

STATE OF IDAHO)
 : ss. Monday, October 3, 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- Commission Clerk
Via Zoom: Commissioner Bair

STAFF MEETING

Present: Gina Perschon- Chief Deputy Clerk
 Donavan Harrington- County Assessor
 Debbie Cunningham- Chief Deputy Assessor
 Stacie Salazer- Chief Deputy Coroner
 Dusty Whited- Public Works Director
 Scott Reese- Parks & Recreation
 Laraine Pope- Human Resources Director
 Eric Jackson- Building Maintenance Director
 Paul Rogers- Prosecuting Attorney
 Jeff Gardner- Bingham County Sheriff
 Laura Lora- Payroll & Indigent Services
 Sheri Landon- Magistrate/District Court
 Danette Miller- Elections
 Gordon Croft- Blackfoot Police Chief
 Tanna Beal- County Treasurer
 Shawn Hill- Probation Department
Excused: Marc Carroll- City of Blackfoot Mayor
 Scott Mensching- IT Director
 Cody Lewis- Drug Court
 Pamela Eckhardt- County Clerk
Via Zoom: Tiffany Olsen- Planning & Development Director

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

Pledge of Allegiance: Chairman Manwaring

Approval of Minutes for September 2022 Staff Meeting: Chairman Manwaring stated there were no changes to be made and the minutes were approved as written.

Special Presentation: None.

Employee Years of Service Recognition: Dusty Whited recognized Troy Lenhart for five years of service to Bingham County. He is the Road & Bridge Supervisor, works well with the employees and operates any equipment needed. Chairman Manwaring added that Troy Lenhart is a hands on employee and a huge asset to Bingham County.

Danette Miller recognized Megan Kearsley for five years of service to Bingham County. She is creative, a joy to have in the office and is a huge asset to the Elections Department. She added that Megan is a wiz with anything computer related and is glad to have her as an employee.

Shawn Hill recognized Jeff Nelson for fifteen years of service to Bingham County. He is an Adult Misdemeanor Probation Officer and does a great job.

Chairman Manwaring: Had no updates at this time.

Commissioner Lewis: Had no updates at this time.

Gina Perschon: Reminded everyone it is the beginning of the new Fiscal year and any claims to be paid from last Fiscal Year will need to be dated September 30th and the deadline to get those paid is October 19th.

Laura Lora: Had no updates at this time.

Donavan Harrington: Briefly discussed the First Amendment Auditor from Long Island and encouraged that training be held to give employees guidance as to what is and what is not acceptable within the Courthouse. Mr. Harrington added that he appreciates staff and the response from EMS in regards to a woman who experienced medical issues in the Department of Motor Vehicles Department.

Chairman Manwaring stated that Human Resources would plan and schedule a training in regards to this situation and extended his appreciation to Garrett Sandow, City of Blackfoot Attorney, who worked the investigation.

Dusty Whited: Stated that Road and Bridge is continuing to work on the mountain roads.

Stacie Salazar: Stated that the Coroner's Office worked 110 hours last month and drove 680 miles.

Scott Reese: Stated Parks & Recreation is working to winterize the parks, which will be open with power but no water or restrooms.

Sheri Landon: Had no updates at this time.

Laraine Pope: Reminded everyone about the flu shot clinic to be held tomorrow and stated there are still appointments available.

Eric Jackson: Had no updates at this time.

Tiffany Olsen: Stated that Planning & Development has a new Building Inspector, Justin Jepperson, who started one week ago and is doing amazing. They have seen an incline in Building Permit Applications and the October Planning & Zoning Commission Meeting will bring quite a bit of attendance.

Shawn Hill: Had no updates at this time.

Paul Rogers: Stated that he appreciates Garrett Sandow for his assistance on the investigation regarding the Long Island Auditor and thought the investigation went well. Chairman Manwaring asked Mr. Rogers to explain the process of investigation regarding incidents that occur and involve the County. Mr. Rogers stated the incident that occurred was unusual as it occurred on County property but the individual went to the City of Blackfoot Police desk to report the issue.

Sheriff Jeff Gardner: Reiterated on the comment made by Donovan Harrington in regards to training and stated that he would be happy to work with Paul Rogers and Laraine Pope in planning the training. He also would like to share his appreciation for the good working relationship with the City of Blackfoot.

Tanna Beal: Had no updates at this time.

Julie Buck: Stated that the Eastern Idaho State Fair went well and there was an increased number of animals and funding in sales. There are currently several events and classes being held in the Extension Office and reminded everyone to look at their Facebook page for further information.

Danette Miller: Stated that the Election Office is preparing for the November Election and early voting begins on October 24th and ends November 4th.

Chief Gordon Croft: Had no updates at this time.

Chairman Manwaring confirmed there was nothing further for discussion and stated the next Staff Meeting is scheduled for Monday, November 7, 2022 at 8:30 a.m.

