

STATE OF IDAHO)
 : ss. Friday, February 4, 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

CLAIMS

Claims were approved in the amount of \$92,340.46.

PAYROLL

Payroll was approved in the amount of \$750,295.10.

COLLEGE OF EASTERN IDAHO

A Certificate of Residency was approved and sent to the College of Eastern Idaho for the following Bingham County students: Tanner J. Thayne, Serena I. Zaldua-Teager, John B. Mangum, Shelton J. Prouse, Sayer S. Leavitt & Zachary B. Ashcraft.

PERSONNEL ACTION FORMS

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

Salary Increase Form:	Patrol Sergeant Patrol Corporal Emergency Services Director/PIO Patrol Corporal Detention Deputy Patrol Sergeant Patrol Corporal Detention Corporal
Employee Status Sheet:	Solid Waste Operator

MEDICAL INDIGENT MATTER

RECORDED: A Release of Financial Assistance Lien was approved by the Board and recorded as Instrument No. 742181.

RECORDED: A Release of Financial Assistance Lien was approved by the Board and recorded as Instrument No. 742182

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

APPROVAL OF COMMISSIONER MINUTES FOR JANUARY 1-14, 2022

The Board met to approve the Commissioner Minutes for January 1-14, 2022. Chairman Manwaring reiterated that the Board had reviewed and made the necessary changes.

Decision: Commissioner Bair moved to approve the Commissioner Minutes for January 1-14, 2022. Commissioner Lewis seconded. All voted in favor. The motion carried.

RESOLUTION 2022-07

The Board met to approve Bingham County Resolution 2022-07, a formal resolution declaring certain Bingham County property not necessary for use in Bingham County, specifically for the IT Department.

Decision: Commissioner Lewis moved to approve Bingham County Resolution 2022-07, a formal resolution declaring certain Bingham County property not necessary for use in Bingham County, specifically for the IT Department. Commissioner Bair seconded. All voted in favor. The motion carried and said resolution was approved as follows:

**BINGHAM COUNTY
RESOLUTION NO. 2022-07**

**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);

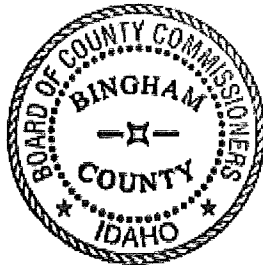
WHEREAS, The Bingham County Commissioners have the authority to sell or offer for sale personal property not exceeding two hundred fifty dollars (\$250) in value at private sale, (Idaho Code §31-808);

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

IT DEPARTMENT

PLEASE SEE ATTACHED DOCUMENTS FOR SURPLUS ITEM DESCRIPTION.

DATED this 4th day of February 2022.



ATTEST:

Pamela W. Eckhardt
Pamela W. Eckhardt
Bingham County Clerk

BINGHAM COUNTY COMMISSION

Whitney Manwaring
Whitney Manwaring, Chairman

Mark R. Bair
Mark R. Bair, Commissioner

Jessica L. Lewis
Jessica L. Lewis, Commissioner

Computers	Asset Number	Laptops	Asset Number
Optiplex 3010	3296	Dell latitude E7440	3100
Optiplex 5040	3367	Dell latitude E7440	3113
Optiplex 9020	3389	Dell latitude E7440	none
Optiplex 9020	3373	Dell latitude d630	2304
Optiplex 3020	3189	Dell latitude d630	none
Optiplex 990	none	Dell latitude e7440	3094
Optiplex 980	3242	Dell latitude e7440 asset	3105
Optiplex 990	3359	Dell latitude e7440	3101
Precision t1600	3058	Dell Inspiron 640m	none
Optiplex	none	Acer AS1410	none
Optiplex 990	3360	MSI MS-16GA	3361
Optiplex 980	1498	Dell Latitude E6440	3181
Hp Compaq pro 4300	3075		
Hp Compaq pro 4300	3072		
Dell Precision 5810	Dispatch		
Dell Precision 5810	Dispatch		
		Printers	Other
Servers		Cannon color lbp7660cdn	UPS
Dell Precision 7810	GisDev	Hp Color laser pro m442dw	3 Scanners
Dell Precision 7810	GisPub	Hp Laserjet 8000dn	Projector nec np60
		Dell 1130	Fax brother intellifax 4750e
		HP laser 2420	
		HP color laser 5500dn	
		HP laser 1320	
		Lexmark t652dn	
		Hp laser p3015	
		Monitors	
		16	

SUNDAY EXEMPT PERMIT'S FOR PINDALE LANES

The Board met to approve/deny two Sunday Exempt Permit's for Pindale Lanes for days February 13, 2022 and February 27, 2022.

