

STATE OF IDAHO        )  
                              : ss.            Friday, April 1, 2022  
County of Bingham     )

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

Present:                Chairman Manwaring  
                              Commissioner Bair  
                              Commissioner Lewis  
                              Pam Eckhardt- County Clerk

**CLAIMS**

Claims were approved in the amount of \$286,855.48.

**PERSONNEL ACTION FORMS**

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

Salary Increase Form:       Solid Waste Lead/Operator  
                                      Park Manager  
                                      Jail Tech  
                                      Detention Deputy  
                                      Detective  
                                      Deputy Court Clerk  
                                      Detective

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

**RESOLUTION 2022-14**

The Board met to approve Bingham County Resolution 2022-14, a formal resolution declaring certain Bingham County property not necessary for use in Bingham County.

**Decision: Commissioner Lewis moved to approve Bingham County Resolution 2022-14, a formal resolution declaring certain Bingham County property not necessary for use in Bingham County, for the surplus of court chairs. Commissioner Bair seconded. All voted in favor. The motion carried and said Resolution was approved as follows:**

**BINGHAM COUNTY  
RESOLUTION NO. 2022-14**

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

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

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

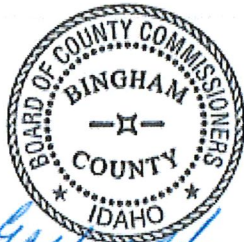
**THEREFORE BE IT HEREBY RESOLVED**, by the Board of County Commissioners, Bingham County, Idaho, that the following items may be sold as excess property:

**BINGHAM COUNTY COURTS**

- Six (6) Couches**
- Five (5) Tables**
- Fifteen (15) Chairs**

**DATED** this 1<sup>st</sup> day of April 2022.

BINGHAM COUNTY COMMISSION



ATTEST:

*Pamela Eckhardt*  
 Pamela W. Eckhardt  
 Bingham County Clerk

*Whitney Manwaring*  
 Whitney Manwaring, Chairman

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

*Jessica L. Lewis*  
 Jessica L. Lewis, Commissioner

DISCUSSION & POSSIBLE DECISION REGARDING BIDS FOR PURCHASE OR LEASE OF AMBULANCE- REQUESTED BY LYLE BARNEY- SHELLEY/FIRTH QRU

Present: Jeff Gardner- Chief Deputy Sheriff  
Lyle Barney- Shelley-Firth QRU  
Ben Porter- Shelley-Firth QRU  
Ken Johnson- Shelley-Firth QRU  
Jennifer Porter- Shelley-Firth QRU

The Board met to hold discussion and make a possible decision regarding bids for purchase or lease of an ambulance for the Shelley-Firth QRU. Chairman Manwaring welcomed all to the meeting and turned the time over to Mr. Barney.


Mr. Barney briefly reviewed the proposed budget for the Shelley-Firth Ambulance District.


Commissioner Lewis questioned paramedic level and concerns that have been received from Shelley Mayor Pascoe pertaining to the decrease in care if they were to leave the contract with the City of Idaho Falls. Mr. Barney felt they would increase the level of care with the proposed plan of adding an ambulance. Commissioner Lewis asked how he would staff this program if approved, wherein Mr. Barney stated they have six paramedics in their program currently and have been asked by a few individuals from the INL interested as well.

Discussion moved to community involvement in the change and coordination between the cities involved and the Shelley-Firth Fire and QRU. Commissioner Lewis stated this is a major decision and she would like community input to be sure that they understand what may be occurring and that they would be okay with said change. Commissioner Bair added that he would like to see Mayor Pascoe, Mayor Jolley and the Fire Chief meet to discuss this possible change because this is a community decision.

**Decision: There was no major decision made and the Board ask the group of attendees to come back in one month or after discussion is held with the communities**

THE MOTION PASSED TO DISMISS UNTIL MONDAY APRIL 4, 2022

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

  
WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO        )  
                              : ss.           Monday, April 4, 2022  
County of Bingham    )

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

Present:               Chairman Manwaring  
                              Comrnissioner Bair  
                              Commissioner Lewis  
                              Lindsey Dalley- Deputy Clerk

STAFF MEETING

Present:               Pam Eckhardt- County Clerk  
                              Donavan Harrington- County Assessor  
                              Debbie Cunningham- Chief Deputy Assessor  
                              Dusty Whited- Public Works Director

Tanna Beal- County Treasurer  
Scott Reese- Emergency Management/Parks & Recreation  
Laraine Pope- Human Resources Technician  
John Dewey- Human Resources/County Legal Counsel  
Eric Jackson- Building Maintenance Director  
Tiffany Olsen- Planning & Development Director  
Shawn Hill- Probation Department  
Cody Lewis- Drug Court  
Paul Rogers- Prosecuting Attorney  
Chief Deputy Sheriff Jeff Gardner  
Laura Lora- Indigent Services  
Julie Buck- Extension Office  
Sheri Landon- Magistrate/District Court  
Scott Mensching- IT Department  
Danette Miller- Election Office

Excused: Scott Gay- City of Blackfoot Chief of Police  
Marc Carroll- City of Blackfoot Mayor

The Commissioners met with Department Heads and Elected Officials for the April 2022 Staff Meeting. Chairman Manwaring conducted the meeting.

Pledge of Allegiance: Chairman Manwaring

Approval of Minutes for Staff Meeting held on March 7, 2022: Chairman Manwaring confirmed there were no changes to be made and the minutes were approved as written.

Special Presentation: None.

Employee Years of Service Recognition: None.

Chairman Manwaring: Stated there are high winds expected today through tomorrow.

Commissioner Bair: Last month he mentioned a Mental Health First Aid Training, wherein he understood that NACo would cover cost, which is not the case, and there is \$30.00 fee per person. He has an email in to see if the fee could be waived for those County employees that wish to attend.

Chairman Manwaring added mental health is something to be aware of and to look for with family and friends. There are events that occur in life which may cause individuals to need help. Lastly, he would like to thank all County employees for participating in the food drive, as there was a great turnout.

Commissioner Lewis: Stated she has received a letter from her canal company regarding this being a low water year and will be a rough year on crops.

Clerk Eckhardt: Stated next month she will be handing out budget packets in order to prepare for budget time. With spring-cleaning starting, she asked that all old signage regarding Covid-19 be removed at this time and/or up to date.

There was not a consensus made on the logo option presented. Last week she had a meeting with Michael Tominaga at Get Found First who will be working to put together a few options. The website project is still moving forward and EvoGov should be reaching out to each individual Department Head.

Laura Lora: Stated that the 15<sup>th</sup> of April is the Commissioners Cutoff for any wage increases or promotions and the 20<sup>th</sup> of April is the due date for timesheets. If there are any questions, please feel free to contact her.

Donavan Harrington: No updates at this time.

Debbie Cunningham: Stated that their office is working to be in compliance with State Statute and therefore values are still increasing so there may be some frustrated citizens.

Dusty Whited: Stated that his department is preparing for the winds that are expected tonight, as there could be power outages. Last week they closed the road between Liberty and Scott Road due to the pavement breaking through. Dispatch is aware of this but please let him know if there are any questions.

Scott Reese: Stated last week he attended a workshop in Pocatello wherein a weather briefing was held which showed that Bingham County is between 68% and 70% of normal water storage currently. There is not a lot of moisture left and it will be a rough irrigation season as Commissioner Lewis stated.

Commissioner Lewis added that the Board attended the Wildfire Protection Meeting and she learned that if there is not a significant amount of snowfall to lay down the grass, there is a lot more fuel for it. This year that did not happen and it very well could be a rough year for wildfires as well.

Sheri Landon: Stated that they have ordered new chairs for the hallway upstairs and stated she would like everyone to go take a look at them. If there are any questions, please let her know.

Laraine Pope: Stated there has been a change regarding ICRMP Training that she would like all County Employees to be aware of. In the past the County needed 80% of employees to complete training in order to qualify for the discount on insurance, which has since changed to 100% of employees that need to complete training in order to qualify for the discount. Please be sure that all employees are completing this training and let her know if you have any questions. Commissioner Lewis asked Ms. Pope if she could send a list of employees who need to complete the training, to the Department Head. Ms. Pope stated that she would absolutely do that.

Eric Jackson: Stated that he is happy to introduce Jason Marlow who most employees have met already. The chiller was started last week and if there are any cooling issues, please contact either him or Jason and they will get it taken care of.