THE MOTION PASSED TO DISMISS UNTIL TUESDAY OCTOBER 4, 2022


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. **Tuesday, October 4, 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- Commission Clerk
- Excused: Commissioner Bair

PUBLIC HEARING & DECISION ON A ZONE CHANGE REQUEST FROM "R" RESIDENTIAL TO "C2" HEAVY COMMERCIAL TO MATCH THE MAJORITY OF THE ZONING EXISTING ON THE PROPERTY AND THE MOUNTAIN EDGE COMMERCIAL PARK SUBDIVISION, 2-LOTS REQUESTED BY MIKE FRESH

- Present: Chris Street- HLE
 Tiffany Olsen- Planning & Development Director

The Board met to hold a Public Hearing & Decision on a Zone Change request from "R" Residential to "C2" Heavy Commercial to match the majority of the zoning existing on the property and the Mountain Edge Commercial Park Subdivision, 2-Lots, requested by Mike Fresh. Chairman Manwaring welcomed all to the meeting, introductions were held and the time was turned over to Tiffany Olsen, Planning & Development Director.

Director Olsen presented Staff Report for the record at this time.

Chairman Manwaring asked Director Olsen for clarification and that there are storage units on one parcel and one building, which does have its own individual well and septic. Director Olsen stated that was correct.

Chris Street, HLE & Applicant's Representative, stated the reason for the split is change in entities that run the storage units and would like to build additional storage units that will be under a new entity and therefore, they would like to break off the existing shop with the landscape company. The rezone is a triangle piece and the request is to clean up the parcel.

The Public Hearing was opened for public testimony, wherein Chairman Manwaring confirmed there was no testimony in favor, in neutral, nor in opposition. The Hearing was closed to testimony and moved into the Board's deliberation.

Chairman Manwaring stated he has no concerns in regards to the Zone Change request nor the Subdivision Application.

Commissioner Lewis stated this Application is straight forward and has no concerns.

Decision: Commissioner Lewis moved to uphold the recommendation from the Planning & Zoning Commission to approve the Zone Change from "R" Residential to "C2" Heavy Commercial for a portion of the parcel located at 644 West 200 North in Blackfoot, Idaho. Based upon the information presented today and the Reason & Decision of the Planning & Zoning Commission. Chairman Manwaring seconded. Both voted in favor. Commissioner Bair was not in attendance. The motion carried.

Decision: Commissioner Lewis moved to uphold the recommendation from the Planning & Zoning Commission to approve the Mountain Edge Commercial Park Subdivision, a 2-Lot subdivision on 4.57 acres, based upon the record and the approved Zone Change. Chairman Manwaring seconded. Both voted in favor. Commissioner Bair was excused. The motion carried.

Request for Reconsideration/Judicial Review: Upon denial or approval of a zone change, with adverse conditions, pursuant to Idaho Code Section 67-6535(2)(b), the Applicant or affected person seeking Judicial Review of compliance with the provisions of this section must first seek reconsideration of the final decision within fourteen (14) days. Such written request must identify specific deficiencies in the decision for which reconsideration is sought.

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

PLANNING & DEVELOPMENT UPDATE

Present: Tiffany Olsen- Planning & Development Director

The Board met with Tiffany Olsen to discuss department updates.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY OCTOBER 5, 2022


PAMELA W. ECKHARDT, CLERK


WHITNEY MANWARING, CHAIRMAN

Lindsey Dalley- Commission Clerk-----

STATE OF IDAHO)
 : ss. Wednesday, October 5, 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- Commission Clerk
Excused: Commissioner Bair

INDIGENT MATTER

Recorded: A Release of Financial Assistance Lien was approved by the Board and recorded as Bingham County Instrument No: 749692.

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

APPROVAL OF COMMISSIONER MINUTES FROM AUGUST 1-12, 2022

The Board met to approve Commissioner Minutes from August 1-12, 2022.

Decision: Commissioner Lewis moved to approve Commissioner Minutes from August 1-12, 2022. Chairman Manwaring seconded. Both voted in favor. The motion carried.

ALCOHOL LICENSE'S

The Board met to approve Alcohol License's, which were as follows:

- Cheers & Beers Bar LLC
- Colonial Inn
- Teton House
- Tooley's
- Good 2 Go
- Blackfoot Elk's Lodge #1416
- BGC Café

Decision: Commissioner Lewis moved to approve Alcohol License's as presented. Chairman Manwaring seconded. Both voted in favor. The motion carried.

SHERIFF'S OFFICE

Present: Jeff Gardner- Bingham County Sheriff
Paul Rogers- Prosecuting Attorney

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

PUBLIC WORKS

Present: Dusty Whited- Public Works Director
Paul Rogers- Prosecuting Attorney
Pamela Eckhardt- County Clerk
Via Zoom: 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 referred to the request for reclassification of Worthen Road from Manwaring Way to Porterville Road and stated there has been discussion of a new development and as part of the traffic study completed, it was found that Worthen road is severely under classified. Mr. Whited stated the ADT (average daily traffic) of Worthen Road is 1,350 vehicles per day. A local road is up to 400 vehicles per day, a minor collector is between 150-1,110, which Worthen Road exceeds. With the 1,350, it exceeds the minor collector and fits well in the mid-range of the major collector classification. The Vehicle General Flow Report provided to the Board shows that Worthen Road is under classified, especially with the possibility of future development.

Commissioner Lewis stated the concern of the Planning & Development Director is the Application was filed with this being the other road and that is what will be before the Planning & Zoning Commission next week. Mr. Whited stated at this point all that has been submitted is a conceptual drawing and that is what cause him to do a traffic study. The development will have significant impact to the area.

