The commission may authorize in specific cases such variance, as herein defined, from the terms of this title as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this title would result in unnecessary hardship. A variance shall not be considered a right

or a special privilege, but may be granted to an applicant only upon a showing of undue hardship because of characteristics of the site and that the variance is not in conflict with the public interest.

A. Application And Standards For Variances: A variance from the terms of this title shall not be granted by the commission unless and until a written application for a variance is submitted to the Administrator and the commission, containing:

1. Name, address and phone number of applicant.
2. Legal description of property.
3. Description of variance requested.
4. A statement demonstrating that the requested variance conforms to the following standards:
 - a. That unique site characteristics exist which are peculiar to the land involved and which are not applicable to other lands.
 - b. That a literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same zone under the terms of this title.
 - c. That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures or buildings in the same zone.
 - d. That the public interest will not be harmed.
5. A variance may not be granted unless the commission makes specific findings of fact based directly on the particular evidence presented to it which supports conclusions that the above standards and conditions have been met by the applicant.
6. A variance may be granted in compliance with Idaho Code section 67-6516, and notice and an opportunity to be heard shall be provided to property owners adjoining the subject property.

B. Variance Procedure: Upon receipt of an application for a variance, the commission shall allow all affected persons an opportunity to be heard. The commission shall use the hearing procedures in chapter 3 of this title.

C. Supplementary Conditions And Safeguards: Under no circumstances shall the commission grant or allow a variance, expressly or by implication, prohibited by the terms of this title. In granting any variance, the commission may prescribe appropriate conditions and safeguards in conformity with this title. Violation of such conditions and safeguards, when made part of the terms under which the appeal or variance is granted, shall be deemed a violation of this title.

D. Notification To Applicant: Within ten (10) days after a decision has been rendered, the Administrator shall provide the applicant with written notice of the action on the request for variance.

E. Appeal To Board Of County Commissioners: The applicant or any affected person may appeal the decision of the commission relating to a variance, to the Board, provided the appeal follows the procedures as identified in section 10-10-2 of this chapter. (Ord. 2012-08, 10-9-2012, eff. 10-26-2012).

End of proposed amendments.

Ms. Olsen stated that concludes the proposed amendments.

Commissioner Jackson asked Ms. Olsen what the cost was to file an Appeal or Transcript, to which Ms. Olsen stated that the filing fee for an Appeal is \$150.00 and if one so chose to prepare a Transcript, it would be at their own cost.

Next, Commissioner Jackson asked why there is no new testimony or evidence allowed when there is an Appeal. Ryan Jolley stated that it comes down to what role you would like the Planning & Zoning

Commission to be holding. Currently it is an on the record review and his proposal is that it remain an on the record review as it defeats the purpose of holding the prior meeting, scheduling, noticing and taking testimony until 2:00 a.m., if then the county will turn around and have the same thing occur in front of the Board of County Commissioners. The Appellant is given the opportunity to be heard at that Public Hearing in front of the Planning & Zoning Commission. Mr. Jolley stated that it makes sense to him that the Board's role would be limited as to what it is doing and reviewing whether there was compliance with code, ordinances, whether there were any defects within the proceedings and just like any Appellant process, the court limits as an Appellant procedure proceeds, the issues that they are hearing. Mr. Jolley stated if the Board wanted to, it could hold an entire new Public Hearing, retake all testimony again but if the Board was going to do so, he would suggest that the Planning & Zoning Commission be eliminated that way there is no reoccurrence of a Public Hearing and only hold a hearing in front of the Board because there is no reason to repeat the process twice.

Commissioner Jackson asked if there is a chance that new evidence comes up, if there was a process to follow. Mr. Jolley stated that the matter would be remanded back to the Planning & Zoning Commission to take in that new testimony or evidence. The new Public Hearing in front of the Planning & Zoning Commission would be limited to the issue that it was sent back to obtain additional information.

Commissioner Jensen stated there were complaints about five (5) minutes to provide testimony was not enough time but after sitting on the Planning & Zoning Commission, when allowed to go beyond that five (5) minutes, the hearing was lengthy due to the Commission members also asking questions and getting answers. Commissioner Jensen stated he feels that five (5) minutes is a sufficient time frame due to the fact that prior to reinstating a timeframe, some testimony went on for hours and the Public Hearing was extremely late.