Tiffany Olsen: Stated that their department is still seeing quite a bit of Subdivision Applications and Zone Change Applications. As far as Planning & Zoning Meetings, the April meeting has 10 items and the May meeting has 10 items as well.

Shawn Hill: No updates at this time.

Cody Lewis: Stated there are several new people on the Treatment Team and if anyone would like to meet them, please let him know. There is also a National Training this year in July.

Paul Rogers: Stated that he has hired a new Victim Witness Coordinator/Legal Assistant in his office, who will start on April 12<sup>th</sup>. There is still a vacant Deputy Prosecuting Attorney position, wherein only one application has been received over the last two months. He is hopeful there will be more applicants as the Idaho State Bar results will come out on April 13<sup>th</sup>.

Chief Deputy Sheriff Jeff Gardner: Stated that Spring time is coming and there will be an influx of traffic. School is getting out and with warm weather there will be more motorcycles out as well so please use due diligence. He also reminded everyone to please keep an eye out for things that may not be right as this is also a time for increased burglaries. Please do not hesitate to call dispatch and advise them of anything that does not appear to be right. Lastly, Driver's License will be reopening during the lunch hour as they have hired an additional part-time employee.

Tanna Beal: Stated that she would like to advise all departments that there have been counterfeit bills come through but gave recognition to the Department of Motor Vehicles who noticed them quickly. Please be sure that each department is checking monies closely. If there is ever a question regarding any bills,

please bring them to the Treasurer's Office and it can be run through their machine. If there is a counterfeit bill received, please take the individual down to the Sheriff's Office in order for a report to be done.

Laura Lora: Stated there will be changes within the Indigent Department as House Bill 735 was signed by the Governor, which repeals the Indigent Program. As of April 1, 2022, there will be no indigent applications accepted.

Julie Buck: Stated that her office will have a 4-H intern this summer, which is being fully funded by the University of Idaho and will start May 9<sup>th</sup>. Swine weigh-in is scheduled for April 18, 2022. There have been two generous scholarships available and all ages from 8-13 will be fully funded to attend Alpine Camp. There is limited enrollment but she would encourage all children who would like to attend, register soon. The Team Camp Counselors, ages 13-18, have been funded by scholarship as well.

Scott Mensching: Stated that the firewall migration is 90% completed and he appreciates everyone for their patience. There are security features that they will hold off on in order to give things time to smooth over. The spam filter has been challenging and they are trying to work through that. If there are any questions or concerns, please contact the IT Department and let them know. Eventually they will be giving employees the option to use a password portal in order to store all passwords so as to not have to write passwords down anywhere, which will help with security.

Danette Miller: No updates at this time.

Lastly, Clerk Eckhardt added that the Auditor's will be here this week and may be visiting your department.

Chairman Manwaring stated next Staff Meeting is scheduled for Monday, May 2, 2022 at 8:30 a.m.

Nothing further at this time.

#### PROBATION DEPARTMENT

Present: Shawn Hill- Probation Department  
John Dewey- County Legal Counsel  
Jeff Gardner- Chief Deputy Sheriff

The Board met with Shawn Hill to discuss department updates and other agenda items. Chairman Manwaring welcomed all to the meeting and turned the time over to Mr. Hill.

Mr. Hill stated that he met with Legal Counsel who stated that he did not see an issue with turning on the camera audio on the Probation side of the building. He stated that he has also met with Wes Wheatley with Detectives to advise him of this proposal. He explained that he is able to turn on the audio for individual cameras and that all cameras on the Detectives side of the building would remain left off. There would be six cameras that would have audio turned on, which would cover the hallways and front entryway within the Probation Department.

Commissioner Lewis stated she has major concerns and believes that it could hurt relationships with other departments. There are also staff members that are concerned about having the audio turned on and asked for the reason it should be turned on. Mr. Hill explained they have had several issues in their hallways and waiting area quite often and if the audio were to be turned on, it would be extremely helpful. The camera system was purchased with the intent of having audio recordings available. The issues in the past with specific entities are no longer issues and he would like to know what the concerns were that have been advised. Commissioner Lewis responded by stating people may see it as not just trying to get audio from the clients but audio from anyone that enters the building and asked Legal Counsel for his opinion.

Mr. Dewey stated he has researched this specific issue and stated if the Board chooses to authorize that the audio be turned back on, there is a way to eliminate expectation of privacy within the areas where there is audio and that would need to be done in order to be in compliant with Idaho Code. If there were an error in following code, it would be a felony charge and could be a serious issue. He does not have a position as to whether or not the audio should be turned on or remain off.

Chairman Manwaring asked Mr. Hill if there were verbal concerns that he had, to which Mr. Hill explained that there are conversations held almost weekly wherein there is verbal that could be captured on the audio that is not right now. Commissioner Lewis asked what would be done with the audio, wherein Mr. Hill explained there have been probationers in the past that have discussed drug use or using specific devices to beat test. It is more for informational use more than anything and the camera systems have never been used to capture something that an employee says or does.

Mr. Dewey stated that it would need to be posted that there is a recording system in place and that individuals are being recorded in order to eliminate the expectation of privacy.

Commissioner Lewis asked Chief Deputy Sheriff Jeff Gardner for his opinion, wherein he stated he has a different perspective. The ability to unhook the cameras is there, to be sure, there is not a recording done by accident. His concern would be if the recordings occurring and causing evidentiary issues or not taking the proper steps to safeguard that evidence, if it ends up being used in any criminal proceedings. If there is an accidental recording in detectives and they are discussing a case that could be a discovery issue.

Mr. Hill explained the current system records over itself, depending on how much movement there is on the video. Recently he attempted to pull up footage approximately three weeks ago and it had already been recorded over.

Commissioner Lewis stated when this issue was previously brought up; it was recording in a common area with a staff member. Although it was not in an office, it was still an issue and her largest concern is that it will hurt relationships more than it being beneficial.

Chairman Manwaring stated he would be in favor of having audio on within the hallways but what if a Detective walks in and starts talking with a probationer and does not remember they are being recorded it could be an issue.

Commissioner Lewis added she believes there is more of a chance that this would cause more damage than positive, from past practice.

A brief discussion was held regarding the audio being turned on solely for drug testing and turned off once completed. Mr. Hill stated that he could do that but it would need to be done manually. Chairman Manwaring stated he would not have an issue if the audio was turned on only during drug testing and turned off immediately after. His staff does have access to turn the audio on and off as well but then have been told not to do so. Mr. Hill stated the intention is not to upset anyone and if that will occur, he would rather leave the audio off.

Mr. Dewey stated there are risks that have been identified and there may be legal risk if someone challenges that signage is not enough notice. There could be issues and could have future litigation.

Chief Deputy Sheriff stated they are currently waiting on hardware for the entire camera system upgrade. When that is put in place, these cameras will be connected to a different server and that would take this option out. Chief Deputy Sheriff will have Lt. Jorgensen send out an update email as to the status of the camera installation project. The audio within the Probation Department will remain turned off at this time.

## IT DEPARTMENT

Present: Scott Mensching- IT Director

The Board met with Scott Mensching to discuss department updates. Chairman Manwaring welcomed all to the meeting and turned the time over to Mr. Mensching.

Mr. Mensching stated that the IT Department is now fully staffed and it is great to have the help.

He stated that he and Chris would be going to the City of Aberdeen to set up their system.

Mr. Mensching stated that he would like to discuss the possibility of having each department manage their own toners. This was previously discussed and at the time, there were issues with a few departments pertaining to invoicing. He is proposing to have each department manage their own toners and store their own. Currently the IT Department is tracking the toners for each department and it is challenging with there being so many different kinds of toners.

The Board had no issues with this but asked that Mr. Mensching discuss this matter during Staff Meeting in May to be sure that he receives feedback from all department heads.

## BUILDING MAINTENANCE

Present: Eric Jackson- Building Maintenance

The Board met with Eric Jackson to discuss department updates and other agenda items. Chairman Manwaring welcomed all to the meeting and turned the time over to Mr. Jackson.

Mr. Jackson explained the submitted Prior Approval for Major Purchase for resurfacing of the parking lots for the Courthouse and the Extension Office. Mr. Jackson explained last year the west side was completed and this year the remainder will be completed. This project will be completed over the weekend so as to not affect traffic coming into the Courthouse.

Commissioner Lewis asked if there was more than one bid gathered, wherein Mr. Jackson stated this company had been used for years and was currently the only bid he has but that he would be more than happy to obtain another bid.

This matter will be placed on hold until another bid is obtained.