Chairman Manwaring asked Mr. Whited what the change of classification would intel. Mr. Whited explained according to the MUTCD (Manual on Uniform Traffic Control Devices, when setting speed limits is the 85th percentile, which is the 43.1, and will impact the amount of right-of-way to be required for future development. The higher the functional classification, the wider the right-of-way will be required, for future turn lanes or additional lanes of traffic, there is appropriate right-of-way. Mr. Whited stated this would also change the approach distances. He has not looked at the proposed concept specifically to determine whether or not this change would impact development but he would not want to make a recommendation that the traffic study shows should be made because it would impact one particular development that is still in concept phase. Commissioner Lewis stated this development has not come before the Board and therefore, they need to be careful with what is discussed.

Director Olsen stated this information should have been presented to the Board regardless of the development since the numbers warranty the increase. With any potential Land Use Application, a change like this from a local to a higher classification is going to be a substantial change to the design. She informed Mr. Whited that it would be beneficial to submit the traffic study for the Planning & Zoning Commission Public Hearing as part of his Government Agency comment. She stated that she has been working with the Applicant for about two months on traffic and she is not sure the Applicant has seen the information, which is important. There is a lot of development in that area regardless and Director Olsen believes that looking at the traffic is important.

Commissioner Lewis asked Mr. Whited what the process of changing classifications for a road, wherein he explained there are some roads that are on the state classification map. Any roads that are on the state classification map, he would need a recommendation from the Board to be presented to the Idaho Transportation Department, which is then sent to FWHA for final approval. He stated that Worthen Road is not on the state classification map and therefore it is clearly a decision to be made by the Board.

Commissioner Lewis stated the process should be clarified, traffic study should be submitted as an exhibit for the Planning & Zoning Commission Hearing and a recommendation that this be changed to a major collector. This matter will be further researched and added to the agenda at a later date.

Next, Mr. Whited discussed the winter hours for the Solid Waste Department, wherein he stated there are changed each year and the only difference between this year and last year is that this year has been extended to remain open for an additional 30 minutes.

Decision: Commissioner Lewis moved to approve the change in Solid Waste winter hours for both Moreland and Aberdeen landfills. Chairman Manwaring seconded. Both voted in favor. The motion carried and will be as follows:



Bingham County Public Works
245 N 690 W
Blackfoot, Idaho 83221
(208) 782-3173 - (208) 785-8063 (fax)
Dusty Whited - Director

PUBLIC NOTICE

October 3rd, 2022

Moreland Central Solid Waste Transfer Station

Winter Hours

November 7th, 2022 to March 6th, 2023

Beginning Monday, November 7th, 2022 until Monday, March 6th, 2023 the Bingham County Solid Waste Moreland Central Transfer Station's winter hours will be;

Monday – Saturday
7:30 a.m. to 4:30 p.m.



Bingham County Public Works
245 N 690 W
Blackfoot, Idaho 83221
(208) 782-3173 - (208) 785-8063 (fax)
Dusty Whited - Director

PUBLIC NOTICE

October 3rd, 2022

Aberdeen Landfill

Winter Hours

November 7th, 2022 to March 6th, 2023

Beginning Monday, November 7th, 2022 until Monday, March 6th, 2023 the Aberdeen Landfill will only be open on Saturdays.

Saturday

9:00 AM to 4:45 PM



Bingham County Public Works
 245 N 690 W
 Blackfoot, Idaho 83221
 (208) 782-3173 - (208) 785-8063 (fax)
Dusty Whited - Director

October 3rd, 2022

All Commercial Hauling Contractors

During the winter hours of operation from **Monday, November 7th, 2022 until Monday, March 6th, 2023**, the Bingham County Moreland Solid Waste Transfer Station will only accept loads of solid waste from commercial haulers during the following days and hours of operation:

Monday – Saturday	7:30 a.m. to 4:00 p.m.
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During Holidays and Maintenance Day, when there is a reduced hours of operation, Moreland Solid Waste Transfer Station will only accept loads of solid waste from commercial haulers during the following and hours of operation:

Holidays & Maintenance Day	7:30 a.m. to 12:00 p.m.
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We apologize for any inconvenience this may cause and if you have any questions please feel free to contact me at your convenience.

Discussion was then held in regards to the property owned by Alan Larsen on Reservoir Road, wherein Chairman Manwaring explained that he has talked to Mr. Larsen who informed him that due to the County parking equipment on the property, somehow there was a gate left open and cattle got out into the road. There may have been someone from the public who had gone onto the property and left the gate open but seeing that the County equipment was there, it is hard to tell. This property is in Bonneville County, not far from the Bingham County Line. Due to this event, Mr. Larsen requested that the County provide two loads of gravel to be placed in the lot that the County has been parking. Chairman Manwaring stated he has seen the lot and there are potholes that have developed.

Chairman Manwaring informed Mr. Whited that it would be beneficial to look at other property to use for parking in the future to cure any issues. This would be a good faith decision to be made by the County as the lot has been used for several years without knowing it is private property, but it also used by the citizens.

Mr. Rogers stated his initial thought was that gravel should not be provided without being placed on the agenda for discussion and a final decision made by the Board to clarify the value of the gravel. In the future, it would be beneficial to have an Agreement on file stating that the County is able to park equipment on whatever property that may be. Further, he stated it would be okay for today to move forward with making a decision and have it reflected in the minutes whatever the decision of the Board may be.