Ms. Olsen stated the timeframe used to be three (3) minutes, then went to no time limit and is now a five (5) minutes timeframe for testimony. Therefore, the timeframe is longer than what it has been in the past.

No further questions for Ms. Olsen at this time.

Chairman Manwaring asked if there was any testimony in favor to the proposed changes. There was none.

Chairman Manwaring asked if there was any testimony in neutral to the proposed changes. There was none.

Chairman Manwaring asked if there was any testimony in opposition to the proposed changes, wherein there was one (1) individual, Steven Serr, who presented testimony, which was as follows:

Mr. Serr presented testimony in opposition and explained his concerns pertaining to time limitation on presentation of testimony and how accepting new testimony at the Board's level may be able to sure any issues that may have occurred, along with not having to remand back to the Planning & Zoning Commission/

The Board had no questions for Mr. Serr.

Commissioner Jensen stated the Board can remand to the Planning & Zoning Commission, if needed in order to receive additional information. Commissioner Jensen stated that he is in favor of the proposed changes.

Ms. Olsen added that the Planning & Zoning Commission found that it was in the best interest of the public to make the proposed amendments. If the Board so agrees, she would suggest that be added into the motion made if approved.

Decision: Commissioner Jackson moved to approve the proposed modifications to Bingham County Code Title 10, Chapter 3, Section 6 Public Hearings, and Title 10, Chapter 10 Variances and Appeals as recommended by the Planning & Zoning Commission. Commissioner Jensen seconded. All voted in favor. The motion carried.

REQUEST TO POST VACANT DEPUTY CLERK/FINANCIAL POSITION WITH STEPS 1-3- REQUESTED BY LARAIN POPE- HUMAN RESOURCES

Present: Laraine Pope- Human Resources Director
Pam Eckhardt- County Clerk

The Board met to make a decision regarding the request to post the vacant Deputy Clerk/Financial position with Steps 1-3.

Ms. Pope explained that the request is to post the Deputy Clerk/Financial position with a range of Step 1 (\$16.83) to Step 3 (\$18.37). This will give the opportunity to offer the position if an individual has the necessary qualifications.

The Board had no concerns in regards to the proposal.

Decision: Commissioner Jensen moved to approve advertisement of the Deputy Clerk/Financial position at an N12 with a range of Step 1-3, depending on experience. Commissioner Jackson seconded. All voted in favor. The motion carried.

SHERIFFS OFFICE

Present: Jeff Gardner- Sheriff

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

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Jensen moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Jackson seconded. Both in favor. The Board moved into Executive Session at 2:33 p.m. Commissioner Jackson moved to go out of Executive Session. Commissioner Jensen seconded. The Board moved out of Executive Session at 2:56 p.m.

Decision: Commissioner Jackson moved to allow Human Resources to offer the position of Solid Waste Truck Driver to the individual discussed within Executive Session. Commissioner Jensen seconded. All voted in favor. The motion carried.

DISCUSSION & POTENTIAL DECISION REGARDING ADDITIONAL OFFICE SPACE FOR THE CORONERS OFFICE WITHIN THE COURTHOUSE ANNEX BUILDING & DISCUSSION & POTENTIAL DECISION REGARDING TRANSPORT VEHICLE AND NECESSARY EQUIPMENT FOR THE COUNTY CORONERS OFFICE- REQUESTED BY JIMMY ROBERTS

Present: Jimmy Roberts- County Coroner
Shante Sanchez- Deputy Coroner

The Board met to discuss several items pertaining to the Coroners Office.

A brief discussion was held in regards to the additional office space to potentially become available and that there may be a possibility of the Coroners office obtaining use of those offices. Chairman Manwaring stated that the county is waiting to hear from Mr. Jensen from Vocational Rehabilitation, as to the status on the matter and once an update is received, Mr. Roberts would be advised.

Next, discussion was held in regards to the potential purchase of a transport vehicle for the Coroners Office. Mr. Roberts presented several options as to vehicles and equipment that will be needed to equip said vehicle.

Of the options presented, the Board was more in favor of purchasing the 2024 Ram 2500, due to what the truck would be used for.