Decision: Commissioner Bair moved to approve two Sunday Exempt Permit's for Pindale Lanes for days February 13, 2022 and February 27, 2022. Commissioner Lewis seconded. All voted in favor. The motion carried.


TAX MATTERS

The Board met to approve/deny a submitted Tax Inquiry, which was for the following parcel and reason:

RP0300005- Due to an error

Decision: Commissioner Lewis moved to approve Tax Inquiry as presented, which was due to an error. Commissioner Bair seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL MONDAY FEBRUARY 7, 2022


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Monday, February 7, 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

STAFF MEETING

Present: Pam Eckhardt- County Clerk
 Patty Walters- Payroll
 Donavan Harrington- County Assessor
 Debbie Cunningham- Chief Deputy Assessor
 Dusty Whited- Public Works Director
 Tanna Beal- County Treasurer
 Nick Hirschi- County Coroner
 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 Services Director
 Paul Rogers- Prosecuting Attorney
 Chief Deputy Sheriff Jeff Gardner
 Laura Lora- Indigent Services
 Susan Nalley- Victim Witness Coordinator

Via Zoom: Cody Lewis- Drug Court Coordinator
 Julie Buck- Extension Office
 Scott Gay- City of Blackfoot Chief of Police

Excused: Scott Mensching- IT Department
 Marc Carroll- City of Blackfoot Mayor
 Sheri Landon- Magistrate/District Court
 Danette Miller- Elections

The Commissioners met with department heads and Elected Officials for February 2022 Staff Meeting. Commissioner Bair conducted Staff Meeting.

Pledge of Allegiance: Commissioner Bair.

Approval of Minutes for Staff Meeting held on January 3, 2022: Commissioner Bair confirmed there were no changes to be made and the minutes were approved as written.

Special Presentation: Susan Nalley stated Bingham County and City of Blackfoot would be holding a food drive from February 7, 2022 through March 7, 2022, to donate items to the Blackfoot Senior Center. Drop-off locations are outside of the Human Resources and Prosecutors Office within the Courthouse, the Bingham County Public Works Shop and Blackfoot City Hall. With any questions, please contact either herself or Lindsey Dalley.

A ten minute ICRMP Training was held at this time. Mr. Dewey added that Laraine Pope would be emailing all department heads a copy of the coaching forms explained within the training.

Commissioner Bair explained during the Idaho Association of Counties Conference in Boise this past week, there was a break out session to discuss ARPA funding and how each county planned to utilize their funds. There was an individual who took over the meeting and used fear to inform that the federal government would come back to recollect funds that were spent. It hit home to him as department heads should not lead by fear but lead by example.

Employee Years of Service Recognition: Donovan Harrington recognized Lori Beck for ten years of service to Bingham County, working within the Circuit Breaker Program.

Chairman Manwaring: It is important to hold these trainings and meet one on one with each employee and as a department to discuss how the office is running and future goals. He also added to be mindful that department issues are not being discussed in front of any citizen or individual from the public. These should be discussed with department heads only.

Commissioner Bair: During the Idaho Association of Counties Conference, the Elected Officials had the opportunity to meet with Legislators to discuss any issues and the main issue was property tax. He explained that Seth Grigg gave a presentation on property tax and revenues, to which he is glad to state that county taxes have not increased severely.

Commissioner Lewis: She received great information at the conference. There is legislation that could affect some of the departments within the county and she hopes that each department head is paying close attention to what is occurring.

Clerk Eckhardt: Holly Kartcher from the Idaho State University has reached out and in attempt to locate internships for students within the English Department for a professional technical writing degree. The internship would be for three months and could be utilized throughout several departments if needed. This would be in the fall and she asked that all department heads think of any projects the intern could work on.

The website project is moving forward and she has passed along the input received in regards to the county logo but has not seen a proposed updated version. She has also passed the contact list for each department and EvoGov should be in touch with each of the department heads within the next few weeks to work in their specific webpage.

Danette Miller is out of the office today but candidate filing for both county and state elections is February 28, 2022 through March 11, 2022. There will be a school district election for Shelley and Aberdeen to be held on March 8, 2022 with early voting will be held here at the courthouse beginning on February 21, 2022.

Patty Walters: The deadline for both timesheets and Commissioner sign-off is February 18, 2022. She is working to complete 1095c forms, which will be mailed out to each employee by the end of February.

Donovan Harrington: No updates at this time.

Dusty Whited: No updates at this time.

Nick Hirschi: Gave a brief explanation regarding the mobile morgue trailer the county has received via a FEMA Grant, with the opportunity to purchase for \$1.00 after the six-month lease is complete. This trailer will hold twenty-four deceased if there were ever to be a mass fatality. He is working with legal counsel to draft a Memorandum of Understanding, which will allow surrounding counties to use the trailer if needed.

Scott Reese: No updates at this time.