A brief discussion was held regarding the Historical Museum, wherein Mr. Jackson stated he has spoken with Clerk Eckhardt pertaining to several projects that need to be completed. There are a few things that have been started without the consent of the County. Mr. Jackson stated he would speak with them to see what needs to be completed still.

## ASSESSOR'S OFFICE

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

The Board met with Donavan Harrington to discuss department updates. Chairman Manwaring welcomed all to the meeting and turned the time over to Mr. Harrington.

Mr. Harrington and Ms. Cunningham gave an updates regarding documentation received from the Idaho State Tax Commission, which stated that Bingham County is currently less than 90% or greater than 110% in regards to Improved Residential values, and may be considered not equalized unless follow up ratio studies of 2022 assessed values show assessment levels within the required range. These adjustments must be made prior to August 2022, when the Board of Equalization meets.



SPYGLASS

Present: Pam Eckhardt- County Clerk  
Via Zoom: Kelly Ryan- SpyGlass  
Jim Long- Project Manager  
Chandler Gabbey- SpyGlass

The Board held a kick off meeting with Spyglass Audit to discuss the initial steps to be taken. Clerk Eckhardt will gather the required documents and provide them to SpyGlass.

EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code §74-206(1)(a) &(b), to consider Personnel Matters. Commissioner Lewis moved to go into Executive Session pursuant to Idaho Code §74-206(1)(a) &(b), to consider Personnel Matters. Commissioner Bair seconded. All in favor. The Board moved into Executive Session at 2:02 p.m. The Board moved out of Executive Session at 2:18 p.m.

**Decision: Commissioner Lewis moved to move the employee within the Prosecutor's Office from N13, Step 11 to N13, Step 12 as of April 1<sup>st</sup>, which will also reset her anniversary date. In addition, give this specific employee a one-time merit pay in the amount of \$2,000.00. Chairman Manwaring seconded. Both voted in favor. The motion carried.**

THE MOTION PASSED TO DISMISS UNTIL TUESDAY APRIL 5, 2022

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

STATE OF IDAHO        )  
                              : ss.            Tuesday, April 5, 2022  
County of Bingham    )

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

Present:                Chairman Manwaring  
                              Commissioner Bair  
                              Commissioner Lewis  
                              Lindsey Dalley- Deputy Clerk

MEET AND GREET WITH LOMBARD CONRAD ARCHITECTS REGARDING THE BINGHAM COUNTY JAIL EXPANSION PROJECT

Present:                Ben Bernier- Lombard Conrad Architects  
                              Ken Gallegos- Lombard Conrad Architects  
                              Jeff Gardner- Chief Deputy Sheriff

The Board met to hold a meet and greet with individuals from Lombard Conrad Architects in regards to the Bingham County Jail Expansion Project. Chairman Manwaring welcomed all to the meeting and turned the time over to Mr. Gallegos.

Mr. Gallegos reviewed the process regarding plans, cost estimates, engineering fees, etc.

The typical square footage costs are now between \$550.00 and \$600.00 per square foot for jail construction. The projected cost for this specific jail expansion project will be between \$7 and \$8 Million.

The approximate timeframe for conceptual designs to be completed is one to two months, which would be a good time to hire a Construction Manager and they recommend this be done by publication for Request for Qualifications. Approximate timeframe for construction would be ten to twelve months.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY APRIL 6, 2022

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

  
 WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO        )  
                                   : ss.                    **Wednesday, April 6, 2022**  
 County of Bingham    )

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

Present:                   Chairman Manwaring  
                                   Commissioner Bair  
                                   Commissioner Lewis  
                                   Lindsey Dalley- Deputy Clerk

**PAYROLL**

Payroll was approved in the amount of \$685,389.54

**CASH WARRANTS**

Cash Warrants were approved in the amount of \$1,040.00

**INDIGENT MATTER**

RECORDED: A Release of Financial Assistance Lien was approved by the Board and recorded as Instrument No. 744182.

RECORDED: A Release of Financial Assistance Lien was approved by the Board and recorded as Instrument No. 744813.

**Decision: Commissioner Lewis moved to approve Cash Warrants, Claims and Administrative Documents as presented. Commissioner Bair seconded. All voted in favor. The motion carried.**

**SHERIFF'S OFFICE**

Present:                   Chief Deputy Sheriff Jeff Gardner

The Board met with Chief Deputy Sheriff Jeff Gardner to discuss updates within the Sheriff's Office. Chairman Manwaring welcomed all to the meeting and turned the time over to Chief Deputy Sheriff Jeff Gardner

Chief Deputy Gardner stated the current jail population is 107 inmates.

A brief discussion was held in regards to the remodel of the Driver's License Department, wherein Chief Deputy Gardner stated there will be three working stations and will be ADA Compliant. They will need one more camera and computer to make these changes work but the State would provide the equipment.

#### PUBLIC WORKS

Present:           Dusty Whited- Public Works Director  
                  Brent Harper- Landowner  
                  Troy Lenhart- Road & Bridge Supervisor  
                  Derrick Goings- Solid Waste Supervisor  
                  Pam Eckhardt- County Clerk  
                  Kyle Jones- HLE  
                  Spence Ward- HLE  
                  John Dewey- County Legal Counsel  
                  Tiffany Olsen- Planning & Development Director

The Board met with Dusty Whited to discuss department updates and other agenda items. Chairman Manwaring welcomed all to the meeting and turned the time over to Mr. Whited.

Mr. Whited explained that there would be sixteen acres removed from the current lease in place with Mr. Brent Harper, after the first cutting of hay or approximately June 10, 2022, which will allow Brent Harper to get the first cutting of hay off said 16 acres. The County will begin opening the 16 acres to mine gravel during the summer. Mr. Dewey stated the current lease provides that the acreage adjustments be made by notice that will serve as an addendum to the agreement. Commission Clerk, Lindsey Dalley, will print a map to be attached to the agreement with this letter as well.

**Decision: Commissioner Bair moved to authorize Chairman Manwaring to sign the McDonaldville Farm Lease Agreement Acreage Modification Letter. Commissioner Lewis seconded. All voted in favor. The motion carried.**

Next, Mr. Whited asked to further explain the emergency plan for the Atomic City Water System. He and Mr. Lenhart have been working to put together a plan. They have a water key for the meters and have located a key for the main valves. There is a map that has been made, which will be laminated and placed out by the well. Mr. Whited stated it would be beneficial to have a metal detector in order to find valves if they are covered by dirt, wherein Clerk Eckhardt has advised him there are funds in the Atomic City Trust and gave them authority to go ahead and purchase a metal detector.

A brief discussion was held regarding the sale of the water system, wherein Mr. Dewey advised the Board there is not a specific timeline if the County would like to sell. The property would need to be declared as surplus property via resolution and sold at auction. Mr. Whited stated that he would work with the County Surveyor to obtain an appropriate legal description of the area.

Next, further discussion was held regarding the Atomic City Water Facilities Plan Study. Mr. Jones stated the most important thing to do at this time is to select what improvements are needed at this time. Cushman Well Drilling was able to remove the liner in the well and the well is now able to be utilized with a larger pump for the approximate amount of \$38,000.00 but the cost of electrical disconnect and electricians time effort is not included. Mr. Jones stated the he is hopeful to have a more accurate estimate within the next several days.

**Decision: Commissioner Bair moved to approve the recommended change proposed by HLE to complete the Water Facilities Plan Study and work on the cost as outlines on Page 52 of the Study. HLE will gather firm numbers in order for the Board to decide how it shall proceed. Commissioner Lewis seconded. All voted in favor. The motion carried.**

Lastly, Mr. Whited explained that a Public Hearing is scheduled in order to receive any concerns or input pertaining to the increase of Solid Waste Fees. Chairman Manwaring welcomed all to the meeting and introductions were held at this time.

Mr. Whited stated with the new hauling contract, the fees have been increased in order to compensate for the different of the hauling contract. There are no additional operational expenses included within this fee increase schedule. Mr. Whited stated that the municipal solid waste fee would increase for household from \$68.00 per ton to \$76.00 per ton. At Aberdeen and Rattlesnake, the municipal solid waste fee at the Central Transfer Station will increase from \$98.00 per ton to \$106.00 per ton. All commercial waste would be the same rate as residential. Mr. Whited stated that wood chips have been added to be sure they are in the same category as grass clippings, weed, pinecones, etc. This was added as wood chips need to be composted. A deferred payment fee of \$5.00 has been added in the event that an individual dumps waste and does not have the funding to pay the cost. There will also be a form filled out at that time with the individual's information in order to get ahold of them if they do not return with payment. Lastly, a \$5.00 weight ticket has been added for any individual who would like to come use the scale to weigh any loads.