Mr. Roberts will prepare the necessary Prior Approval documentation, along with all necessary invoices in order to be added to the agenda for final approval for purchase.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY NOVEMBER 22, 2024

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

WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Friday, November 22, 2024
County of Bingham)

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

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

MEETING WITH MAYOR MARC CARROLL, CITY OF BLACKFOOT, TO DISCUSS THE REQUEST FOR USAGE OF OPIOID SETTLEMENT FUNDING FOR THE CENTER FOR HOPE, WITH POTENTIAL DECISION

Present: Mayor Marc Carroll- City of Blackfoot
 Nancy Espeseth- Center for Hope
 Benji Pedroza- Center for Hope
 Zach Mahan- Center for Hope
 Pamela Eckhardt- County Clerk

The Board met with Mayor Marc Carroll to discuss the request from the Center for Hope, for Opioid Settlement Funds, to use for lease funding and other funding to assist with community outreach and activities.

Chairman Manwaring stated that a meeting was held previously with the county and the Center for Hope, wherein the Center for Hope requested use of Opioid Funding to assist with rental assistance, activities and outreach. There was no decision made at that time in order to see if the City of Blackfoot would be willing to assist with funding.

Ms. Espeseth explained that last year the county and city assisted with funding for lease payment. Again, they are before the Board and the Mayor to request the same.

Mayor Carroll stated that the city would be willing to pay the \$19,200.00 for the lease payment. He believes that the Center for Hope is a tremendous use in the community. It helps people who want to be helped and get back on their feet and be productive in the community.

Chairman Manwaring stated that he too believes it is a good use for the opioid funding and stated that he would be in favor of splitting the total cost with the City of Blackfoot, with the county paying \$9,600.00 for the lease payment and \$2,500.00 for activities and outreach.

Decision: Commissioner Jackson moved to approve the request from Center for Hope for use of Opioid Settlement Funding for rental assistance, activities and outreach. The amount is to be split with the City of Blackfoot with the county paying 1/2, which is \$9,600.00 for rental assistance and \$2,500.00 for activities and outreach. Commissioner Jensen seconded. All voted in favor. The motion carried.

Commissioner Jackson amended his motion to add that this funding would be paid from the Opioid Abatement Account, which is Fund: 49-00-559-00. Commissioner Jensen seconded. All voted in favor. The motion carried.

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(d), to consider records that are exempt from public disclosure. Commissioner Jensen moved to go into Executive Session pursuant to Idaho Code §74-206(1)(d), to consider records that are exempt from public disclosure. Commissioner Jackson seconded. Both in favor. The Board moved into Executive Session at 9:00 a.m. Commissioner Jackson moved to go out of Executive Session. Commissioner Jensen seconded. The Board moved out of Executive Session at 9:12 a.m.

Decision: Commissioner Jackson moved to approve Indigent Cremation Case Number 2024-12 in the amount of \$2,000.00 to Hawker Funeral Home. Commissioner Jensen seconded. All voted in favor. The motion carried.

CASH WARRANTS

Two (2) Cash Warrants were approved in the amount of \$16,497.82 and \$16,035.00, for a total of \$32,532.82.

CLAIMS

Claims were approved in the amount of \$719,205.32.

PLANNING & ZONING COMMISSION CLAIMS

Planning & Zoning Commission stipend claims were approved in the amount of \$4,493.00.

PERSONNEL ACTION FORMS

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

New Employee Status Sheet:	Truck Driver/Solid Waste
Employee Status Sheet:	Lieutenant to Sergeant

COLLEGE OF SOUTHERN IDAHO

The Board approve three (3) Certificate of Residency Documents, which were sent to the College of Southern Idaho, for the following student's: Jordyn E. Jensen, Tatiana M. Valeriano and Tammi L. Coors.

Decision: Commissioner Jensen moved to approve Cash Warrants, Claims, Administrative Documents and Personnel Action Forms for November 22, 2024. Commissioner Jackson seconded. All voted in favor. The motion carried.