John Dewey: Explained that the Benefits Fair will not be held in person this year due to Covid-19 and packets will be sent to each employee.

Eric Jackson: If there are any issues with heating any departments, please contact him on his cellphone.

Tiffany Olsen: No updates at this time.

Shawn Hill: No updates at this time.

Cody Lewis: Felony Drug Court Graduation is scheduled for February 22, 2022 at 4:00 p.m., and Misdemeanor Drug Court Graduation is scheduled for February 24, 2022 at 4:00 p.m. Misdemeanor Drug Court is being held via Zoom at this time due to Covid-19.

Chief Deputy Sheriff Jeff Gardner: The Blackfoot Chamber of Commerce is now holding their Legislative Breakfast at Homestead Restaurant every Tuesday at 7:00 a.m. He would encourage everyone to attend and stay informed. This is a great opportunity to meet with legislators and have questions answered.

Tanna Beal: No updates at this time.

Laura Lora: No updates at this time.

Julie Buck: Reed has completed Cereal School and Master Gardening Online wherein there are 280 individuals enrolled to meet either online or in person. A Heart Healthy Program will be online in March, every Thursday at 3:00 and she encouraged everyone to sign up. Things are active within the 4-H program and there are day camps, along with youth learning for hunter's education and archery.

Chief Scott Gay: The City of Blackfoot will be moving into the budget process within the next month.

Commissioner Bair stated next Staff Meeting is scheduled for Monday, March 7, 2022 at 8:30 a.m.

Nothing further at this time.

PROBATION DEPARTMENT

Present: Shawn Hill- Probation Services Director
Laraine Pope- Human Resources Technician
John Dewey- County Legal Counsel/Human Resources Director
Dusty Whited- Public Works Director

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

Mr. Hill stated he had no major updates but would like to discuss the part time male UA Tech position within the Probation Department. They have had a hard time filling this position and he stated that he would like to propose increasing the hours and salary in order to assist in filling the position.

DISCUSSION & DECISION REGARDING SOLID WASTE HAULING CONTRACT

Present: Dusty Whited- Public Works Director
 John Dewey- County Legal Counsel/ Human Resources Director
 Laraine Pope- Human Resources Technician

The Board met to hold discussion and make a decision regarding the Solid Waste Hauling Contract with McNabb Trucking. Chairman Manwaring welcomed all to the meeting and turned the time over to Mr. Whited.

Mr. Whited stated the current Solid Waste Hauling Contract with McNabb trucking was set to expire on April 1, 2022 and he has started to work on the publication documents to put out for bids. He explained that he received notice at 3:00 p.m., last Friday that McNabb would be unhooking their trucks and suspending their services to Bingham County. McNabb is a large farming operation as well and a majority of their trucking is grain trucking. They have had their trucking business under their farm insurance and had gone through an audit, which resulted in their insurance being cancelled.

He explained that he and Derrick Goings have reorganized the Road and Bridge Department, to come up with a plan in order to cover hauling services and were sure that trucks were prepared to haul. He stated that hours have been changed for some employees and those employees approve of the changes. They are aware of the severity of the situation and are happy to help.

In speaking with Human Resources regarding insurance, the county has the ability to lease trucks but cannot lease employees to operate the trucks, as they would not be covered under county insurance.

Mr. Whited stated he would be tracking mileage and after this matter is resolved, he would like the Solid Waste Department to reimburse the Road and Bridge Department at contract rate, which is \$2.40 per mile. This will help with additional service for trucks and wages for the employees who assisted with covering the hauling services.

McNabb Trucking informed Mr. Whited that he would like to continue hauling for Bingham County and would be looking into additional insurance options.

A brief discussion was held in regards to the county purchasing their own trucks and go back to hauling its own garbage, to which Mr. Whited stated he would not be in favor of doing that.

Mr. Dewey stated he would continue to work with Mr. Whited to proceed with the solicitation for bids regarding the Solid Waste Hauling Contract.

BUILDING MAINTENANCE

Present: Eric Jackson- Building Maintenance Director

The Board met with Eric Jackson to discuss department updates.

ASSESSOR'S OFFICE

Present: Debbie Cunningham- Chief Deputy Assessor

The Board met with Debbie Cunningham to discuss department updates and presented the five year Appraisal Plan for Bingham County, which is required by the Idaho State Tax Commission.

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 Bair moved to go into Executive Session.

Commissioner Lewis seconded. All voted in favor and the Board moved into Executive Session at 11:30 a.m. The Board moved out of Executive Session at 11:38 a.m.

Decision: Commissioner Lewis moved to approve Indigent Case No. 2022-03, a cremation application per the recommendation of the Indigent Services Director, Laura Lora. Commissioner Bair seconded. All voted in favor. The motion carried.

