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# Commissioners' Agenda

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The Board of County Commissioners (BOCC) is comprised of the three elected County Commissioners: Ernie Moser (District 1, Chair), Jeff Hough (District 2), and John Crowder (District 3). The BOCC generally meets twice a week: regular business meetings are on **Tuesdays at 9:00 a.m.** and work sessions are on **Thursdays at 9:00 a.m.** Meetings are generally held in the Commissioner's Chambers at 624 E Center, Room 212, Pocatello, Idaho, unless otherwise noted. During these meetings, the BOCC may: approve contracts, expend funds, hear testimony, make decisions on land use cases and take care of other County matters, and are open to the public. Times subject to change within 15 minutes of stated time.

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## Tuesday, June 18, 2024

### 9:00 AM BOARD OF COMMISSIONERS

#### BOARD OF COMMISSIONERS

MEETING CALL TO ORDER, AGENDA CHANGES & AGENDA APPROVAL (action item)

- Indigent Business may require an Executive Session pursuant to Idaho Code §74-206(1)(d) to consider records exempt from public disclosure (action item)
- Matthew Phillips, Human Resources and Risk Management Director, discussion regarding 1) US Department of Labor Exempt final rule, 2) Idaho Statute §72-1104, and 3) The Industrial Commission Atkinson v. 2M Company with potential Executive Session under Idaho Code §74-206(1)(a)&(b)(requested 30 minutes) (action item)
- Kristi Klauser, Comptroller, seeking approval of and signature on the reoccurring BJA Fiscal Year State Criminal Alien Assistance Program (requested 5 minutes) (action item)

#### LETTERS AND NOTICES (action items):

Bannock County Public Hearing Notice for a vacation of a portion of Sorelle Road Right-of-Way

#### SIGNATURE ONLY (action items):

Board of Bannock County Commissioners' Proceedings – May 2024

#### CONSENT AGENDA (action items):

- Manual Checks
- Alcohol Licenses and Catering Permits
- Certificate of Residency Approval
- Salary Rate Approval Forms/Notice of Separation with Potential Executive Session under Idaho Code §74-206(1)(a)&(b) regarding personnel with potential action following adjournment of Executive Session

- Technology Forms
- Minutes: Approval of Meeting Minutes for June 7, 11, and 13, 2024, and Certification of Said Minutes

**10:00 AM** Fiscal Year 2025 budget meetings possible Executive Session under Idaho Code §74-206(1)(a)&(b) regarding personnel with potential action following adjournment of Executive Session (action item)

**1:00 PM** Fiscal Year 2025 budget meetings possible Executive Session under Idaho Code §74-206(1)(a)&(b) regarding personnel with potential action following adjournment of Executive Session (action item)

## BANNOCK COUNTY COMMISSIONERS

624 E. Center St., Pocatello, ID 83201  
 Phone: (208) 236-7210 • Fax: (208) 232-7363



ERNIE MOSER  
 Commissioner  
 1st District

JEFF HOUGH  
 Commissioner  
 2nd District

JOHN CROWDER  
 Commissioner  
 3rd District

**AGENDA REQUEST FORM**

*The Board of Bannock County Commissioners business meetings are generally held on **Tuesday at 9:00 AM** in the Commissioners' Chambers in the Bannock County Courthouse, 624 E. Center, Room 212, Pocatello, Idaho, or as noticed **48 hours** prior to the meeting at <https://www.bannockcounty.us/commissioners/>. Agenda times are subject to change within **15 minutes** of scheduled time. Any person(s) needing special meetings should contact the Commissioner's Office at 208-236-7210, three to five working days before the meeting.*

**E-mail this completed form and any supporting documents to [agendarequest@bannockcounty.us](mailto:agendarequest@bannockcounty.us) by NOON on the Thursday prior to the scheduled meeting.**

**Name/Department:**

Human Resources and Risk Management

**Item to be considered/background:**

Executive session for specific personnel affected by US D.O.L. Exempt final rule

Executive session for specific personnel affected by Idaho Statute 72-1104

Executive session for personnel affected by Atkinson v. 2M Company

**How much time will be needed? Meeting date requested:**

15 - 30 Minutes

6/18/24

**Does this item involve a contract, agreement, external funding application or award acceptance?**

YES ☐ NO ☒

**Have all supporting documents been included with this form?**

YES ☒ NO ☐

**List of attendees:**

Matthew Phillips, Kristi Klauser, Jason Dixon, Kiel Burmester, Tony Manu

**Please include any supporting documents with your Agenda Session Request Form.**

Commissioner Office Only:

Date: 6/13/24 Time: 11:40am



**Options for complying with U.S. Department of Labor Final Rule: Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales and Computer Employees effective July 1, 2024**

1. The U.S. Department of Labor requires all employers before July 1, 2024 to pay exempt, salaried employees at least \$684 per week (\$35,568 / year).
2. The new US DOL rule update effective July 1, 2024 requires all exempt, salaried employees be paid at least \$844 per week (\$43,888 per year equivalent).
3. The new US DOL rule update effective January 1, 2025 requires all exempt, salaried employees be paid at least \$1,128 per week **(\$58,656 per year equivalent)**. 65% salary min. increase
4. The new exempt rule states exempt, salary minimums will be reviewed and adjusted by the US DOL in 2027, and every 3 years after.
  - a. Recommend compensation studies / salary rule testing be conducted by HR & Compensation Committee at least every 3 years (2026, 20209, etc.)
5. Bannock County Human Resources did a brief audit of all 54 exempt Bannock County employees on the week of June 9, 2024.
6. Following the audit, it appears that only 1 Bannock County Road and Bridge exempt employee requires adjustment due to new rules with a current salary of \$56,534.
  - a. After consulting with Road & Bridge, they were already preparing a proposed budget item to do a Salary Grade adjustment for the employee.

Option A: Adjust Employee to Salary Grade 14 on Oct 1, 2024 budget year	
Recommended by HR & Road and Bridge	
Previous salary cost:	\$ 56,534.00
Oct 1 annual salary cost	\$ 59,633.00
Increased annual budgetary cost	<b>\$ 3,099.00</b>

Option B: Adjust employee to non-exempt on January 1, 2025	
Previous Hourly Equivalent:	\$ 27.18
Estimated Annual, Regular Hours	2080
Estimated Weekly, Overtime Hours	5
Estimated Annual, Overtime Hours	260
Estimated Overtime Rate	\$ 40.77
Estimated Annual Regular Hours Cost	\$ 56,534.00
Estimated Annual OT Hours Cost	\$ 10,600.13
Estimated Total Annual Cost	\$ 67,134.13
Estimated Total Annual Budget Increase	<b>\$ 10,600.13</b>
Pro-rated Budget Increase for Jan 1, 2025 (9 months)	<b>\$ 7,950.09</b>




## Wage and Hour Division

# Earnings thresholds for the Executive, Administrative, and Professional exemption from minimum wage and overtime protections under the FLSA

[More in This Section >](#)[Close](#)[Minimum Wage](#)[Overtime Pay](#)**Earnings thresholds for the Executive, Administrative, and Professional exemption from minimum wage and overtime protections under the FLSA**[Hours Worked](#)[Recordkeeping](#)[Federal Wage Garnishments](#)[Direct Care Workers](#)

The Department's regulations require executive, administrative, and professional (EAP) employees to be paid at least a minimum salary amount to be exempt from the Fair Labor Standards Act's minimum wage and overtime requirements under section 13(a) (1). In April 2024, the Department issued a final rule increasing the standard salary level for exemption, and the total annual compensation requirement for highly compensated employees, as detailed below.

Earnings Threshold	Current Amount	Minimum Salary Amount Beginning July 1, 2024	Minimum Salary Amount Beginning January 1, 2025
 <u>Standard Salary Level</u>	\$684 per week (equivalent to a \$35,568 annual salary)	\$844 per week (equivalent to a \$43,888 annual salary)	\$1,128 per week (equivalent to a \$58,656 annual salary)
Total Annual Compensation Requirement for <u>Highly Compensated Employees (HCEs)</u>	\$107,432 per year, including at least \$684 per week paid on a salary or fee basis	\$132,964 per year, including at least \$844 per week paid on a salary or fee basis	\$151,164 per year, including at least \$1,128 per week paid on a salary or fee basis
Special Salary Level for <u>Employees in Puerto Rico, Guam, the U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands (CNMI)</u>	\$455 per week (equivalent to a \$23,660 annual salary)	\$455 per week (equivalent to a \$23,660 annual salary)	\$455 per week (equivalent to a \$23,660 annual salary)

Submit Feedback





# Idaho Statutes

Idaho Statutes are updated to the website July 1 following the legislative session.