TAX INQUIRY DOCUMENTS

The Board approved Tax Inquiry documents, which were as follows:

RP1419978	Year 2024	Homeowner signed up for Homeowners Exemption for 2024
RP1136800	Year 2024	Homeowner signed up for Homeowners Exemption for 2024
RP1053200	Year 2024	Homeowner signed up for Homeowners Exemption for 2024
RP8269700	Year 2024	Homeowner signed up for Homeowners Exemption for 2024
RP0329603	Year 2024	Homeowner signed up for Homeowners Exemption for 2024
RP0629701	Year 2024	Homeowner signed up for Homeowners Exemption for 2024
RP2168390	Year 2024	Homeowner signed up for Homeowners Exemption for 2024
RP2068800	Year 2024	Homeowner signed up for Homeowners Exemption for 2024
RP1124400	Year 2024	Homeowner signed up for Homeowners Exemption for 2024

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

DISCUSSION & DECISION REGARDING MCDONALDVILLE PROPERTY LEGAL DESCRIPTION AND APPROVAL TO PROCEED WITH SEALED BID PROCESS FOR LEASE AGREEMENT

Present: Gwen Inskeep- County Surveyor
Tiffany Olsen- Planning & Development Director
Ryan Jolley- Prosecuting Attorney/County Legal Counsel

The Board met to hold discussion and make a decision regarding the McDonaldville property legal description and approval to proceed with the sealed bid process for the Lease Agreement.

Ms. Inskeep stated that the subject property is 118.98 acres.

Chairman Manwaring asked if Ms. Inskeep removed the area wherein the county is currently mining gravel, the old pit and then it comes down off of the canal bank and not the middle of the canal.

Ms. Inskeep stated that is something that will need to be addressed as well but at this time she wanted to get the legal description to the Board in order to proceed with the publication process. Ms. Inskeep stated in determining the boundary for what the county owns, there is an issue where the gravel pit is. The County owned the right-of-way of the canal and the right-of-way is based on the toe of the slope and the road that is there. So, the county is actually encroaching by approximately thirty (30) feet. Therefore, the county will possibly need to go through and quiet title that strip to the center of the canal. The individual who owns it has passed away but the canal company has a right-of-way. The canal company has an easement but the county's ownership states that the county only owns to that right-of-way point.

Decision: Commissioner Jensen moved to approve the legal description and advise Lindsey Dalley, Commission Clerk, to proceed with the publication for sealed bid process on the McDonaldville property Lease Agreement. Commissioner Jensen 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 Jensen 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 9:15 a.m. Commissioner Jackson moved to go out of Executive Session. Commissioner Jensen seconded. The Board moved out of Executive Session at 10:10 a.m.

Decision: Commissioner Jackson moved to offer the Building Official position to the individual discussed within Executive Session at the salary of N21, Step 10 (\$60,980.00 per year), so long as

he achieves the incremental licenses as required. Commissioner Jensen seconded. All voted in favor. The motion carried.

Commissioner Jackson moved to amend his motion to add that if the individual accepts the Building Official position, the salary would be in affect starting the December pay period. Commissioner Jensen seconded. All voted in favor. The motion carried.

AMENDED DECISION REGARDING MCDONALDVILLE PROPERTY LEGAL DESCRIPTION AND APPROVAL TO PROCEED WITH SEALED BID PROCESS FOR LEASE AGREEMENT

Chairman Manwaring stated that an amendment needs to be made to the motion regarding the McDonaldville property legal description as the incorrect number of acres was included.

Decision: Commissioner Jensen moved to amend the motion to change the amount of acreage from 118.98 to 116.99. Commissioner Jackson seconded. All voted in favor. The motion carried.

DISCUSSION REGARDING AGREEMENT(S) FOR PROFESSIONAL SERVICES FOR INDEPENDENT CONTRACTOR BUILDING OFFICIAL DUTIES

Present: Tiffany Olsen- Planning & Development Director

The Board met to discuss the proposed Agreement(s) for Professional Services for Independent Contractor Building Official Duties.

Ms. Olsen explained the first Agreement for Professional Services for Independent Contractor Building Official Duties is dated and signed by Howe Jensen, the Planning Director and Building Official for Bannock County, and ready for execution by the Chairman.

The second agreement is not dated and is not signed but Ms. Olsen stated that she is waiting for Ron Osborn, who is the Building Official for the City of Chubbuck, to return his signed agreement. Ms. Olsen stated that she would ask that the Board approve the agreement and she will have the Chairman sign once it is received.

Chairman Manwaring stated that both individuals have been cleared by their perspective entities to assist Bingham County.

Decision: Commissioner Jensen moved to approve and sign the two Agreement for Professional Services per the request of Tiffany Olsen. Commissioner Jackson seconded. All voted in favor. The motion carried.