DISCUSSION REGARDING ARPA FUNDS


Present: Tanna Beal- County Treasurer
Eric Jackson- Building Maintenance Director
Nick Hirschi- County Coroner
Jeff Gardner- Chief Deputy Sheriff
Pam Eckhardt- County Clerk
Tiffany Olsen- Planning & Development Director
Donavan Harrington- County Assessor
Via Zoom: Sheriff Craig Rowland

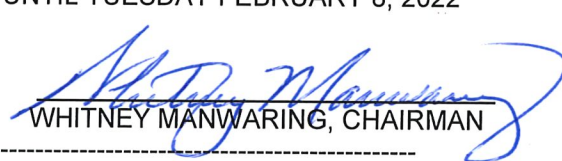
The Board met to hold discussion regarding ARPA Funding and the projects to be completed with the funding. Chairman Manwaring welcomed all to the meeting and turned the time over to Clerk Eckhardt.

The proposed priority list is as follows:

- 1) Jail Expansion
- 2) Eastern Idaho Regional Waste Water Expansion
- 3) Courthouse Restrooms ADA Compliant
- 4) Radios for Public Safety/Law Enforcement
- 5) Court Remodel
- 6) Atomic City Well

THE MOTION PASSED TO DISMISS UNTIL TUESDAY FEBRUARY 8, 2022


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


 WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Tuesday, February 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
Lindsey Dalley- Deputy Clerk

MEETING REGARDING THE REQUEST FOR RECONSIDERATION OF THE BOARD OF COUNTY COMMISSIONERS REASON & DECISION REGARDING ITS APPLICATION TO CHANGE THE ZONING DESIGNATION FROM "A" AGRICULTURE TO "R/A" RESIDENTIAL/AGRICULTURE

Present: Tiffany Olsen- Planning & Development Director
John Dewey- County Legal Counsel
Robert Olsen- Citizen

Debra St. John- Citizen
Jim St. John- Citizen
Hailey Waldo- Citizen
Adrian Young- Citizen
Margo Young- Citizen
Ambros Jensen- Citizen

The Board met to hold a meeting regarding the Request for Reconsideration for the Denial of the Ronald Lindsay Zone Change. Chairman Manwaring welcomed all to the meeting, introductions were held and he reiterated that there would be no new testimony or evidence submitted today. The request for Zone Change was brought before the board on January 25, 2022, wherein the decision was made to deny the request. The Applicant's Representative, Chris Street, submitted a Request for Reconsideration, wherein prior to the meeting, Chris Street filed a Request for a Comprehensive Plan Amendment for this specific area. This request was pulled and it was requested that the Board of County Commissioners proceed with hearing the Request for Reconsideration, which is the meeting to be held today. The time was turned over to the Planning & Development Director, Tiffany Olsen, for presentation of the Staff Report.

Director Tiffany Olsen explained that the Comprehensive Plan Map Amendment Application had been withdrawn by the Applicant's Representative. The Application required signatures of the property owners for the parcels to which an amendment was being considered, which was not included. She advised Mr. Street of the requirements and he was unwilling to procure those requirements and therefore withdrew the Application. Ms. Olsen further completed presentation of the Staff Report for the record at this time.

Ms. Olsen further stated in looking at the Residential/Agricultural Zoning District, there is a list of criteria that the parcel should meet, which are as follows:

- 1) Suitability of parcel for agricultural purposes. The Applicant contended that by rezoning this parcel to "R/A", it would still allow for agricultural activities, those activities would be on individual scale instead of on-large operation. The Board found this piece of property is prime agricultural ground and is surrounded by farming uses.
- 2) Proximity to existing area of similar population. The Board found this property has both agriculture and residential uses within the immediate area which is in conformance with an "R/A" zoning designation.
- 3) Lot size compatible with existing of area of similar population density. The Board found if the Zone Change is denied, this parcel would stay zoned Agriculture, which is consistent with the zoning to the East, North, and West. At this time, the Board can only make assumptions about lot size compatibility of any new lots versus existing conditions until if/when a Subdivision Application is submitted. However, the Board affirmed their determination that the surrounding area is a mix of both agricultural and residential properties with varying lot sizes, which implies the area is more suitable for an "R/A" designation and not an "A" zoning.
- 4) Compatible with the existing uses in the immediate area. The Board had no concerns as an "R/A" zoning would be compatible with existing uses.
- 5) Protection from incompatible uses. The Applicant contended that the Comprehensive Plan Map needs to be looked at and updated in this area as the proximity to the highway and Blackfoot City utilities makes this area suitable for an "R/A" zoning. Further, the Applicant asserted there has been a great deal of development in Bingham County since the Comprehensive Plan Map was reviewed. The Applicant would be in favor of tabling this issue until a study of the entire area could be done to see if a Comprehensive Map Amendment may be warranted, thus not creating a gap in the Comprehensive Plan. The Board found that the property is currently being farmed and there is surrounding farm ground that meets the Comprehensive Plan as an Agriculture mapped area, wherein if this parcel is approved for a Comprehensive Plan Map amendment, that would create a gap in the map and therefore not be consistent. The Board affirmed its determination that the area

is a mix of residential and agricultural uses and chose to proceed with the Decision and not table the Request as the Applicant requested.