Commissioner Lewis stated her concern is if this is done for one property, another property owner may request the same.

For clarification on the record, Mr. Whited stated the gravel would be approximately \$45.00 per load for cost into the gravel and Mr. Whited would be in contact with Mr. Larsen to inform him of the decision.

Decision: Commissioner Lewis moved to approve taking two loads of gravel to Alan Larsen's property on Reservoir Road, due to Bingham County using private property without permission for parking of County equipment. The value of a load of gravel is \$45.00 per load for a total value of \$90.00 and the Board directs the Public Works Director to work with Mr. Larsen to get this accomplished. Chairman Manwaring seconded. Both voted in favor. The motion carried.

DISCUSSION & DECISION TO TRANSFER ASSETS OF ATOMIC CITY- REQUESTED BY CLERK ECKHARDT

Present: Dusty Whited- Public Works Director
 Pamela Eckhardt- County Clerk
 Paul Rogers- Prosecuting Attorney

The Board met to discuss and make a final decision for transfer of assets for Atomic City. Chairman Manwaring welcomed all to the meeting and turned the time over to Clerk Eckhardt.

Clerk Eckhardt explained that the new owners, Blake Lyle and Vickie O'Haro, are partially through getting the water company completed. At this time, she would like to send a letter to the residents informing them of the process and that the new owners would be sending out new service agreements. The new owners are not going to keep the current bookkeeper that the County has used and will be doing all tasks on their own but will continue to use Pete Cortez, the current water operator.

The new owners would like to start cleaning up the property around the trailer and learn the system. The Atomic City computer will be turned over to the new owners as well. Clerk Eckhardt stated there is currently \$50,000.00 in the checking account for Atomic City and \$10,000.00 in the water fund. She is proposing that the \$10,000.00 be transferred with the water system and that the remaining \$50,000.00 be transferred to the County to cover costs that have been paid while running the system.

Mr. Whited informed Clerk Eckhardt that Mr. Lyle could get in contact with them to obtain the current combinations for locks currently in place and provide him with the equipment on hand for the water system. The County would keep a set of keys in case an emergency call occurs but at the point where the County would not be responding, all keys would be provided to Mr. Lyle.

Decision: Commissioner Lewis moved to direct Clerk Eckhardt to work with the news owners of the Atomic City Water System to transfer assets, to be done no more than 60-days from todays date and release liability at that time. Chairman Manwaring seconded. Both voted in favor. The motion carried.

TREASURER'S OFFICE

Present: Tanna Beal- County Treasurer
Pamela Eckhardt- County Clerk
Laraine Pope- Human Resources Director
Paul Rogers- Prosecuting Attorney

The Board met with Tanna Beal to discuss the proposal for reclassification of a Treasurers Office employee. Chairman Manwaring welcomed all to the meeting and turned the time over to Ms. Beal.

Ms. Beal stated she is requesting a reclassification for the Senior Deputy Treasurer. There has been a revision of the job description, which has changed tremendously. Due to the increase in accounts and citizens coming in and out of the office, she is trying to bring her in line with other people in a similar position. The Senior Deputy Treasurer is current at an N17, Step 11 and she is proposing an N20, Step 9 (\$26.07).

In order to meet the 5% increase requirement of the employee handbook it was discussed increasing to a Step 10 (\$26.86), which could be contingent on her not missing an increase.

Decision: Commissioner Lewis moved to accept the recommendation from the HR Director for reclassification for the Senior Deputy Treasurer from N17, Step 11 to an N20, Step 10, if she does not have an increase already scheduled for her original anniversary date. Commissioner Bair seconded. All voted in favor. The motion carried.

PRIOR APPROVAL- BUILDING MAINTENANCE

Present: Eric Jackson- Building Maintenance
Jason Marlow- Building Maintenance

The Board met to discuss the submitted Prior Approval for Major Purchase for a vacuum pumper for the jail, which is used when the jail floods as there are no floor drains to push water. Said purchase would be in the amount of \$1,700.00, to be paid from the Building and Grounds Fund.

Decision: Commissioner Lewis moved to approve the Prior Approval for Purchase of a vacuum pumper for the jail in the amount of \$1,700.00, to be paid out of Building and Grounds. Chairman Manwaring seconded. Both voted in favor. The motion carried.

HUMAN RESOURCES

Present: Laraine Pope- Human Resources Director
Paul Rogers- Prosecuting Attorney

The Board met with Laraine Pope to discuss department updates.

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. Chairman Manwaring seconded. All voted in favor. The Board moved into Executive Session at 2:05 p.m. Commissioner Lewis moved to go out of Executive Session. Chairman Manwaring seconded. All voted in favor. The Board moved out of Executive Session at 2:39 p.m.

Decision: No decision to be made on the record at this time.

FURTHER DISCUSSION & DECISION REGARDING AGREEMENT WITH THE CITY OF SHELLEY FOR NORTH BINGHAM HISTORICAL PARK

Present: Paul Rogers- Prosecuting Attorney
Scott Reese- Parks & Recreation
Tyler Draney- Parks & Recreation
Pamela Eckhardt- County Clerk
Jacqui Sullivan- IDEAS
Adam French- City of Shelley

The Board met to hold further discussion and make a possible decision regarding the Agreement with the City of Shelley for North Bingham Historical Park. Chairman Manwaring welcomed all to the meeting and turned the time over to Mr. Rogers.