Chairman Manwaring confirmed there was no testimony in favor, none neutral, nor in opposition.

**Decision: Commissioner Lewis moved to approve Bingham County Resolution 2022-15, a resolution changing the fees for Bingham County's Solid Waste Department, effective May 1, 2022. Commissioner Bair seconded. All voted in favor. The motion carried and said Resolution was approved as follows:**

**BINGHAM COUNTY  
RESOLUTION NO. 2022-15**

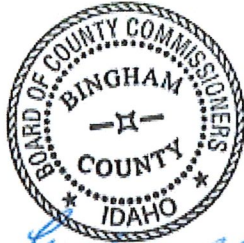
**A RESOLUTION CHANGING THE FEES FOR THE BINGHAM SOLID WASTE DEPARTMENT  
EFFECTIVE May 1, 2022.**

Whereas, the Bingham County Commissioners met on the 6<sup>th</sup> day of April, 2022, and approved the fees provided by the Bingham County Solid Waste Department pursuant to Idaho Code § 63-1311A.

Be it resolved that the fee changes for the Bingham County Solid Waste Department are approved and attached as Exhibit A, effective May 1, 2022.

All previous fee schedules for this department are repealed as of the effective date.

ADOPTED this 6<sup>th</sup> day of April 2022.





BOARD OF COUNTY COMMISSIONERS

  
Whitney Marwaring, Chairman

  
Mark R. Bair, Commissioner

  
Jessica L. Lewis, Commissioner

ATTEST:   
Pamela Eckhardt  
Bingham County Clerk



## Bingham County Non Resident Solid Waste Fees

		Central Transfer Station	Aberdeen Landfill & Transfer Station	Rattlesnake Landfill & Transfer Station	
Household Waste - Residential	per ton	\$110	\$170	\$170	
Household Waste - Commercial	per ton	\$110	\$170	\$170	
Construction & Demolition Solid Waste - Residential	per ton	\$45	\$450	\$45	
Construction & Demolition Solid Waste - Commercial	per ton	\$45	\$45	\$45	
Grass Clippings, leaves, pine cones/needles, flowers, wood chips	per ton	\$45	\$45	\$45	
Inert / Fill Material	per ton	\$45	\$45	\$45	
Dirt - clean	per ton	no charge	no charge	no charge	
Dead Animals	per ton	not accepted	not accepted	\$38	
Dead Animal Parts - Industrial / Commercial	per ton	not accepted	not accepted	\$75	
White Goods - appliances, water heaters		no charge	no charge	no charge	
Vehicle Batteries (all other batteries are Household Waste)		no charge	no charge	no charge	
Refrigeration units (freezers, fridges, large AC units, Etc.)		\$50	\$55	\$55	
AC units - window size / small fridges		\$25	\$30	\$30	
Portable Propane Tanks - up to 45 lbs (Empty Only)		\$10	\$15	\$15	
Flourescent Bulbs	4' T-12 Bulb	ea	\$4	\$5	\$5
	4' T-8 Bulb	ea	\$2	\$3	\$3
	8' T-12 Bulb	ea	\$8	\$9	\$9
	8' T-8 Bulb	ea	\$4	\$5	\$5
Tires No Retail Business or Commercial Tires Accepted	passenger	ea	\$10	\$11	\$11
	pickup	ea	\$11	\$12	\$12
	truck / semi	ea	\$23	\$24	\$24
Tires with Rims	passenger	ea	\$11	\$12	\$12
	pickup	ea	\$12	\$13	\$13
	truck / semi	ea	\$26	\$27	\$27
Implement & Industrial Equipment	per ton	\$490	\$500	\$500	
Oil (Residential Only, 5 gallon maximum)	per gallon or less	\$2	\$2	\$2	
Anti-freeze (Residential Only, 5 gallon maximum)	per gallon or less	\$3	\$3	\$3	
Paint (opened & dried)	per gallon or less	\$2	\$3	\$3	
Wet Paint	per gallon or less	\$10	\$11	\$11	
Burn Barrels (Prohibited)		not accepted	not accepted	not accepted	
Tree Branches and / or stumps	per ton	\$24	\$24	\$24	

<b>\$10.00 minimum charge on all solid waste loads.</b>	<b>\$10.00 Fee charged on All loads not tarped/secured</b>
<b>\$5.00 Deferred Payment Fee</b>	<b>\$5.00 Weight Ticket</b>
<b>All transactions will be rounded to the nearest dollar amount.</b>	
<b>Burn Barrels &amp; contents within are no longer accepted - contents must be removed, separated, &amp; cold.</b>	

**Bingham County Resolution No. 2022-15**

**Date Effective: May 1, 2022**



## PLANNING & DEVELOPMENT

Present: Tiffany Olsen- Planning & Development Director

The Board met with Tiffany Olsen- Planning & Development to discuss department updates and other agenda items. Chairman Manwaring welcomed all to the meeting and turned the time over to Ms. Olsen.

Ms. Olsen gave an update regarding the upcoming Planning & Zoning Commission Public Hearing and stated there are 10 items scheduled for April 13<sup>th</sup>, 5 items scheduled for the May 11<sup>th</sup> and 4 items scheduled for the June 8<sup>th</sup> meeting.

Ms. Olsen gave an update regarding the Building Division and stated in March, there were 9 new residential permits, 52 building permits, 21 mechanical permits and revenue was \$45,033.29. Comparing numbers from last year, revenue has increased 13%, which is \$10,738.77.

A brief discussion was held in regards to the possible need of hiring a seasonal part time employee to assist with inspections, to provide some relief. Ms. Olsen stated it had been mentioned to her that a previous inspector may be interested in coming back to work for the County. The Board gave Ms. Olsen the authority to reach out to the specific individual to discuss the possibility.

A brief discussion was held regarding the Division Rights Process that has been followed for some time, wherein Ms. Olsen explained that she is unsure as to who or how this process was created and there have been several issues with the process and information determined. The current process is that a member of the public will provide the Planning & Development Department with a copy of the specific deed, they would be charged the \$50.00 per parcel, research would be completed to see how many Division Rights are present and there would be a letter administered explaining the outcome. If this process is to be changed, she believes that the fee should be reviewed to be sure it is covering all time extended in completing the research and project. Ms. Olsen will further discuss with the County Assessor and the County Clerk to determine the best proposal and way to proceed.

## NATIONAL OF ASSOCIATION OF DRUG COURT PROFESSIONALS- REQUESTED BY CODY LEWIS

Present: Cody Lewis- Drug Court Director

The Board met with Cody Lewis to discuss the upcoming National of Association of Drug Court Professionals. Chairman Manwaring welcomed all to the meeting and turned the time over to Mr. Lewis.

Mr. Lewis stated that the National Conference would be held July 25-28, 2022, in Nashville Tennessee. A brief discussion was held in regards to who should attend said conference from Bingham County. The cost to attend is approximately \$3,000.00, which will include all accommodations.

Mr. Lewis will reach out to the Prosecutor's Office and the Probation Department to see if they have an individual that they would like to attend the training.

## DISCUSSION & DECISION REGARDING USE OF COUNTY PROPERTY FOR A DOG SHOW TO COINCIDE WITH THE AKC SHOW AT THE EASTERN IDAHO STATE FAIR

Present: Stephanie Purvis

The Board met upon the Request for Commissioner Meeting submitted by Stephanie Purvis pertaining to her request to use County property to hold a dog show to coincide with the AKC Show that is being held at the Eastern Idaho State Fair Grounds June 17<sup>th</sup> and 18<sup>th</sup>. Chairman Manwaring welcomed all to the meeting and turned the time over to Ms. Purvis.

Ms. Purvis stated she is part of the Gem State Australian Shepard Club, wherein they hold shows through the Australian Shepard Club of America. This year the show cannot be held at the fairgrounds, as they are



hosing the AKC Show. As there will be traffic in town for this specific dog show, they believed it would be beneficial to hold a second show close by to coincide.

Ms. Purvis stated there could be approximately 25-40 dogs and the show will last between 2-3 hours.

After further discussion, the Board had no issues with this request, so long as this matter is reviewed and approved by County Legal Counsel.