## TITLE 72

### WORKER'S COMPENSATION AND RELATED LAWS - INDUSTRIAL COMMISSION

#### CHAPTER 11

##### PEACE OFFICER AND DETENTION OFFICER TEMPORARY DISABILITY ACT

72-1104. COMPENSATION AND COSTS. On and after July 1, 2008, and subject to available funds in the peace officer and detention officer temporary disability fund established in section 72-1105, Idaho Code:

(1) Any peace officer or detention officer employed by the state of Idaho or any city or county thereof who is injured in the performance of his or her duties:

(a) When responding to an emergency; or

(b) When in the pursuit of an actual or suspected violator of the law; or

(c) When the injury is caused by the actions of another person, and by reason thereof is temporarily incapacitated from performing his or her duties and qualifies for worker's compensation wage loss benefits under title 72, Idaho Code, shall be paid his or her full rate of base salary, as fixed by the state or by applicable ordinance or resolution, until the temporary disability arising from such injury has ceased. The employer shall withhold, collect and pay income tax on the salary paid to the employee as required by chapter 30, title 63, Idaho Code. Determinations and any disputes regarding entitlement to benefits under this chapter shall be decided by the industrial commission in accordance with the provisions of title 72, Idaho Code, and commission rules.

(2) During the period for which the salary for temporary incapacity shall be paid by the employer, any worker's compensation received or collected by the employee shall be remitted to the state or to the respective city or county, as applicable, and paid into the treasury thereof. In addition, the employer shall be reimbursed for any remaining amount of salary not covered by such worker's compensation by application to the peace officer and detention officer temporary disability fund, as established in section 72-1105, Idaho Code, pursuant to rules adopted by the industrial commission; provided however, that any such reimbursement from the fund shall continue only during such period as the employee qualifies for worker's compensation wage loss benefits under title 72, Idaho Code.

#### History:

[72-1104, added 2007, ch. 365, sec. 1, p. 1099; am. 2012, ch. 186, sec. 1, p. 490.]

How current is this law?



**BEFORE THE INDUSTRIAL COMMISSION OF THE STATE OF IDAHO**

MATTHEW ATKINSON,

Claimant,

v.

2M COMPANY,

Employer,

and

EMPLOYERS ASSURANCE COMPANY,

Surety,  
Defendants.**IC 2017-008627****FINDINGS OF FACT,  
CONCLUSIONS OF LAW,  
AND ORDER  
AND DISSENTING OPINION****Filed March 6, 2018****INTRODUCTION**

Pursuant to Idaho Code § 72-506, the Idaho Industrial Commission assigned the above-entitled matter to Referee Alan Taylor, who conducted a hearing in Boise on September 13, 2017. Claimant, Matthew Atkinson, was present in person and represented by Bradford S. Eidam, of Boise. Defendant Employer, 2M Company (2M), and Defendant Surety, Employers Assurance Company, were represented by Alan R. Gardner, of Boise. The parties presented oral and documentary evidence. No post-hearing depositions were taken. Briefs were submitted and the matter came under advisement on November 15, 2017. The undersigned majority, while agreeing with the outcome in this case, disagrees with the treatment given by the Referee to certain exceptions to the coming and going rule, and therefore issue this decision in lieu of the proposed decision.

**ISSUES**

The issues to be decided are:

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER AND DISSENTING  
OPINION- 1**

1. Compensability of Claimant's March 11, 2017 accident, including whether Claimant suffered an injury arising out of and in the course of his employment by Employer.

2. Whether Defendants are responsible for providing reasonable and necessary medical care for treatment of the injuries Claimant sustained as a result of the accident of March 11, 2017.

3. Whether Neel v. Western Construction, Inc., 147 Idaho 146, 206 P.3d 852 (2009), is applicable such that Defendants are responsible for payment of the expenses for such medical care at the full invoiced amount through the date the claim is deemed compensable and such payment of medical benefits must be made by Defendants directly to Claimant and his legal counsel.

All other issues are reserved.

### **CONTENTIONS OF THE PARTIES**

All parties acknowledge that Claimant was struck by a car and suffered severe injuries while on his way to work in a company truck on March 11, 2017. Claimant asserts his injury arose in the course of his employment and is compensable as an exception to the general coming and going rule. Defendants assert no exception is applicable and the coming and going rule bars his claim.

### **EVIDENCE CONSIDERED**

The record in this matter consists of the following:

1. The Industrial Commission legal file;
2. The pre-hearing deposition testimony of Matthew Atkinson taken July 17, 2017 by Defendants;

### **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER AND DISSENTING OPINION- 2**

3. Claimant's Exhibits A-O, and Defendants' Exhibits 1, 2, 5, and 6, admitted at the hearing.
4. The testimony of Claimant and his wife Crystal Atkinson taken at hearing.

After having considered the above evidence and the arguments of the parties, the Commission issues the following findings of fact and conclusions of law.