PRIOR APPROVAL FOR MAJOR PURCHASE- CORONERS OFFICE

The Board met to approve and sign the Prior Approval for Major Purchase of a transport vehicle and necessary equipment, which was previously discussed with Jimmy Roberts, County Coroner.

Said purchase is for the following items and amounts:

2024 Ram 2500	\$49,991.00
Cap system for truck	\$16,274.63
Decedent stretcher combo purchase	\$1,360.00
Stretcher mount system	\$749.00
Total:	\$68,374.63

Chairman Manwaring stated that the cost would be paid from Fund: 50-00-559-00 (PILT) as previously discussed. Commissioner Jackson and Commissioner Jensen were in favor of the proposed purchase.

Decision: Commissioner Jackson moved to approve the Prior Approval for Major Purchase of a 2024 Ram 500, a cap system for truck, decedent stretcher combo package and a stretcher mount system, in the amount of \$68,374.63, which is to be paid from Fund: 50-00-559-00 (PILT). Commissioner Jensen seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY NOVEMBER 27, 2024



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Wednesday, November 27, 2024
County of Bingham)

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

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

CLAIMS

Claims were approved in the amount of \$520,181.68.
Jury Duty Claims were approved in the amount of \$1,712.03.
Payroll Claims were approved in the amount of \$864,644.68.

Decision: Commissioner Jensen moved to approve Cash Warrants, Claims and Administrative Documents for November 27, 2024. Commissioner Jackson seconded. All voted in favor. The motion carried.

APPROVAL & SIGNING OF BINGHAM COUNTY RESOLUTION 2024-43, A RESOLUTION REGARDING DESTRUCTION OF RECORDS MAINTAINED BY THE CLERKS OFFICE

The Board met to approve and sign Bingham County Resolution 2024-43, a resolution regarding destruction of records maintained by the Clerks Office.

Decision: Commissioner Jackson moved to approve and sign Bingham County Resolution 2024-43, a resolution regarding destruction of records maintained by the Clerks Office. Commissioner Jensen seconded. All voted in favor. The motion carried and said resolution was approved as follows:

**BINGHAM COUNTY
RESOLUTION 2024-43**

**RESOLUTION REGARDING THE DESTRUCTION
OF RECORDS MAINTAINED BY THE CLERKS OFFICE**

WHEREAS the Bingham County Clerk has requested permission to destroy certain Clerks 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.

Bingham County Clerks Office

1985- 2016 Affidavit of Publication- Ordinance Amendments
1992-2012 Certificate of Residency/Affidavit documents
1993-2002 Miscellaneous Tort Claim documents

Furthermore, such records may now be destroyed.

Dated this 27 day of November, 2024.

ATTEST:


Pamela W. Eckhardt
Bingham County Clerk



BINGHAM COUNTY COMMISSION


Whitney Manwaring, Chairman


Eric Jackson Commissioner


Drew Jensen, Commissioner

DECISION REGARDING GEMPLAN- MEMBER AT LARGE- BOARD OF TRUSTEES ELECTION BALLOT

The Board met to appoint a GemPlan- Member at Large- Board of Trustee and sign the election ballot.

The Board was in favor of appointing Kim Claywood of Lemhi County.

Decision: Commissioner Jensen moved to approve the GemPlan- Member at Large- Board of Trustees Election Ballot and vote for Kim Claywood of Lemhi County. Commissioner Jackson seconded. All voted in favor. The motion carried.

DECISION REGARDING THOMSON REUTERS (WESTLAW) AGREEMENT- REQUESTED BY CLERK ECKHARDT

Present: Pamela Eckhardt- County Clerk

The Board met to approve and sign the Thomson Reuters Agreement for Westlaw Access for six (6) attorneys in the Prosecutors Office, for a monthly charge of \$602.34. The Public Defender access has been removed.

Decision: Commissioner Jackson moved to approve and sign the Thomson Reuters Agreement as presented by Clerk Eckhardt. Commissioner Jensen seconded. All voted in favor. The motion carried.

SHERIFFS OFFICE

Present: Jeff Gardner- Sheriff

The Board met with Sheriff Jeff Gardner to receive updates within the Sheriffs Office, which included jail population, jail expansion updates and update on promotion boards that were held.