Mr. Rogers stated he met with Adam French and Jacqui Sullivan last week to discuss two final issues with transferring a portion of North Bingham County Park to the City of Shelley.

One issue is the location of the gate, wherein the City of Shelley would like to relocate the gate to the valve house and there were concerns with that. Mr. Rogers explained the road enters into the entire courtyard and there has been vandalism occurring, which is the purpose of the gate. Mr. Reese stated concrete barriers could be placed in order to still allow pedestrians and bikes to go through. Chairman Manwaring stated he would rather have a gate in order to have fire access if needed.

Tyler Draney stated it does need to be locked but they would like to detour people from driving through late at night. He explained they would rather see emergency or utility services or county traffic, and no public traffic through that area.

A brief discussion was held in regards to placing removable bollards, which would allow them to be moved if needed. The Board and Mr. French agreed that would be acceptable and it was decided that the City of Shelley and Bingham County would split the cost.

Next, discussion was held in regards to the east gate, wherein it was decided that the City of Shelley would place a gate across to the tree line or place boulders in order to keep vehicles out. The Board has no issues with this matter and Public Works would assist in providing boulders.

Discussion was held in regards to water division, wherein Chairman Manwaring mentioned the possibility of transferring ground water and install a monitor. Mr. Draney explained the pump only puts out about 150-175 gallons per minute and run 3 times a week from 8:00 p.m. until 10:00 a.m., the next morning. Ms. Sullivan stated use would solely be for potable water. Mr. Draney stated the only issue he would foresee is the garden runs off that same line and there is a hydrant at the arena, a hydrant at the well house and one by the flying field. Mr. French stated they would need to use the hydrants if possible.

Mr. French stated that they are working with Snake River Environmental to water the lawn and garden. Chairman Manwaring stated the County reviewed water rights several years ago and that is when it was recognized that there were not water rights to continue allowing them the water usage they were using. Commissioner Lewis added that the County bought as many water rights as possible at that time but it only covered the North end of the park. Mr. French stated they would use surface water to water the lawn trees.

Commissioner Lewis stated her main concern was in reading the contract, the County does not have water rights and therefore, did not understand how that would work. Mr. French explained they had entered an agreement for a shared well water right that they would transfer from the City of Shelley, including a meter to track the amount of water used. He added it would only be the restrooms and the two hydrants, they do not plan to water what they are now.

Chairman Manwaring stated he is okay with this and stated as it is for the potable water and using hydrants to be used as needed but he would like a meter to track water usage. If there is more water

being used than should be, the County could have the ability to shut the two hydrants off and figure out a line to the garden from the surface water. He suggested scheduling this out for review after one year to track water usage. Mr. Rogers stated there could be a contingency placed on this and have it reviewed in one year after going through a summer of usage to bring numbers in to discuss usage. Also, if the rates are too high, the County reserves the right to shut off the two pumps to the garden if the use is too great for the pump and the City of Shelley would need to figure out another route to water the garden but would still have the water to the restroom.

Decision: All were in agreeance of the proposal. Mr. Rogers will make the necessary changes to the contract and provide to Adam French within the next few days for proposal to the City Council and signature.

DISCUSSION & POSSIBLE DECISION REGARDING THE REQUEST TO OBTAIN AN EASEMENT FOR THE MCDONALDVILLE PROPERTY RECENTLY PURCHASED FROM THE COUNTY- REQUESTED BY BRETT PANTING

Present: Brett Panting- Requested meeting
 Kaitlyn Panting- Requested meeting
 Paul Rogers- Prosecuting Attorney
 Dusty Whited- Public Works Director
 Gwen Inskeep- County Surveyor
 Pamela Eckhardt- County Clerk

The Board held a meeting with Mr. Panting to discuss the request to obtain an easement for the McDonaldville Property recently sold at auction. Chairman Manwaring welcomed all to the meeting and turned the time over to Mr. Panting.

Mr. Panting stated he had met with Todd and Susan Jensen who are not interested in providing an easement, therefore, his next option is to work with the County to see if an easement through the land. There is already an existing road along the trees and his proposal is they would use that same road and provide gravel, along with maintaining in the future.

Commissioner Lewis asked Mr. Whited to explain the difference between a farm easement and a house access. Mr. Whited explained if there were a change of use, the County would have to look at the approach as a change of use to see if it meets current approach standards.

Mr. Rogers asked Mr. Panting to state the intended use of the property for the record. Mr. Panting stated eventually they would like to build a home but currently would be maintaining weeds and such. He stated they would need to place a culvert as well.

Ms. Inskeep stated she has researched the subject access and if it were a residential access and it does meet distance requirements and would be in the interest of the County to have an actual access easement defined and recorded. She added that she did not see an existing easement. In order to create an access, a record of survey would need to be filed.

Mr. Panting stated he would build and maintain the road, also allow the County to use the road as well if needed.