### **FINDINGS OF FACT**

1. Claimant was 33 years old and lived in the Boise area at the time of the hearing. He was married and had three children. 2M was a wholesaler of well drilling and irrigating pumps and supplies operating through 15 locations in the western United States, striving to provide "Legendary Service" to its customers.

2. **Background.** Claimant worked briefly for 2M in approximately 2007, left for other employment, and in May 2011 returned to work for 2M as a delivery driver. In approximately 2014, 2M promoted him to inside sales at 2M's Meridian office. In 2015, Claimant was further promoted to the position of territorial sales person. He received a monthly salary of \$4,000.00. Claimant's direct supervisor was Chad Draper, 2M's Meridian office manager.

3. As a territorial sales person Claimant's duties were to provide legendary personal service to customers—most of whom were contractors—throughout the Treasure Valley, southwest Idaho, southeast Oregon, and northeast Nevada. Claimant responded to calls from customers requesting drilling and irrigating supplies and provided help installing parts. As part of 2M's legendary service salaried sales staff, he was on-call 24-7, nights, weekends, and holidays to help customers in his territory. He typically began work Monday morning at the Meridian office completing reports and scheduling appointments with customers and potential

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER AND DISSENTING  
OPINION- 3**

customers for the rest of the week. The balance of the week he traveled his sales territory, responding to customers' needs and calling upon potential customers. Sales to typical customers ranged from \$10,000 to \$500,000 annually. Claimant often spent one or two nights per week out of town.

4. As a territorial sales person, 2M provided Claimant a company pickup and credit card to pay for fuel and maintenance. Claimant always took the company truck to work and on sales and emergency calls. Mr. Draper advised Claimant that he could use the company pickup if he needed to run around town for personal errands. On one occasion Claimant asked Mr. Draper about using the company truck to attend a wedding in north Idaho:

We were going to a wedding in northern Idaho and I asked him if it would be okay if we drove the pickup up there and he said we could use it for whatever we want and if I go over a hundred miles from the branch I have to put my own fuel in it.

Transcript p. 40: ll. 5-9.

5. Claimant received an average of two or three emergency customer calls per week. It was common for Claimant to receive a customer's emergency call, jump in his company truck at 10:30pm, take a new pump to a dairy in Twin Falls, and help install the new pump that same night. Claimant's performance evaluation on March 9, 2017 commended him for always going "the extra mile on nights and weekends to provide Legendary Service." Exhibit B, p. 3.

6. 2M's Meridian office was open each Saturday from 8:00am until noon. Five salaried employees took turns staffing the office, one each Saturday on a rotating basis. Claimant was assigned to staff the office every fifth Saturday.

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER AND DISSENTING  
OPINION- 4**

7. Although not assigned to work at the Meridian office on Saturday, March 11, 2017, Claimant agreed to cover the office that day for another 2M employee. Mr. Draper was advised of the arrangement.

8. **Industrial accident and treatment.** On Friday evening, March 10, 2017, Claimant and his wife enjoyed a “date night” at the Whitewater Saloon in Meridian. At the end of the evening they left their personal vehicle at the Saloon and took a cab home.

9. On Saturday morning, March 11, 2017, the weather was clear and frosty. Claimant warmed up the company pickup in his driveway and then left for work before 8:00am. His wife rode with him. Claimant intended to drop off his wife at the Whitewater Saloon on his way to work so she could retrieve their personal vehicle. The saloon was located along his usual route of travel from his home to 2M’s Meridian office. As Claimant drove east, the morning sun partially obscured his vision and he pulled the company truck to the side of the road to scrape the windshield more completely. While leaning over the hood scraping the windshield, Claimant was struck from behind by a passing vehicle and thrown approximately 25 feet. His right shoulder was dislocated and his right leg fractured and nearly severed. His wife called 911 and paramedics transported Claimant by ambulance to the hospital where he remained hospitalized for approximately five weeks and underwent multiple surgeries.

10. By August 2017, Claimant returned to work at 2M as an inside sales person at the Meridian office. He was only able to work four or five hours per day. He was unable to operate a motor vehicle.

11. **Condition at the time of hearing.** At the time of hearing on September 13, 2017, Claimant continued to experience significant right leg symptoms and limitations. He anticipated further treatment, including additional right leg surgeries. His very

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER AND DISSENTING  
OPINION- 5**



substantial medical bills from the accident remained unpaid. He was unable to drive a motor vehicle. Claimant continued working at 2M approximately four or five hours per day as an inside sales person.

12. From the time of the accident through the date of the hearing, 2M has continued to pay Claimant his full monthly salary.

13. **Credibility.** The Referee observed Claimant and Mrs. Atkinson at hearing, compared their testimony with other evidence in the record and found both to be credible witnesses. The Commission does not disturb this finding.