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 Lewis moved to go into Executive Session pursuant to Idaho Code §74-206(1)(d), to consider Personnel Matters. Commissioner Bair seconded. All in favor. The Board moved into Executive Session at 2:02 p.m. The Board moved out of Executive Session at 2:18 p.m.

**Decision: Commissioner Bair moved to deny Case Number 2022—07, per the recommendation of Laura Lora- Indigent Services Director, due to lack of information. Commissioner Lewis seconded. All voted in favor. The motion carried.**

The next case for discussion was Case Number 2022-10, wherein Chairman Manwaring stated this particular individual is behind four years on taxes (2018-2021). His wife has passed away and it should be in August that he will get funding from her Estate.

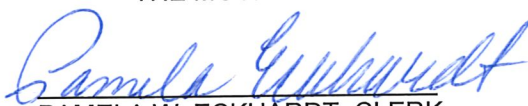
Option 1: Cancel half of 2018 if he could pay the second half to keep them one year out of their property going to tax deed. Half of said taxes would be half of \$1,719.56, which includes Solid Waste Fees, late charges and interest.

Option 2: The total for all four years is \$3,258.36. The second option would be to pay half of this total amount with the other half excused.

Commissioner Bair proposed the possibility of this individual paying half of 2018 taxes, which will get keep him from going to tax deed, and since he is on the circuit breaker now all he has to pay is Solid Waste Fees and allow him to make a payment arrangement through the Treasurer's Office. Commissioner Lewis reiterated that he would need to have this paid by May 25<sup>th</sup>, which is when the Tax Deed Hearing is scheduled.

**Decision: Commissioner Lewis moved to direct Laura Lora, Indigent Director, to contact property owner for RP1160100 to advise them if they were able to pay half of 2018 taxes due, before May 25<sup>th</sup>, the Commissioners would cancel the other half. The second option would be to pay half of all taxes due and the Commissioners would excuse the other half, which would also need to be done prior to May 25<sup>th</sup>. Commissioner Bair seconded. All voted in favor. The motion carried.**

THE MOTION PASSED TO DISMISS UNTIL FRIDAY APRIL 8, 2022



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO )  
 : ss. Friday, April 8, 2022  
County of Bingham )

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

Present: Chairman Manwaring  
Commissioner Bair  
Commissioner Lewis  
Pam Eckhardt- County Clerk

**CLAIMS**

Claims were approved in the amount of \$370,732.19.

**CASH WARRANT**

A Cash Warrant was approved in the amount of \$8,600.00.

**PERSONNEL ACTION FORMS**

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

New Employee Status Sheet: Road & Bridge Truck Driver  
Salary Increase Form: Legal Assistant/Victim-Witness Coordinator  
Weed Tech

**COLLEGE OF EASTERN IDAHO**

A Certificate of Residency was approved by the Board and sent to the College of Eastern Idaho for the following Bingham County Student: Autumn L. Boyack.

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

**TAX MATTER**

The Board met to make a decision regarding the submitted Tax Inquiry for value adjustment for the following parcel number and reasons for said cancellation:

MH0333904 Mobile Home is not livable.

**Decision: Commissioner Lewis motioned to approve the Tax Inquiry for the above mentioned parcel number as presented. Commissioner Bair seconded. All voted in favor. The motion carried.**

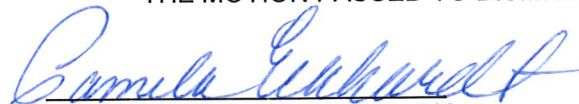
**PRIOR APPROVAL- IT DEPARTMENT**

Present: Scott Mensching- IT Director

The Board met with Scott Mensching to discuss the submitted Prior Approval for Major Purchase for renewal of Karpel, a software used in the Prosecutor's Office, in the amount of \$12,750.00, to be paid from Fund 01-14-524-70.

**Decision: Commissioner Bair moved to approve the renewal for Karpel Software for the Prosecutor's Office in the amount of \$12,750.00, to be paid from Fund 01-14-524-70. Commissioner Lewis seconded. All voted in favor. The motion carried.**

THE MOTION PASSED TO DISMISS UNTIL MONDAY APRIL 11, 2022

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

  
 WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO        )  
                                   : ss.               Monday, April 11, 2022  
 County of Bingham    )

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

Present:                   Chairman Manwaring  
                               Commissioner Bair  
                               Commissioner Lewis  
                               Lindsey Dalley- Deputy Clerk

**MEETING AT MCTUCKER PONDS SITE TO DISCUSS CULVERT AND BOAT DOCK CONCERNS**

Present:               Ron Wynn- Road & Bridge Department  
                               Dusty Whited- Public Works Director  
                               Troy Lenhart- Road & Bridge Supervisor  
                               Scott Reese- Parks & Recreation/Emergency Management  
                               Tyler Draney- Parks & Recreation  
                               David Harper- Board of Reclamation- Upper Snake Field Office  
                               Mark Arana- Board of Reclamation  
                               Tyler Cox- Board of Reclamation  
                               Rex Harding- Bureau of Land Management  
                               Carson Watkins- Fish & Game

The Board met at the McTucker Ponds Site, with the above listed attendees, to discuss culvert and boat dock concerns.

Discussion was held regarding the current camp host, wherein the Bureau of Land Management and Bureau of Reclamation would be meeting with them to set out a work plan. It was also reiterated that both the Bureau of Land Management and Bureau of Reclamation are able to provide funding to the camp host to assist with cost of fuel to work on the property.

Discussion was held in regards to putting together a map that would show each designated campsite, to see if there is available space for additional designated campsites. It was agreed that the County would mow the areas to clear out weeds.

Discussion was held regarding the current culverts which are 3-feet, being removed and replacing them with 4-foot culverts for safety matters. Road & Bridge will put together a list of what will be needed. Fish and Game, the Bureau of Reclamation and the Bureau of Land Management will search for funding to place a new culvert. Once that the funding is designated and the culvert is purchase, the County will install the culvert.

The water has come in so the parties in attendance were unable to see the full boat dock to address the concerns. Fish and Game will see if they can do funding to get an engineering study completed.

Discussion was held regarding extension of the parking lot and possible placement of permanent restrooms.

#### TREASURER'S OFFICE

Present: Tanna Beal- County Treasurer

The Board met with Tanna Beal- County Treasurer to discuss department updates.

#### APPROVAL OF LETTER OF SUPPORT FOR COUNTRY HAVEN UTILITIES GRANT

Present: Pam Eckhardt- County Clerk

The Board met with Clerk Eckhardt to discuss and approve the letter of support for the Country Haven Utilities Grant to be submitted to Congressman Mike Simpson, showing that the Board of County Commissioners are in support of the project to update the sewer system that supports the residents of Rockford. This upgrade will also be beneficial to the surrounding areas of Thomas and Riverside as those areas are seeking substantial growth and increase in housing units.

**Decision: Commissioner Lewis moved to approve signing of the letter of support for the Country Haven Utilities Grant. Commissioner Bair seconded. All voted in favor. The motion carried.**

#### MEETING WITH LARRY MURRAY

Present: Larry Murray- Landowner  
Gary Mecham- Landowner  
Chris Street- HLE  
John Dewey- County Legal Counsel  
Tiffany Olsen- Planning & Development Director  
Scott Reese- Parks & Recreation/Emergency Management  
Tyler Draney- Parks & Recreation

The Board met with Larry Murray pertaining to his Request for Commissioner Meeting to discuss how the RR Johnson Real Estate LLC Zone Change Application was handled and to hold general discussion regarding development in the northern end of Bingham County. Chairman Manwaring welcomed all to the meeting, introductions were held and the time was turned over to Mr. Murray.

Mr. Murray explained that they are before the Board today to further discuss things within the Planning and Zoning system and process that do not seem to be working as well as they should. Mr. Murray asked the Board to refer to the map provided at this time to do a small exercise, wherein the Board would determine how many aqua colored parcels they thought were shown on the document. These aqua spots label specific parcels and regardless there have not been any individual count 52, which is indicated on the key. This specific document was not properly vetted when it was presented to the County. This document was used to justify the decision that the Planning and Zoning Commission rendered for the County Commissioners. This document was also presented to the attendees who attended the Public Hearing and access was not given prior to the hearing. In checking with Planning and Zoning, his understanding is that this document was submitted one day prior to the Public Hearing, which can happen and is within the code requirements but the challenge is that those in opposition of this matter were not given the opportunity to examine the document. Once he had received the document, he immediately tried to process how HLE had come up with the numbers indicated on the form, as a simple count as just done, proved that this information is inaccurate and yet this was one of the primary sources that was used during the decision making process. He did everything possible to bring this information before the Board of County Commissioners prior to ruling on the recommendation from the Planning and Zoning Commission, which was denied. In his opinion, this means that the system is broken. Specifically when a document was introduced and the due diligence of the County is insufficient to determine that the document is erroneous. How do residents get information

to the Board of County Commissioners when they have the opportunity to investigate to determine if it is inaccurate or not.