- 6) Accessibility to adequate utilities. The Applicant agreed that there are adequate utilities in the area to support a Zone Change. The Board affirms its findings that there are no concerns with adequate utilities.
- 7) Adequate service by roadways. The Applicant agreed that the roads are adequate enough to support a low-density development and a traffic study would not be warranted. The Board affirmed the County's Public Works Director's position that the roads are adequate for subdivision development and if approved, a traffic study should be completed with a Subdivision Application for this property.

Ms. Olsen stated at this time, it would be appropriate for the Board to deliberate in the event there are any concerns or comments regarding the items listed within the Request for Reconsideration.

Chairman Manwaring referred to number 1 of the Request for Reconsideration, wherein there concerns.

Commissioner Lewis stated that she has reviewed all information and it does fit the definition of prime agricultural land.

Chairman Manwaring stated there are concerns regarding utilities and the roadways being adequate. To him, the key thing within the Request for Reconsideration is that the Applicant agreed that the Comprehensive Plan needs to be reviewed. It was not just within that specific area but the entire county needs to be reviewed to see if there need to be a change. The Comprehensive Plan is a guide, which is used to determine the best area for growth to occur. He stated the Board feels that this area is surrounded by Agriculture on all four sides.

Chairman Manwaring confirmed for the record that the Board had not seen or reviewed the Application for Comprehensive Plan Map Amendment. Ms. Olsen reviewed and took care of those issues within her department.

Commissioner Bair had nothing to add at this time.

Commissioner Lewis reiterated that she has reviewed the record and all information is consistent with what was found during the Zone Change Hearing.

Chairman Manwaring stated pursuant to Idaho Code, upon reconsideration, the decision may be affirmed, reversed or modified after compliance with applicable procedural standards. A written decision shall be provided to the Applicant or affected person within sixty days of received of the Request for Reconsideration or the request is deemed denied. 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 day time frame for seeking judicial review is tolled until the date of the written decision regarding the reconsideration or the expiration of the sixty day reconsideration period, whichever occurs first.

Chairman Manwaring asked Legal Counsel for clarification if the Board could make the decision now or could have a later discussion to look at information further, if needed. Mr. Dewey, County Legal Counsel, explained that the sixty days is from the receipt of the Request for Reconsideration. The reconsideration process is necessary before a person can exercise their rights to judicial review. If the Board upheld the previous denial, there would be twenty-eight days from the issuance of the formal decision, to which this could be appealed to District Court for review by the Judge.

Commissioner Bair stated within Idaho Code Section 67-6535 (2)(b), which mentions procedural deficiencies. He would like to confirm on the record that he has reviewed all information and there were no procedural deficiencies.

Mr. Dewey clarified for the record that the Applicant had not asserted that there were any procedural deficiencies, to which Ms. Olsen confirmed.

Commissioner Lewis confirmed for the record that she has reviewed all information and all requirements had been met.

Chairman Manwaring agreed that all information had been reviewed, discussion was held regarding the information and Request for Reconsideration. He then entertained a motion on this matter.

Decision: Commissioner Lewis moved to affirm the previous decision made by this Board to deny the Zone Change request based upon review of the record. Commissioner Bair seconded. All voted in favor. The motion carried.

PLANNING & DEVELOPMENT

Present: Tiffany Olsen- Planning & Development Director

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

Director Tiffany Olsen asked the Board for consideration of Approval of the Two Mule Acres Final Plat.

Decision: Commissioner Bair moved to approve the Final Plat for Two Mule Acres as presented. Commissioner Lewis seconded. All voted in favor. The motion carried.


Director Tiffany Olsen gave an update regarding the agenda for upcoming Planning & Zoning Commission hearings for February, March & April, along with an update regarding the Building Division.

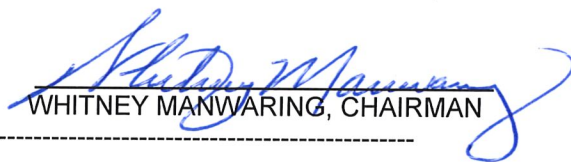
UPDATE FROM ROCKY MOUNTAIN POWER- TIM SOLOMON

Present: Tim Solomon- Rocky Mountain Power

The Board met with Tim Solomon to receive an update regarding Rocky Mountain Power.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY FEBRUARY 9, 2022


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. **Wednesday, February 9, 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 in the amount of \$7,313.46 and \$222.00, for a total of \$7,535.46.