Commissioner Lewis asked Mr. Rogers what the County could do regarding easements. Mr. Rogers explained he does not believe there are restrictions but all terms need to be laid out in detail. Ms. Inskeep

Decision: Commissioner Lewis moved to move forward with working with the Panting's to provide an easement. The Prosecutor will work on a contract for easement and review the property lease currently in place for requirements for allowing an easement. The County Surveyor will work with the Public Works Director to come up with the best access and the homeowners have agreed once this is decided they will build and maintain the road. Chairman Manwaring added if the driveway is split, the County will share cost to build a fence and then seconded the motion. Both voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY OCTOBER 7, 2022


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Friday, October 7, 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- Commission Clerk
Excused: Commissioner Bair

CLAIMS FOR FISCAL YEAR 2022

Claims for Fiscal Year 2022 were approved in the amount of \$343,916.02.

CLAIMS FOR FISCAL YEAR 2023

Claims for Fiscal Year 2023 were approved in the amount of \$325,102.92.

PERSONNEL ACTION FORMS

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

- | | |
|---------------------------|------------------------------------|
| New Employee Status Sheet | Work Study Intern |
| Salary Increase Form | Admin Asst. Public Works |
| | R&B Supervisor |
| | Parks Foreman |
| | Deputy Court Clerk |
| | Veterans Project Clerk |
| | Probation Officer |
| | Detention Deputy |
| | Patrol Deputy |
| | Patrol Deputy |
| | Emergency Communications Officer |
| | SRO Patrol Deputy |
| | Detention Deputy |
| | Patrol Deputy |
| | Emergency Communications Officer . |

Detention Deputy
Lead Emergency Communications Officer
Emergency Communications Officer
Emergency Communications Officer
Detention Deputy
Patrol Corporal
Patrol Deputy
Emergency Communications Officer
Emergency Communications Officer
Civilian Jail Tech
Drivers License Examiner

Employee Status Sheet

Re-Classification- Deputy Clerk/Recorder
Re-Classification- Deputy Clerk- Jury
Commissioner/Recorder
Re-Classification- Court Clerk Supervisor
Scale House Operator to Lead Scale House Operator
Admin. Patrol Corporal

Decision: Commissioner Lewis moved to approve Cash Warrants, Claims, Administrative Forms and Personnel Action Forms. Chairman Manwaring seconded. Both voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL WEDNESDAY OCTOBER 12, 2022

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

WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. **Wednesday, October 12, 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- Commission Clerk
Excused: Commissioner Bair

INDIGENT MATTER

Recorded: A Release of Financial Assistance Lien was approved by the Board and recorded as Bingham County Instrument No. 749847.

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

APPROVAL OF REASON & DECISION FOR GREAT WESTERN SUBDIVISION

The Board met to approve the Reason & Decision for Great Western Subdivision.

Decision: Commissioner Lewis moved to approve the Reason & Decision for Great Western Subdivision. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF REASON & DECISION FOR TRESSEL SUBDIVISION

The Board met to approve the Reason & Decision for Tressel Subdivision

Decision: Commissioner Lewis moved to approve the Reason & Decision for Tressel Subdivision. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF BINGHAM COUNTY PUBLIC DEFENDER CONTRACTS

The Board met to approve Bingham County Public Defender Contracts.

Decision: Commissioner Lewis moved to approve the Public Defender Contracts for Trevor Castleton, Manuel Murdoch, Matthew McKowen, Jeffrey Kunz, Jeffrey Jimenez and Scott Madson. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF ALCOHOL LICENSE'S

The Board approved Alcohol License's, which were as follows:

Riverside Kwik Stop	License No. 31
Hitching Post	License No. 32
Vazquez Restaurant	License No. 24
Mr. Eds Pawn	License No. 25
Pindale Lanes	License No. 26
Valley Country Store	License No. 27
Walgreens #13672	License No. 28
Seven Eighty Five	License No. 30
Tommy Vaughns	License No. 29

Decision: Commissioner Lewis moved to approve Alcohol License's as presented. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF TAX INQUIRIES

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

RP0153504 for year 2022	Homeowner signed up for Homeowners Exemption
RP1175500 for year 2022	Homeowner signed up for Homeowners Exemption
RP2028500 for year 2022	Homeowner signed up for Homeowners Exemption
RP0259503 for year 2022	Homeowner signed up for Homeowners Exemption
RP2168140 for year 2022	Homeowner signed up for Homeowners Exemption
RP1418300 for year 2022	Homeowner signed up for Homeowners Exemption
RP1300130 for year 2022	Homeowner signed up for Homeowners Exemption
RP1312455 for year 2022	Homeowner signed up for Homeowners Exemption
RP1312454 for year 2022	Homeowner signed up for Homeowners Exemption
RP1312422 for year 2022	Homeowner signed up for Homeowners Exemption
RP8167900 for year 2022	Homeowner signed up for Homeowners Exemption
RP8010800 for year 2022	Homeowner signed up for Homeowners Exemption
RP0509000 for year 2022	Homeowner signed up for Homeowners Exemption
RP2062000 for year 2022	Homeowner signed up for Homeowners Exemption
RP1368400 for year 2022	Homeowner signed up for Homeowners Exemption
RP2080740 for year 2022	Homeowner signed up for Homeowners Exemption
RP0310720 for year 2022	Homeowner signed up for Homeowners Exemption