Chairman Manwaring stated that he understands what is being addressed but when a recommendation is made by the Planning and Zoning Commission, the Board is only to take the information in which the decision was made, and if there is an error he could see a remand process being done.

Mr. Dewey explained that he spoke with Mr. Murray and it was clear that the information coming before the Board certainly is not something that should occur, as it was not in the record for the Planning and Zoning Commission Public Hearing. If there were situations where information comes before the Board that should not, a remand to the Planning and Zoning Commission would be the best process to fix that error. Chairman Manwaring stated if an individual testifies at the Planning and Zoning Commission Public Hearing, wherein they have new information, there would not be sufficient time for all parties to review the information. At that point, if there is a change to be made to bring more evidence in, it should be redone and notifications resent.

Mr. Murray stated one recommendation that he made, is that if the information was made available prior to the Public Hearing being held, all parties would have the appropriate time to review. He reviewed the letter that he received and there was no information stating where an individual could go to review the documents that would be presented by the Applicant's or the Applicant's Representative. Simply providing that information online and requiring that it be there a certain amount of days prior to the hearing, would help immensely. Ms. Olsen interjected and stated the notice mailed out to all surrounding property owners states if more information is needed, please refer to the agenda located on the Bingham County- Planning & Zoning Webpage, at least five days before the hearing. The Staff Reports are loaded into the website and any individual is more than welcome to contact the Planning and Zoning Department requesting any information. Mr. Murray stated that he does not recall reading that information within the letter he had received. Ms. Olsen stated it is not required by code to post said information on the County website but their department tries to do so in a timely manner. The information provided on the website is updated when information or testimony is received as quickly as possible.

Mr. Mecham referred to the letter sent by the Planning and Zoning Department, which states if there are comments or concerns to state; they should be submitted eight days prior to the Public Hearing. Ms. Olsen stated that is required by code and the reason being is that once Staff Reports are finished, it is hard to have individuals send in testimony and not have the sufficient amount of time for the Planning and Zoning Board to review the information.

Mr. Mecham explained there are alternatives to be made to decisions within the Public Hearing, which are to approve, disapprove, or approve with conditions. There should be one, which states that additional information could be gathered. Ms. Olsen stated that option is available and within the Staff Report, it states that a matter can be tabled to gather information or the Commission so feels. In this situation, she did not see or feel that they were requesting additional information. The Planning and Zoning Commission liked the map being discussed and in moving forward, the Planning and Zoning Department has been preparing the map based upon the software, which itemizes by color and certain fields. When enough time is applied, the map will show the percentages and specifics that are located in the area.

Mr. Mecham stated there is a lot of information placed into the Staff Reports that are developed by the Developer or the Applicant. The County should have some due diligence on information to be sure that the information is being correct. Ms. Olsen explained that there is due diligence and it is required for all Applicant's to submit a narrative and statement addressing each code section, which is all included in the Applicant's submission, and the County extrapolates that information and alleges whether or not what the Applicant has submitted is in conformance with the Comprehensive Plan etc. As far as notice and process goes, the County is constantly working to improve the process and try to get notices out as soon as possible. Ms. Olsen stated she would challenge anyone to go to a surrounding County Website and review their Staff Reports for Land Use Matters because Bingham County provides thorough information.

Commissioner Lewis reiterated for the record that the County is aware there is an issue with the current website and there will be a new website coming soon. Having a new website should make it easier for the citizens to access information.

Next, Commissioner Lewis asked Legal Counsel pertaining to the Request for Reconsideration and there have been statements that there was misinformation. Mr. Dewey explained that is what the Request for Reconsideration process is for, not to present additional information but review information provided in the record to be sure the accurate decision had been made. Mr. Murray stated that was his concern is there was no way for him to address this issue. He spoke with Legal Counsel several times, wherein there was absolutely nothing that could be done from a legal standpoint to get the proper information before the Board. Chairman Manwaring asked Ms. Olsen if it is possible for the Planning and Zoning Commission to table the matter until the next month meeting to address issues, wherein Ms. Olsen explained that it would have to be in two months, solely because of the notice requirements.

Commissioner Lewis stated there is an Ordinance in place, which sets out the process a Public Hearing should follow and that follows Idaho Code Title 67, Chapter 65.

Next, Mr. Murray explained there were a number of people in attendance of the meeting that felt as though the way it was handled was not fair and biased. There is a requirement by the County to follow Roberts Rule of Order and that meeting was not conducted as such. Mr. Murray stated this is specifically stated in Bingham County Code and his understanding is the Chairman is not allowed to discourse or debate issues that are before the Commission. His responsibility is to control the meeting and allow others to debate the issue. Mr. Murray stated that the Planning and Zoning Chairman spoke the entire meeting and stated his opinion out, wherein the other Commissioners involved were giving their input based on the position of the Chairman. Mr. Murray stated this requirement should be eliminated from code or it needs to be enforced. Mr. Murray stated that the Chairman has so much power over what occurs in the meeting and Chairman Manwaring stated he understands the concern but the taxpayers would like his participation just as much as the other two Commissioners. Mr. Murray further stated there were several occasions wherein individuals that were in opposition of the Application, were cut off by the Chairman and Ms. Olsen, by being told they had to stay within the prescribed remand requirements from the Commissioners. Yet, the information discussed by Mr. Street and the Chairman, were the things that he was trying to address. While Mr. Street was giving his testimony, Mr. Murray took notes in order to address when it was his turn. Upon doing so, he was told that he is to remain on topic and not discuss any matters outside of the remand requirements. Therefore, the hearing appeared to be handled in a favorable manner.

Discussion was held in regards to a meeting held in 2021 to discuss the development of the Woodville Area, wherein Mr. Murray stated there was a similar map to Exhibit PZR-15, discussed at that meeting. He would like to determine whether or not said document was presented during the meeting and why were residents not invited. Ms. Olsen stated HLE had requested the meeting, which was an Open Meeting and any member of the public is able to attend. When requesting a meeting, the individual has the ability to list out who is in attendance of these meetings. Chairman Manwaring stated that HLE requested the meeting and there have been several other requests that are submitted that turn into asking why other individuals were not invited but it comes down to the fact that it is an Open Meeting but there was no major decision made. Commissioner Bair reiterated if a similar map were presented at that meeting, Legal Counsel would have advised them to not review.

Commissioners reiterated they are open to any suggestions to help make the processes easier but if concerns are not addressed, the County is not aware of those concerns.

After discussion, the Board reiterated their appreciation for Mr. Murray and Mr. Mecham, taking the time to meet with the Board to address their concerns. In moving forward, the necessary Ordinance would be addressed and updated if needed. Chairman Manwaring stated the County is always working to better their process and having public involvement.

FINAL PLAT- FURNISS ESTATES

Present: Tiffany Olsen- Planning & Development Director

The Board met to approve/deny the Final Plat for Furniss Estates Subdivision. Chairman Manwaring welcomed all to the meeting and turned the time over to Ms. Olsen.

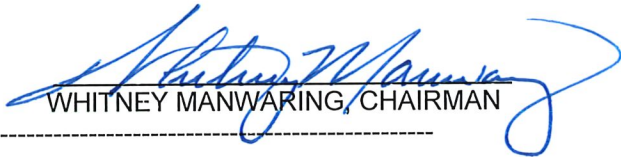
Ms. Olsen stated there is one change that has occurred since the approval of Preliminary Plat, which is that Lot 1 was originally one acre and now it is two acres. Since it was increasing in size, she does not determine that to be a substantial change. It has been reviewed and approved by the County Surveyor. This increase was due to one of the individuals interested in purchasing, wanted a larger lot.

**Decision: Commissioner Bair moved to approve the Final Plat for Furniss Estates as presented. Commissioner Lewis seconded. All voted in favor. The motion carried.**

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY APRIL 13, 2022



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



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO        )  
                              : ss.                Wednesday, April 13, 2022  
County of Bingham    )

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

Present:                Chairman Manwaring  
                              Commissioner Bair  
                              Commissioner Lewis  
                              Lindsey Dalley- Deputy Clerk

CASH WARRANTS

Cash Warrants were approved on the amount of \$700.00.