JAIL MEDICAL

Jail Medical was approved in the amount of \$936.58.

MEDICAL INDIGENT MATTER

RECORDED: A Notice of Lien and Application for Financial Assistance was approved and recorded as Instrument No. 742337.

JAIL INSPECTION

The Board of Commissioners attended the required quarterly Jail Inspection with Chief Deputy Sheriff Jeff Gardner.

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
 Tiffany Olsen- Planning & Development Director
 John Dewey- County Legal Counsel
 Andy Hasselbring- Realtor
 Troy Lenhart- Road & Bridge Supervisor
 Wayne Goodworth- Property Owner

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 that he would like to discuss the general driveway ordinance and its relevance on a densely developed section on Groveland Road, which was requested by Andy Hasselbring. Mr. Hasselbring explained his concern is specifically regarding Parcel No. RP0328200, wherein a variance would need to be issued for the subject parcel to have a driveway off Groveland Rd due to its proximity to the neighboring driveway. There is four division rights on this property and they are wanting to sell the property for asking price. Although it has division rights, the ordinance for driveways overlaps the entire property based off how close the driveway on the other property is that they would be unable to get a driveway on this property based upon the ordinance.

Mr. Hasselbring further explained that the driveway of the neighboring property is too close pertaining to the 250 feet ordinance, which exists now and overlaps the entire property. Mr. Whited suggested a possible alternative of accessing the back end of the property off a separate subdivision road, which would require an easement from Clark Fields or Kim Cox, to allow the road to be extended. He stated that Mr. Fields would request \$20,000.00 per acre to purchase the ground, which does not seem feasible.

Mr. Whited explained the options under the new County Ordinance would be to have a traffic engineer do a traffic safety impact study on this particular location to determine if this is safe to have an approach that is out of the current ordinance. He stated when an ordinance is developed and adopted, it is to force future growth to do so in a certain manner and this is the way that development is occurring. These standards they are going by were not developed by Bingham County but were done by a Professional Engineer that uses industry standards.

Commissioner Bair asked Legal Counsel if the Board has the ability to make an exception on this matter. To which Mr. Dewey explained that the county would have to change the ordinance, which would give Mr. Whited the ability to determine that he could deviate from the Engineered Standards but the Board does not have the discretion to do so as it is written. He highlighted that there is a conflict between the rights to

do what one pleases with their property with safety based on the engineered study. The Board has to know that this is safe; another way to access the property would have to be found in order to balance out property rights and safety.

Mr. Whited stated that he could require that a professional engineer complete a study. There is no doubt that this would require a professional engineer to study in order for him to feel comfortable accepting this plan. There could be liability on the county and if a study were completed, the engineering firm would be taking liability from the county, if they believe it is safe.

After discussion, Mr. Whited stated the professional engineer would look at the functional classification of the road, would look at the county's ordinance and evaluate conditions, among other things before making a decision. Lastly, Mr. Whited added there is a standard developed by a professional engineer, Mr. Hasselbring is asking him to deviate by half, which is a liability to the county, and it would not do justice to make that deviation without a formal document stating the engineer approves.

Mr. Hasselbring thanked the Board for their time and exited the meeting at this time.

Next, Mr. Whited discussed the Local Road Inventory Maps, which require signature of the Chairman of the Board of County Commissioners. He explained this is completed yearly and is the maps reviewed to deduct any road mileage that may have been annexed by the city. On the paved roads, which is the most important, last year's total was 655.97 and is currently 658.713. For gravel roads, last year was 540.056 and this year is 542.646, which shows that things are growing.

There were no concerns and Chairman Manwaring signed the documentation to approve the Local Road Inventory Maps.

Mr. Whited discussed the condition of the Goshen Road Bridge near Butte Road, wherein he explained the inspection has come back as a level two, which means it needs to be monitored closely or closed down. He explained that he has looked at the bridge and he agrees that it should be closely monitored and replaced as soon as possible. Replacing the bridge is not an option at this time as several contractors are behind on work and the job would not be possible before April 1, 2022. Discussion was held regarding other bridges that will need to be maintained and inspected. Mr. Whited stated this would be done by designated employees, who will then bring information back to him if repairing needs done. He would then review and decide the best way to proceed. Mr. Whited reiterated that he would monitor the Goshen Road Bridge and if it starts moving, there would be the possibility of having to close down the bridge for the remainder of the year. Chairman Manwaring signed the necessary documentation pertaining to the engineering report of the bridge.