RP0218804 for year 2022	Homeowner signed up for Homeowners Exemption
RP0429308 for year 2022	Homeowner signed up for Homeowners Exemption
RP0482920 for year 2022	Homeowner signed up for Homeowners Exemption
RP0483710 for year 2022	Homeowner signed up for Homeowners Exemption
RP0502506 for year 2022	Homeowner signed up for Homeowners Exemption
RP0506202 for year 2022	Homeowner signed up for Homeowners Exemption
RP0507501 for year 2022	Homeowner signed up for Homeowners Exemption
RP0520810 for year 2022	Homeowner signed up for Homeowners Exemption
RP0520820 for year 2022	Homeowner signed up for Homeowners Exemption
RP0525002 for year 2022	Homeowner signed up for Homeowners Exemption
RP0384813 for year 2022	Homeowner signed up for Homeowners Exemption
RP0541504 for year 2022	Homeowner signed up for Homeowners Exemption
RP0300415 for year 2022	Homeowner signed up for Homeowners Exemption
MH0300415 for year 2022	Homeowner signed up for Homeowners Exemption
MH352S34PW0010 for year 2022	Homeowner signed up for Homeowners Exemption
RP8266370 for year 2022	Homeowner signed up for Homeowners Exemption
RP8271480 for year 2022	Homeowner signed up for Homeowners Exemption
RP8271350 for year 2022	Homeowner signed up for Homeowners Exemption
RP8271310 for year 2022	Homeowner signed up for Homeowners Exemption
RP8271280 for year 2022	Homeowner signed up for Homeowners Exemption
RP8270750 for year 2022	Homeowner signed up for Homeowners Exemption
RP8270680 for year 2022	Homeowner signed up for Homeowners Exemption
RP8270650 for year 2022	Homeowner signed up for Homeowners Exemption
RP8270640 for year 2022	Homeowner signed up for Homeowners Exemption
RP8268570 for year 2022	Homeowner signed up for Homeowners Exemption
RP8268560 for year 2022	Homeowner signed up for Homeowners Exemption
RP8268370 for year 2022	Homeowner signed up for Homeowners Exemption
RP8268190 for year 2022	Homeowner signed up for Homeowners Exemption
RP8268180 for year 2022	Homeowner signed up for Homeowners Exemption
RP8268170 for year 2022	Homeowner signed up for Homeowners Exemption
RP8268120 for year 2022	Homeowner signed up for Homeowners Exemption
RP8222300 for year 2022	Homeowner signed up for Homeowners Exemption
RP8181400 for year 2022	Homeowner signed up for Homeowners Exemption
RP8270240 for year 2023	Homeowner signed up for Homeowners Exemption
RP0488701 for year 2022	Billed in error- Should be Intermountain Gas Company

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

APPROVAL OF AGREEMENT BETWEEN BINGHAM COUNTY & ADA COUNTY FOR PATHOLOGY SERVICES

The Board met to approve the Agreement for Pathology Services between Bingham County & Ada County.

Decision: Commissioner Lewis moved to approve the Agreement for Pathology Services between Bingham County and Ada County. Chairman Manwaring seconded. Both voted in favor. The motion carried.

SHERIFF'S OFFICE

Present: Gary Yancey- Lieutenant for the Bingham County Sheriff's Office
Excused: Jeff Gardner- Bingham County Sheriff

The Board met with Lieutenant Yancey to discuss updates within the Sheriff's Office

PROSECUTORS OFFICE

Present: Paul Rogers- Prosecuting Attorney
Laraine Pope- Human Resources Director
Tyler Draney- Parks & Recreation
Gwen Inskeep- County Surveyor
Via Zoom: Commissioner Bair

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

Mr. Rogers stated he spoke with BJ Driscoll, Legal Counsel for the City of Shelley, who stated the City of Shelley would be signing the document but stated there were Exhibits missing from the document, which are the property and legal descriptions. Therefore, the City Council was unable to sign the document.

Ms. Inskeep stated this would take some time as she looked into the process and since the survey was completed in the late 1800's, the meander line has changed and the County does not have clear title to the west half of the park. There is an application through the Department of Lands that will need to be submitted. She explained there was a written legal description but there was never an official boundary line. This will need to be taken care of before the transfer can occur.

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. Chairman Manwaring seconded. All voted in favor. The Board moved into Executive Session at 2:15 p.m. Commissioner Lewis moved to go out of Executive Session. Chairman Manwaring seconded. All voted in favor. The Board moved out of Executive Session at 2:59 p.m.

Decision: Commissioner Lewis moved to approve a \$2,000.00 merit pay to one employee within the Prosecutor's Office. Commissioner Bair seconded. All voted in favor. The motion carried.

Decision: Commissioner Lewis moved to go forward with what was discussed in Executive Session and allow Paul Rogers and Human Resources to work with Chairman Manwaring and ICRMP to accomplish that. Commissioner Bair seconded. All voted in favor. The motion carried.