JAIL MEDICAL

Jail Medical was approved in the amount of \$573.04.

COLLEGE OF EASTERN IDAHO

A Certificate of Residency was approved by the Board and sent to the College of Eastern Idaho for the following Bingham County Students: Esai R. Castaneda and Caitlyn P. Keelin.

MEDICAL INDIGENT MATTER

RECORDED: A Release of Financial Assistance Lien was approved by the Board and recorded as Instrument No. 744426.

RECORDED: A Release of Financial Assistance Lien was approved by the Board and recorded as Instrument NO. 744402.

RECORDED: A Notice of Lien and Application for Financial Assistance was approved and recorded as Instrument No. 744403.

**Decision: Commissioner Bair moved to approve Claims, Cash Warrants and Administrative Documents as presented. Commissioner Lewis seconded. All voted in favor. The motion carried.**

**Commissioner Lewis moved to appoint Commissioner Bair as Temporary Chairman due to the absence of Chairman Manwaring. Commissioner Bair seconded. Both Commissioners voted in favor.**

REQUEST SUBMITTED BY EARL PRESTON PERTAINING TO LEASING ADDITIONAL FOOTAGE AT THE ROCKFORD AIRPORT

Present: John Dewey- County Legal Counsel  
Earl Preston- Lessee

The Board met to discuss and make a decision regarding the request to lease additional footage to Earl Preston's current lease at the Rockford Airport. Chairman Manwaring welcomed all to the meeting and turned the time over to Mr. Preston.

Mr. Preston is proposing to lease an additional 400 square feet for an area in which he could attach a covered storage area.

Chairman Manwaring joined the meeting at this time.

Mr. Preston continued to propose that this be integrated into the amount owed to the County and paid by himself each December. This would be under the same terms, just adding additional square footage. The current lease increases 3% each year.

Mr. Dewey suggested that an exhibit include the legal description, along with an addendum specifically addressing the additional footage to be leased, if approved. Mr. Preston would need to work with Legal Counsel and the County Surveyor to determine the proper legal description.

Mr. Preston inquired if he were to donate his time and labor to assist with any cleanup or work, if that could be considered a charitable contribution as he is getting closer to retirement and could use the deduction. Mr. Dewey suggested that Mr. Preston speak with his accountant regarding this matter and once he receives a proposal, come before the Board for a possible decision.

**Decision: Commissioner Lewis moved to direct Legal Counsel and the County Surveyor to work with Mr. Preston on adding an additional 400 feet to his rental lease and will work with Legal Counsel on an Addendum to be added to the current lease. Chairman Manwaring seconded. All voted in favor. The motion carried.**

#### PUBLIC WORKS

Present: Dusty Whited- Public Works Director  
Tiffany Olsen- Planning & Development Director  
Pam Eckhardt- County Clerk  
John Dewey- Human Resources Director/County Legal Counsel

The Board met with Dusty Whited to discuss department updates and other agenda items. Chairman Manwaring welcomed all to the meeting and turned the time over to Mr. Whited.

Mr. Whited stated they have started to clean up mountain roads in preparation to open on May 1<sup>st</sup>.

Mr. Whited stated the estimated date to microseal is June 1<sup>st</sup>.



Next, discussion was held regarding the Atomic City Water System, wherein Commissioner Bair asked that this item be added to be certain that the process is moving forward to sell the water system. Commissioner Bair stated he and Dusty Whited discussed the possible cost to place the second well in the ground and the chances that the County could recoup funds during the sale. Mr. Whited responded stating that he is doubtful that any additional expenses would be recouped and the sale price will more than likely be low.

Clerk Eckhardt stated there is currently \$20,000.00 in the Atomic City Trust Account, but there is \$50,000.00 in a bank account, which could possibly be used to assist in maintenance. Commissioner Bair asked Legal Counsel if the water system was sold as is and there are funds left in the accounts, what would happen to those funds. Legal Counsel explained that code states excess funds would go to the school district but there is a good argument to be made that the County could recoup cost of maintenance put into the system. Mr. Whited suggested that the County pay themselves back first, which Legal Counsel agreed. Clerk Eckhardt stated that she would like to see the second well installed so that it is fully functional and will be a profitable system. Mr. Whited stated that he would be in contact with Pete Cortez, who is assisting with the water system, to see what his thoughts are in moving forward.

Next, Clerk Eckhardt explained that she had sent notice to the individuals that have not been paying their water bills and she would like guidance as to what the Board would like her to do next. Within the notice, it was stated that the individual would have until May 10<sup>th</sup> to either pay their bill or water could be disconnected. Mr. Whited stated either Troy or himself, with the presence of law enforcement, have the ability to shut off if need be.

Next, Mr. Whited explained the submitted Prior Approval for Major Purchase of a pallet of copy/printer paper, in the amount of \$1,559.60 and would be paid out of the following funds:

\$100.00 out of Fund: 27-60-440-00  
\$600.00 out of Fund: 23-70-440-00  
\$809.00 out of Fund: 02-40-440-00

Mr. Whited stated that he gathered bids from Costco, Sam's Club and Porters, to which Porters was the lowest bid.

**Decision: Commissioner Lewis moved to approve the Prior Approval for Major Purchase of a pallet of copy/printer paper, in the amount of \$1,559.60 and would be paid by the following \$100.00 out of Fund: 27-60-440-00, \$600.00 out of Fund: 23-70-440-00 and \$809.00 out of Fund: 02-40-440-00. Commissioner Bair seconded. All voted in favor. The motion carried.**

#### PLANNING & DEVELOPMENT

Present: Tiffany Olsen- Planning & Development Director  
John Dewey- Human Resources Director/County Legal Counsel  
Donavan Harrington- County Assessor  
Debbie Cunningham- Chief Deputy Assessor  
Pam Eckhardt- County Clerk

The Board met with Tiffany Olsen to discuss department updates and other agenda items. Chairman Manwaring welcomed all to the meeting and turned the time over to Ms. Olsen.

Ms. Olsen stated there was discussion held on April 5<sup>th</sup>, pertaining to the division right request process, wherein the Board asked that she take a look at the process currently in place and provide potential solutions moving forward that could ease the financial burden in the County citizens. She visited with Clerk Eckhardt who suggested to include the Assessor where his department has Deed Clerks that are familiar with the Deed/Parcel/Mapping processes. On April 11<sup>th</sup>, a meeting was held and the following proposed change to the process was made:

1. Planning & Development will create an online form within the OpenGov Software for the public to submit requests for Division Right research.
2. Planning & Development will receive the request and check to see if research has been completed for the information being requested.
  - a. **If it has been completed**, Planning & Development will complete the request and collect \$50.00 per parcel (per current fee resolution) from the requestor and provide the information found.
  - b. **If it has not been completed**, the form will be assigned to the Deeds Clerk in the Assessor's Office. The OpenGov system will alert by email there is new work to be performed. Planning & Development will call to verify receipt.
    - i. Research will include procuring all deeds, maps, etc., required to illustrate the original parcel and any splits made therefrom dating back to 1974 or prior.
    - ii. The research will be uploaded into the OpenGov Form and assigned to Planning & Development.
    - iii. Planning & Development will review the research and determine the division rights that may be available.
    - iv. Planning & Development will contact the requestor to collect \$50.00 per parcel and provide the information determined.

She further explained that they would like to try this proposed process for a period of time to determine if it would be the most efficient process.

Chairman Manwaring stated that this has been an ongoing issue and he has received several complaints from citizens.

Mr. Harrington explained his thought process is if it is a citizen who is the property owner, research would be done for free as he/she has paid tax dollars. If it is a speculator, a fee should be charged to a non-property owner. What that amount would be, would be at the Board's discretion. Commissioner Lewis stated she has an issue using taxpayer money for the benefit of one individual such as a developer.

After further discussion, they will try this new proposed process for a few months and come back before the Board with feedback as to how it has gone, along with addressing any issues.

Next, Ms. Olsen stated that Gwen Inskeep has accepted the position as County Surveyor and will begin that new position on May 9. Ms. Olsen stated that she would like to advertise the Planner position, upon approval of the agenda item scheduled for this upcoming Friday. The job description would remain the same but would like to include with a range of pay in hopes of attracting candidates. The Board had no issues with this position being posted as requested by Ms. Olsen.