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a)&(b), to consider personnel matters. Commissioner Jensen 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 8:40 a.m. Commissioner Jackson moved to go out of Executive Session. Commissioner Jensen seconded. The Board moved out of Executive Session at 9:29 a.m.

Decision: Commissioner Jackson moved to allow the individual current working the Crusher to move to a Truck Driver position in Springfield, whose salary will change from N17, Step 9 to an N15, Step 11. Next, the individual currently a Truck Driver to move to Crusher, whose salary will change from N15, Step 11 to N17, Step 1. Both employees will keep their anniversary date and will be in effect for the December pay period. Commissioner Jensen seconded. All voted in favor. The motion carried.

PUBLIC WORKS

Present: Dusty Whited- Public Works Director

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

Discussion was held in regards to the Solid Waste Holiday Hours and Maintenance Days for 2025. There were no concerns.

Decision: Commissioner Jensen moved to approve the Solid Waste Holiday Hours and Maintenance Days for 2025. Commissioner Jackson seconded. All voted in favor. The motion carried.

Discussion was held in regards to the proposed amendments to county code pertaining to cluster mailboxes. Mr. Whited stated that is his proposal to remove requirements pertaining to mail boxing and let the Postmaster be in charge of what kind of mailboxes will be required. The proposed verbiage is as follows:

Current Ordinance Wording: (Removal of)

7-3-2: MAILBOX INSTALLATION, LOCATION:

A. Installation of mailboxes located in or on the public right-of-way must comply with the following requirement in the County.

1. All installation of mailboxes shall conform to United States Postal Requirements including requirement that the front face of the mailbox be eight feet (8') from edge of the asphalt or current federal requirements.

2. New Mailboxes: New mailboxes and the fill material shall be installed by the owner at his/her own expense.

3. Replacement/Relocation of Mailboxes: Replacement/relocation mailboxes and fill material shall be placed by the owner at their own expense. To encourage the replacement/relocation of existing mailboxes to conform to this chapter, Bingham County may provide the fill material by determination of the Public Works Director.

~~B. Cluster Mailbox Systems installation and use shall be required by all new Residential Subdivision developments.~~

~~1. Cluster Mailbox Systems shall meet the minimum United States Postal Service approved standards and for the safety of the public, shall be placed in an area of a residential subdivision, completely out of the lane of traffic of a county maintained roadway.~~

~~2. A Residential Subdivision consists of residential lots of less than One (1) Acre consisting of five (5) or more lots.~~

~~3. A Cluster Mailbox System is a multi-unit mailbox centralized in a neighborhood or residential subdivision for communal use. (Ord. 2002-05, 6-27-2002; amd. 2018 Code; Ord. 2019-08, 7-15-2019)~~

PROPOSED ORDINANCE WORDING CHANGES:

7-3-2: MAILBOX INSTALLATION, LOCATION:

A. Installation of mailboxes located in or on the public right-of-way must comply with the following requirement in the County.

1. All installation of mailboxes shall conform to United States Postal Requirements, including requirement that the front face of the mailbox be a **minimum** of eight feet (8') from edge of the asphalt or current federal requirements.

2. New Mailboxes: New mailboxes and the fill material shall be installed by the owner at his/her own expense.

3. Replacement/Relocation of Mailboxes: Replacement/relocation mailboxes and fill material shall be placed by the owner at their own expense. To encourage the replacement/relocation of existing mailboxes to conform to this chapter, Bingham County may provide the fill material by determination of the Public Works Director.

B. **In subdivisions, where mailboxes are required by the Postmaster, a central mailbox location turnout, including provisions for parcel mail that provides safe pedestrian and/or vehicular access, shall be developed which conform with the requirement that the front face of the mailbox(es) be a minimum of eight feet (8') from edge of the asphalt or meet current federal requirements.**

Current Ordinance Wording: (Removal of)

7-3-3: APPROACHES AND INTERSECTIONS:

A. Any street that is classified on the Bingham County Official Functional County Road Classification Map as an arterial, major collector, minor collector, local County roads, cul-de-sacs and dead-ends, shall be controlled by distances between approaches and from intersections. All approaches and intersections shall meet the sight distance and spacing standards shown in the ~~Bingham County Approach Spacing Standards and/or the~~ Bingham County Road Standards Manual.