ROCKY MOUNTAIN POWER UPDATE

Present: Tim Solomon- Rocky Mountain Power
Tiffany Olsen- Planning & Development Director
Via Zoom: Commissioner Bair

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

THE MOTION PASSED TO DISMISS UNTIL THURSDAY OCTOBER 13, 2022



PAMELA W. ECKHARDT, CLERK

Lindsey Dalley- Commission Clerk-----



WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Thursday, October 13, 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- Commission Clerk
Excused: Commissioner Bair

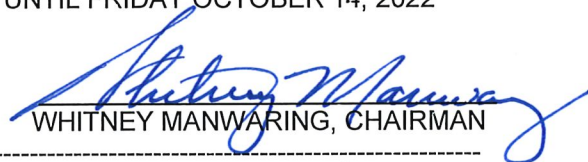
EXECUTIVE SESSION

The Board met to hold an Executive Session pursuant to Idaho Code Section 74-206(1)(e), to consider preliminary negotiations involving matters of trade or commerce in which this governing body is in competition with another governing body & also pursuant to Idaho Code Section 74-206(1)(c), to deliberate regarding an acquisition of an interest in real property, with a potential of visiting the site located on Bingham County Property located to the East of the Goshen Substation 800 N Goshen Rd. Commissioner Lewis moved to go into Executive Session. Commissioner Bair seconded. All voted in favor. The motion carried and the Board moved into Executive Session at 2:09 p.m. Commissioner Lewis moved to go out of Executive Session. Commissioner Bair seconded. The Board moved out of Executive Session at 3:42 p.m.

Decision: Commissioner Lewis moved to direct the Planning & Development Director to go move forward with renegotiating the lease with the Hillman’s for a property they are currently leasing from Bingham County. If successful, the Planning & Development Director will then meet with the prospective business to determine the acreage and work with the County Surveyor to create a parcel/legal description and move forward with negotiating a 5-year lease based upon Idaho Code. Chairman Manwaring seconded. Both voted in favor. The motion carried.

THE MOTION PASSED TO DISMISS UNTIL FRIDAY OCTOBER 14, 2022


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


WHITNEY MANWARING, CHAIRMAN

STATE OF IDAHO)
 : ss. Friday, October 14, 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- Commission Clerk
Excused: Commissioner Bair

PRIOR APPROVAL’S FOR THE IT DEPARTMENT

Present: Scott Mensching- IT Director

The Board met to review and make a decision regarding the submitted Prior Approval documents for the IT Department.

Mr. Mensching presented several Prior Approval for Major Purchases pertaining to yearly renewal costs and asked the Board for approval of the same.

Decision: Commissioner Lewis moved to approve the Prior Approval for Major Purchase for the Secret Double Octopus yearly renewal fee in the amount of \$23,904.00, to be paid from Fund 01-14-524-01. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Decision: Commissioner Lewis moved to approve the Prior Approval for Major Purchase for GIS ESRI Software renewal in the amount of \$18,850.00, to be paid from Fund 01-1-524-01. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Decision: Commissioner Lewis moved to approve the Prior Approval for Major Purchase for VMware Support Software in the amount of \$3,340.00, to be paid out of Fund 01-14-524-01. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Decision: Commissioner Lewis moved to approve the Prior Approval for Major Purchase of Tricerate Printing Software yearly renewal in the amount of \$7,497.00, to be paid from Fund 01-14-524-01. Chairman Manwaring seconded. Both voted in favor. The motion carried.

Decision: Commissioner Lewis moved to approve the Prior Approval for Major Purchase of CIS Services CrowdStrike Managed Detection and Response Renewal in the amount of \$23,140.00, to be paid from Fund 01-14-524-00. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF COOPERATIVE AGREEMENT FOR THE UNIVERSITY OF IDAHO EXTENSION PROGRAMS

The Board met to make a decision regarding the submitted Cooperative Agreement for the University of Idaho Extension Programs.

Decision: Commissioner Lewis moved to approve the Cooperative Agreement from the University of Idaho Extension Programs. Chairman Manwaring seconded. Both voted in favor. The motion carried.

APPROVAL OF REASON & DECISION FOR THE ZONING AMENDMENT FROM "R" RESIDENTIAL TO "C2" HEAVY COMMERCIAL FOR MOUNTAIN EDGE LLC

The Board met to approve the Reason & Decision for the Zoning Amendment from "R" Residential to "C2" Heavy Commercial for Mountain Edge LLC.

Decision: Commissioner Lewis moved to approve the Reason & Decision for the Zoning Amendment from "R" Residential to "C2" Heavy Commercial for Mountain Edge LLC. Chairman Manwaring seconded. Both voted in favor. The motion carried.

CLAIMS

Claims for Fiscal Year 2022 were approved in the amount of \$412,772.54.

Claims for Fiscal Year 2023 were approved in the amount of \$338,239.11.

PERSONNEL ACTION FORMS

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

Salary Increase Form:	Planning & Development Director
	Deputy Clerk Recorder

	Patrol Deputy
	Sergeant
	Civil Office Technician
	Patrol Sergeant
	Detention Deputy
	Detention Corporal
	Detention Deputy
	Detention Deputy
	Patrol Deputy
	Patrol Deputy
Employee Status Sheet:	Court Clerk Supervisor
	Deputy Clerk/Jury Commissioner/Recorder
New Employee Status Sheet:	Dispatcher
	Detention Deputy

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

THE MOTION PASSED TO DISMISS UNTIL MONDAY OCTOBER 17, 2022

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

WHITNEY MANWARING, CHAIRMAN