Next, discussion was held in regards to the speed limit change and safety concerns on the intersection of 100 North 740 West. Mr. Whited stated in December he received information from Mr. and Mrs. Scott who live at 102 North 740 West, wherein they were in an accident at this intersection. They have voiced their concern about the safety of this intersection. Mr. Whited explained that a traffic investigation was completed wherein there were four matters to complete in order to increase the safety of that specific intersection, which were as follows:

- 1) Flag the Stop signs on both sides to draw attention to the sign
- 2) Place Stop Ahead sign on the West side
- 3) Place stop bars on 100 N
- 4) Change speed limit from 50 MPH to 45 MPH on 100 N

Mr. Whited stated that he met with Mr. Scott and informed him of these changes to be made, who was happy these changes were to be made.

Decision: Commissioner Bair moved to approve the change of speed limit from Highway 26 to Wilson Road, from 50 MPH to 45 MPH. from Highway 26 to Wilson Rd (900) Commissioner Lewis seconded. All voted in favor. The motion carried.

Lastly, Mr. Whited presented the submitted Solid Waste Credit Application from Mr. Hunee Due, LLC, who is requesting a credit limit of \$500.00. Mr. Whited stated that the references have been checked and he is recommending approval of this credit application.

Decision: There were no concerns and said credit application was approved and signed by Chairman Manwaring at this time.

MEDICAL INDIGENCY APPEAL HEARING

Present: John Dewey- County Legal Counsel
Marvin Smith- Counsel for Eastern Idaho Regional Medical Center
Eric Grant- Appellant
Woodrow Grant
Celena Grant
Cierra Murray
Laura Lora- Indigent Services Director
Susan Denny- Indigent Services

The Board met to hear a Medical Indigency Appeal. Chairman Manwaring welcomed all to the meeting and introductions were held.

Commissioner Bair moved to go into Executive Session pursuant to Idaho Code §74-206(1)(d), to consider records that are exempt from public disclosure. Commissioner Lewis seconded. All voted in favor. The Board moved into Executive Session at 11:20 a.m. The Board moved out of Executive Session at 11:30 a.m.

Decision: Commissioner Lewis moved to follow the recommendation of the Indigent Services Director and approve Case Number 2021-22, due to the information provided prior to this hearing. Commissioner Bair seconded. All voted in favor. The motion carried.

APPROVAL OF LETTER OF SUPPORT FOR THE BINGHAM COUNTY HISTORICAL SOCIETY

Present: Pam Eckhardt- County Clerk
Excused: Commissioner Lewis

The Board met to approve and sign the letter of Support for the Bingham County Historical Society for a grant to assist with additional displays.

Decision: Commissioner Bair moved to approve the letter of support for the Bingham County Historical Society Grant. Chairman Manwaring seconded. Both 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 Bair moved to go into Executive Session. Chairman Manwaring seconded. Both voted in favor. The Board moved into Executive Session at 2:16 p.m. the Board moved out of Executive Session at 2:28 p.m.

Decision: Commissioner Bair moved to allow Dusty Whited- Public Works Director, to offer the position for Solid Waste Truck Driver to the specific individual from Pocatello. Commissioner Lewis seconded. All voted in favor. The motion carried.

HUMAN RESOURCES

Present: John Dewey- County Legal Counsel/Human Resources Director

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

Discussion was held in regards to the solicitation of bids for transportation of Solid Waste. Mr. Dewey stated he has drafted the Notice of Calling for Bids pertaining to Solid Waste Transportation Contract. There may be other changes prior to being published but he would ask that the Board approve that he move forward with publication process. This notice would be published two times in the Bingham News Chronicle and opening of Bids is scheduled for March 2, 2022 during the Public Works meeting at 9:00 a.m.

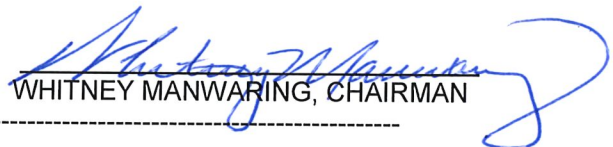
Decision: Commissioner Lewis moved to proceed with the publication process for transportation of Solid Waste. Commissioner Bair seconded. All voted in favor. The motion carried.

Next, discussion was held in regards to remodeling the restrooms within the courthouse in order to make them ADA compliant. Chairman Manwaring stated it was discussed that this should be a priority for use of ARPA funds. The approximate number in the past had been \$50,000.00, which could have increased. Mr. Dewey added the longer this project is put off, the more the cost could be and he agrees that it is important to move forward.

Decision: Commissioner Lewis moved to begin the process of making the restrooms in the courthouse ADA accessible and compliant. Commissioner Bair seconded. All voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY FEBRUARY 11, 2022


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Friday, February 11, 2022
County of Bingham)

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

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

CASH WARRANTS

Cash Warrants were approved in the amount of \$ \$453,436.24, \$142,132.15 and \$97,759.19, for a total of \$693,327.54.