B. This road classification of different county roads may change from time to time. This will depend on growth and needs of the county. The official classification will be the status of the road as it is classified on the Official County Map. This official county map is the base map maintained on the county records. This map is updated to the state on a regular basis. (Ord. 2002-05, 6-27-2002; amd. 2018 Code; Ord. 2019-08, 7-15-2019; Ord. 2022-07, 3-2-2022)

PROPOSED ORDINANCE WORDING CHANGES:

7-3-3: APPROACHES AND INTERSECTIONS:

A. Any street that is classified on the Bingham County Official Functional County Road Classification Map as an arterial, major collector, minor collector, local County roads, cul-de-sacs and dead-ends, shall be controlled by distances between approaches and from intersections. All approaches and intersections shall meet the sight distance and spacing standards shown in the Bingham County Road Standards Manual.

B. This road classification of different county roads may change from time to time. This will depend on growth and needs of the county. The official classification will be the status of the road as it is classified on the Official County Map. This official county map is the base map maintained on the county records. This map is updated to the state on a regular basis. (Ord. 2002-05, 6-27-2002; amd. 2018 Code; Ord. 2019-08, 7-15-2019; Ord. 2022-07, 3-2-2022)

Decision: Commissioner Jensen moved to approve the proposed ordinance changes and direct Lindsey Dalley, Commission Clerk, to proceed with the publication process in order to hold a Public Hearing. Commissioner Jackson seconded. All voted in favor. The motion carried.

Discussion was held in regards to the Agreement for Professional Services with Keller Associates for on-call engineering and surveying services that may occur in FY 2025. Mr. Whited explained there have been no changes to this agreement and that it is signed yearly.

Decision: Commissioner Jackson moved to approve and sign the Agreement for Professional Services with Keller Associates for on-call engineering and surveying services in FY 2025. Commissioner Jensen 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 Department and other agenda items.

Ms. Pope reviewed the current recruitments and vacant positions throughout the county.

Next, Ms. Pope stated that she has taken the proposed amendments to the Employee Personnel Handbook Section 25 and Section 17.10, to the Personnel Board and there were no concerns.

The Board was in favor of the proposals discussed previously to be made to the Employee Personnel Handbook.

Decision: Commissioner Jackson moved to approve and sign Bingham County Resolution 2024-45, a resolution amending the Bingham County Employee Personnel Handbook. Commissioner Jensen seconded. All voted in favor. The motion carried and said resolution was adopted as follows:

**BINGHAM COUNTY
RESOLUTION NO. 2024-45
A RESOLUTION AMENDING THE
BINGHAM COUNTY EMPLOYEE HANDBOOK**

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

1. At an Open Meeting held on Wednesday, November 27, 2024 the Board of County Commissioners unanimously voted to amend Section 17.10 and 25.
2. Bingham County Personnel Handbook, Section 17.10 and 25, are hereby amended within the Bingham County Employee Handbook and the subsequent subsections of these sections will be renumbered accordingly.
3. Bingham County Personnel Handbook, each section as explained above will now be as follows:

17.10 Leave Time Bank (LTB) and its usage

The Leave Time Bank (LTB) is designed to hold the balances of legacy paid leave policies and practices for those employees who had a balance of paid leave when a conversion to current policy was made. There are two former policies that will be rolled into the LTB.

If an employee transfers to an exempt position, with a minimum of three years employment with Bingham County, they will receive a payout of 30% of their total accrued PTO. The remainder will be transferred to LTB (inactive) where it will be held, but not available for use. Should the employee transfer back to a full-time, non-exempt position, the LTB hours will be moved to PTO (active) and made available for use.

25.8 Name-Clearing Hearing and Procedure

The personnel policy of Bingham County establishes the right of employees, temporary employees, seasonal employees employed by the County to be heard in the event of a contemplated demotion with a reduction in pay, suspension without pay or dismissal from employment, if the employee asserts that this demotion, suspension or dismissal is actually the consequence of alleged unlawful discrimination by the County; or if the allegation involves dishonesty, immorality or criminal misconduct, the employee would be entitled to a "name-clearing hearing" when one is requested.

Unlawful discrimination addresses actions that are alleged to involve decisions based upon age, sex, race, religion, national origin, disability or any and all other protected classes recognized by law that is not a bona fide occupational qualification.