Next, Ms. Olsen stated that she has visited with a previous Building Inspector, who stated that he would be interested in working part-time. He currently lives in out of County and would like to commute two or three days per week. This position would be advertised and all applicants would need to apply. If the previous employee is hired, Ms. Olsen would like to propose that his salary remain the same as when he was previously employed with the County. Legal Counsel will look to see if the County is able to label this position as a Seasonal Building Inspector.

Lastly, Ms. Olsen proposed the submitted Prior Approval for Major Purchase of an access control system for the interior door in the Planning & Development Department, specifically for the safety of the staff. Said purchase is in the amount of \$1,100.00, to be paid from Fund 01-18-443-00.

**Decision: Commissioner Bair moved to approve the Prior Approval for Major Purchase of an access control system for the interior door of the Planning & Development Department in the amount of \$1,100.00, to be paid from Fund 01-18-443-00. Commissioner Lewis seconded. All voted in favor. The motion carried.**



established earmarks could be made for use of Community Project Funding but he would back this specific project. Congressman Simpson informed Mayor Carroll that he would not be able to come up with the funding for the entire project but could come up with the funding for the analysis to be completed, which is approximately \$10,000.00 to \$15,000.00. Mayor stated that he has been working on the grant for several weeks and has received several letters of support from parties who are affected by the railroad crossing issues.

Chairman Manwaring stated he is aware that this has been an issue for years and asked Mayor Carroll if there are previous engineering studies available. Mayor Carroll responded by stating that Mayor Loomis had JUB write a contract but the City did not follow through with the contract. There have been a number of meetings with Union Pacific and HLE did attend at least one of those meetings.

The school buses are a major concern as children are late arriving to school and there is a large amount of students that rely on getting school breakfast.

**Decision: Commissioner Lewis moved to approve that Chairman Manwaring sign the letter of support for grant funding pertaining to engineering analysis for a possible underpass or overpass for railroad crossings. Bair seconded. All voted in favor. The motion carried.**

#### DISCUSSION AND DECISION REGARDING STARTING PAY SCHEDULE FOR THE NEWLY HIRED SURVEYOR & DECISION REGARDING TAX EXEMPTION APPLICATION'S

Present: Donavan Harrington- County Assessor  
Laraine Pope- Human Resources Technician  
Pam Eckhardt- County Clerk  
Audrey Barzee- Assessor's Office

The Board met to discuss and make a decision regarding the starting pay schedule for the newly hired Surveyor and approval/denial of submitted Tax Exemption Application's. Chairman Manwaring welcomed all to the meeting and turned the time over to Mr. Harrington.

Mr. Harrington stated there was one application received for the current vacant Surveyor position, wherein he has negotiated with the applicant and is proposing to increase the pay to N27, Step 2 (\$26.92 per hour). The Board had no issues with this proposal.

**Decision: Commissioner Bair moved to approve the new hire of Surveyor at N27, Step 2 (\$26.92 per hour) and this employee would start on May 9, 2022. Commissioner Lewis seconded. All voted in favor. The motion carried.**

Next, Mr. Harrington presented Tax Exemption Application's pursuant to Idaho Code § 63-602A, Government Property, which were submitted as follows:

#### **Eastern Idaho Regional Waste Water Authority**

RP0476704  
RP0476709  
RP0476710  
RP8270470  
RP8270480

In review of the Application submitted, it was determined that the property is being leased or rented to or from other individuals. Commissioner Lewis stated if a property is being leased out, it cannot be exempted.

**Decision: Commissioner Bair moved to deny the Tax Exemption Applications from Eastern Idaho Regional Waste Water Authority under Idaho Code § 63-602A, due to the property being leased or rented to or from others. Commissioner Lewis seconded. All voted in favor. The motion carried.**

Next, Mr. Harrington presented Tax Exemption Application's pursuant to Idaho Code § 63-602B, Religious limited liability companies, corporations or societies, which were submitted as follows:

**Jehovah's Witnesses Blackfoot Congregations**

RP1322001 1535 Highland, Blackfoot

**First Baptist Church**

RP1182500 2650 Rose St, Blackfoot

**Assembly of God Inc. Firth Tabernacle**

RP4010704 235 W Center St. Firth  
RP4013000 201 E. Center St. Firth- Parsonage

**Church of Jesus Christ of Latter-day Saints**

RP0596700 Area in Wolverine **Request for 16% exemption**

**Methodist Episcopal Church of Shelley**

RP2018200 The Church has closed but the non-profit  
Organization Heart to Hand is in the process  
Of purchasing the building by July, 2022.  
Heart to Hand is currently operating a food  
Bank in the building.

**Decision: Commissioner Lewis moved to approve Tax Exemption Application's pursuant to Idaho Code § 63-602B, Religious limited liability companies, corporations or societies, as presented. Commissioner Bair seconded. All voted in favor. The motion carried.**

Next, Mr. Harrington presented Tax Exemption Application's pursuant to Idaho Code § 63-602C, Fraternal, Benevolent, or Charitable Societies, which were submitted as follows:

**New Application**

**Community Council of Idaho**

RP1418700 New Community Clinic at 1491 Parkway Drive, Blackfoot. The Community Family Clinic is a Federally Qualified Health Center, which provides basic medical care for Blackfoot and the surrounding area.

Clerk Eckhardt read an email she received from Legal Counsel, which states that he would suggest denial of the Tax Exemption Application as they are not operating or under construction.

**Decision: Commissioner Bair moved to deny the Tax Exemption Application submitted by Community Council of Idaho, under the advice of legal counsel that the property is not operating or under construction. Commissioner Lewis seconded. All voted in favor. The motion carried.**

Next, Mr. Harrington presented Tax Exemption Applications pursuant to Idaho Code § 63-602C, Fraternal, benevolent or charitable, which were submitted as follows:

**BPOE No. 1416- Elks Lodge Building**

RP1041300 123 N Ash, Blackfoot

**Decision: Commissioner Bair moved to approve Tax Exemption Application submitted by BPOE No. 1416- Elks Lodge Building pursuant to Idaho Code §63-602C. Commissioner Lewis seconded. All voted in favor. The motion carried.**

Next, Mr. Harrington presented Tax Exemption Application's pursuant to Idaho Code § 63-602E, Property used for school or educational purposes, which were submitted as follows:

**Idaho State University**

RP1085400 625 West Pacific, Suite 9  
1,621 Square feet rented in the Armstrong Dental Building specifically requested under Idaho Code § 63-602E(2)

Mr. Harrington stated his concern/issue with this particular Application is that the property should be the individual to request exemption, not the lessee. His recommendation would be to approve this Application this year but do additional research next year.

After discussion, the Board stated they would like to place this Application on hold in order for additional research to be done.

**Decision: Commissioner Bair moved to place the Application from Idaho State University on hold at this time. Chairman Manwaring seconded. Both Commissioners voted in favor. The motion carried.**

Next, Mr. Harrington presented Tax Exemption Application's pursuant to Idaho Code § 63-602GG, Low-Income Housing owned by non-profit organizations, which were submitted as follows:

**Fairview Family Estates**

RP3078900 Aberdeen  
RP3083400 Aberdeen

**Decision: Commissioner Bair moved to approve the Tax Exemption Application submitted by Fairview Family Estates, as presented. Chairman Manwaring seconded. Both Commissioners voted in favor. The motion carried.**

Mr. Harrington presented Tax Exemption Application's pursuant to Idaho Code § 63-602N, Irrigation Water and Structures, which were submitted as follows:

**Greenfield Acres Water and Sewer**

RP8015700 land and structures  
RP0552502 land and structures  
RP8019902 land and structures  
RP8026101 land

**Little Butte Irrigation Co.**

RP1304000 End of Henderson Drive, Blackfoot

**Decision: Commissioner Bair moved to approve the Tax Exemptions submitted by Greenfield Acres Water and Sewer and Little Butte Irrigation Company as presented. Chairman Manwaring seconded. Both Commissioners voted in favor. The motion carried.**

Lastly, Clerk Eckhardt explained that there are two parcels that have not submitted their Applications, even after a reminder letter was sent. Therefore, she is requesting a two-week extension for Stewart Hoover Post and Mission International.

**Decision: Commissioner Bair moved to give a two-week extension for Stewart Hoover Post and Mission International, per the request made by Clerk Eckhardt. Chairman Manwaring seconded. Both Commissioners voted in favor. The motion carried.**

THE MOTION PASSED TO DISMISS UNTIL TUESDAY APRIL 19, 2022



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



WHITNEY MANWARING, CHAIRMAN