CLAIMS

Claims were approved in the amount of \$225,038.77.

PERSONNEL ACTION FORMS

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

New Employee Status Sheet:	Detention Deputy
Salary Increase:	Administrative Assistant
	Deputy Clerk-Jury/Recorder

Decision: Commissioner Lewis moved to approve Cash Warrants, Claims, Administrative Forms and Personnel Action Forms as presented. Claims were in the amount of \$225,038.77. Chairman Manwaring seconded. Both Commissioners voted in favor. The motion carried.

TAX MATTERS

The Board met to approve submitted Tax Inquiries for 2021 value adjustment and for the reasons, which are as follows:

RP0630404- Owner is Indian Exempt
UR003503- The State provided the incorrect address and requested the penalty and interest be cancelled.

Decision: Commissioner Lewis moved to approve the submitted Tax Inquiries as presented. Chairman Manwaring seconded. Both voted in favor. The motion carried.

ASSIGNMENT

The Commissioners reviewed an assignment with Catastrophic Health Care Program (CAT), assignments were signed on this date on behalf of the following:

Case No. 2015-102 & 2016-53 to the extent of 79.00% of the payment amount to be sent to CAT.
Case No. 2017-84 & 2018-1 to the extent of 93.00% of the payment amount to be sent to CAT.
Case No. 2018-54 to the extent of 44.00% of the payment amount to be sent to CAT.
Case No. 2018-66 to the extent of 51.00% of the payment amount to be sent to CAT.
Case No. 2018-80 to the extent of 6.00% of the payment amount to be sent to CAT.
Case No. 2018-81 to the extent of 28.00% of the payment amount to be sent to CAT.
Case No. 2018-78 to the extent of 4.00% of the payment amount to be sent to CAT.
Case No. 2019-1 to the extent of 76.00% of the payment amount to be sent to CAT.
Case No. 2019-7 to the extent of 14.00% of the payment amount to be sent to CAT.
Case No. 2019-48 to the extent of 42.00% of the payment amount to be sent to CAT.
Case No. 2019-35 to the extent of 3.00% of the payment amount to be sent to CAT.
Case No. 2019-40 to the extent of 25.00% of the payment amount to be sent to CAT.
Case No. 2019-35 & 2019-54 to the extent of 28.00% of the payment amount to be sent to CAT.
Case No. 2019-51 to the extent of 29.00% of the payment amount to be sent to CAT.
Case No. 2019-55 to the extent of 67.00% of the payment amount to be sent to CAT.
Case No. 2019-57 to the extent of 8.00% of the payment amount to be sent to CAT.
Case No. 2019-62 to the extent of 72.00% of the payment amount to be sent to CAT.
Case No. 2019-74 to the extent of 54.00% of the payment amount to be sent to CAT.
Case No. 2019-79 to the extent of 4.00% of the payment amount to be sent to CAT.
Case No. 2019-68, 2019-70 & 2019-75 to the extent of 81.00% of the payment amount to be sent to CAT.
Case No. 2019-93 to the extent of 18.00% of the payment amount to be sent to CAT.
Case No. 2019-90 to the extent of 59.00% of the payment amount to be sent to CAT.
Case No. 2019-88 to the extent of 31.00% of the payment amount to be sent to CAT.
Case No. 2019-91 & 2020-3 to the extent of 74.00% of the payment amount to be sent to CAT.
Case No. 2020-30 to the extent of 45.00% of the payment amount to be sent to CAT.
Case No. 2020-52 to the extent of 41.00% of the payment amount to be sent to CAT.
Case No. 2020-63 to the extent of 46.00% of the payment amount to be sent to CAT.

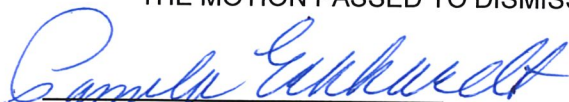
MEDICAL INDIGENT MATTER

RECORDED: A Release of Financial Assistance Lien was approved and recorded as Instrument No. 742406.

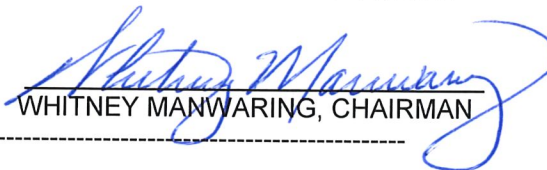
RECORDED: A Release of Financial Assistance Lien was approved and recorded as Instrument No. 742407.

RECORDED: A Release of Financial Assistance Lien was approved and recorded as Instrument No. 742408.

THE MOTION PASSED TO DISMISS UNTIL MONDAY FEBRUARY 14, 2022



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



WHITNEY MANWARING, CHAIRMAN