Bingham County does not condone discrimination on the basis of the foregoing unlawful categories.

FAILURE TO SEEK AN OPPORTUNITY TO BE HEARD PURSUANT TO THIS POLICY SHALL CONSTITUTE A FAILURE TO EXHAUST REMEDIES UNDER THIS POLICY.

This Bingham County Policy, adopted on November 27, 2024, by the Bingham County Commissioners does not include issues of job performance, inability to meet expectations or

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employee attitude, without allegations of dishonesty, immorality or criminal misconduct, as part of the criteria to trigger the opportunity for a name clearing hearing and will not be heard. Any regular employee entitled to an opportunity to be heard as a result of a disciplinary action that concerns job performance or behavior must raise allegations of unlawful discrimination or the need for a name-clearing hearing within 7 days of the course of that disciplinary process.

The procedures for the opportunity to be heard or name-clearing hearing at the direction of the Board of County Commissioners or its designated official, unless waived by the employee, are as follows:

1. Within seven (7) days of his/her termination or demotion, the employee may submit a written allegation of unlawful discrimination or a written statement detailing any objections he or she has to the basis of his or her termination, for entitlement to a "name clearing hearing" request to be heard. Written allegations that are submitted untimely or that fail to state a particular, legally recognized basis for this opportunity will not be heard. An employee will be promptly notified if a requested hearing is denied.
2. An employee alleging unlawful discrimination or who is legally entitled to a name clearing hearing will meet with a Hearing Officer. Human Resources shall be responsible for the appointment of the Hearing Officer. The hearing shall not exceed one (1) hour.
3. An audio recording of the hearing will be made and maintained as part of the personnel record.
4. The employee's supervisor may provide a brief written statement at least twenty-four (24) hours prior to the hearing in response to the charges involving dishonesty, immorality or criminal misconduct. The Board of County Commissioners or designated official may require the employee's supervisor to participate in the hearing.
5. The employee will not be prohibited from having an attorney with him/her at the employee's own expense.
6. The employee will not be allowed to call or present witnesses at the hearing.
7. The employee shall not have the opportunity to question any participants during this process, but may submit written statements for the Board of County Commissioners or designated official to consider.
8. The Place of Hearing shall be held at a place designated by Human Resources.
9. The conduct of the hearing shall be informal. The hearing will not consist of, or result in, the formulation of any conclusions or the re-evaluation or nullification of any particular employment action or any recommendations in that regard. The Idaho Rules of Evidence do not apply to this opportunity to be heard or name clearing hearing.

Passed and Adopted this 27th day of November 2024.

BINGHAM COUNTY COMMISSION



ATTEST:

Pamela Eckhardt

Pamela W. Eckhardt
Bingham County Clerk

Whitney Manwaring
Whitney Manwaring, Chairman

Eric Jackson
Eric Jackson, Commissioner

Drew Jensen
Drew Jensen, Commissioner

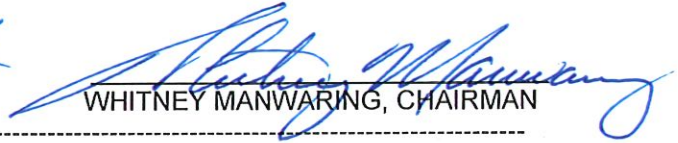
CLAIMS FOR THE PREVIOUS MONTH WERE APPROVED AS FOLLOWS:

Current Expenses	\$505,313.04	Weeds	\$6,391.60
Road & Bridge	\$216,428.49	Emergency Communication.....	\$28,607.96
Justice Fund	\$446,405.57	Road & Bridge Special	
District Court.....	\$77,679.50	Project.....	\$25.59
Preventative Health.....	\$177,477.50	Waterways.....	\$336.45
Historical Society & Museum....	\$11,250.00	Treatment Court Fund.....	\$3,815.39
Parks & Recreation.....	\$5,487.75	Consolidated Elections.....	\$10,669.39
Revaluation.....	\$418,943.59	PILT.....	\$398,080.53
Solid Waste	\$80,342.15		
Tort.....	\$258,479.50		
Veterans Memorial.....	\$300.00		

THE MOTION PASSED TO DISMISS UNTIL MONDAY DECEMBER 2, 2024



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



WHITNEY MANWARING, CHAIRMAN