### **DISCUSSION AND FURTHER FINDINGS**

14. The provisions of the Idaho Workers' Compensation Law are to be liberally construed in favor of the employee. Haldiman v. American Fine Foods, 117 Idaho 955, 956, 793 P.2d 187, 188 (1990). The humane purposes which it serves leave no room for narrow, technical construction. Ogden v. Thompson, 128 Idaho 87, 88, 910 P.2d 759, 760 (1996). Facts, however, need not be construed liberally in favor of the worker when evidence is conflicting. Aldrich v. Lamb-Weston, Inc., 122 Idaho 361, 363, 834 P.2d 878, 880 (1992).

15. **Course of employment.** The threshold issue is the compensability of Claimant's March 11, 2017 accident, specifically, whether the accident occurred within the course of Claimant's employment by 2M. Generally it is presumed that an employee travelling to or from work is not within the course of employment and thus not covered by workers' compensation protection. Spanbauer v. Peter Kiewit Sons' Co., 93 Idaho 509, 465 P.2d 633 (1970). However, Claimant asserts that his case falls within a recognized exception to the general rule that when the journey to or from work is made via a transportation facility furnished by Employer, the accident falls within the Claimant's course of employment.

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER AND DISSENTING  
OPINION- 6**

16. Commentators have long recognized that where an employee is paid an identifiable amount for time spent in a going or coming trip, injuries incurred while traveling are covered, the rationale being that in such cases the making of the journey is clearly part of the service for which the injured worker is being compensated. 2-14 Larson's Workers' Compensation Law § 14.06 (2017). This rule is also well established in Idaho. Where travel is a part of the employee's work then accidents incurred while traveling are compensable. See Cheung v. Wasatch 136 Idaho 895, 42 P.3d 688 (2002); Kirkpatrick v. Transtector Systems 114 Idaho 559, 759 P.2d 65 (1988).

17. Most jurisdictions also conclude that the deliberate and substantial payment of the expenses of travel, (as opposed to payment for travel time) or the provision of a vehicle under the employee's control, is also sufficient to bring a going-and-coming accident within the course of employment. Idaho, however, is among a minority of jurisdictions that have not followed this general rule. See 2-14 Larson's Workers' Compensation Law § 14.07 (2017).

18. In Matter of Barker, 110 Idaho 871, 719 P.2d 1131 (1986), Barker was traveling from his work site to a dentist appointment when he was killed in a single vehicle car accident. Per his union contract, Barker was paid \$90 per week as a travel allowance. His widow pursued worker's compensation benefits, which the Commission denied, under the holding of Spanbauer v. Peter Kiewit Sons' Company, 93 Idaho 509, 465 P.2d 633 (1970). The Commission found Barker was not in the course of his employment at the time of the accident and that payment of travel expenses was irrelevant to whether or not an exception to the coming and going rule should apply. On appeal, the Idaho Supreme Court reversed the Commission and held that payment of travel expenses "along with other evidence indicating the employer intended to compensate the employee for travel time, will justify expanding the course of employment to

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER AND DISSENTING  
OPINION- 7**

include going to and from work.” The Court instructed the Commission to consider any potential “other evidence” on remand. No additional evidence was presented to the Commission on remand and, after re-examining the record and argument of the parties, the Commission re-affirmed its original decision. The Supreme Court affirmed on appeal.

19. Therefore, in Idaho, where employer covers some of the expenses of travel, as by paying travel expenses or providing a vehicle for the employee’s use, this fact is insufficient to bring a going-and-coming accident within the course of employment without additional evidence indicating that employer intended to compensate the employee for travel time.

20. Claimant argues that the resolution of the instant matter is controlled by the rule discussed in Hansen v. Estate of Harvey, 119 Idaho 357, 806 P.2d 540 (Ct App. 1990), Aff. 119 Idaho 333, 806 P2d 426 (1991). In Hansen, Don Harvey employed his son James, and also Hansen and Lehman in Harvey’s roofing business. The business operated in both Idaho and Washington and Harvey obtained Washington workers’ compensation insurance. While driving a company truck in Washington on the way to a job site, James apparently fell asleep at the wheel. The truck ran off the road killing James and injuring passengers Hansen and Lehman. They applied for and received Washington workers’ compensation benefits based upon the Washington Department of Labor and Industries’ determination that their injuries arose out of the course of their employment in Washington. Hansen and Lehman then sued their employer, Harvey, in Idaho district court, alleging James’ negligence that caused their injuries should be imputed to Harvey. The Idaho district court determined that Hansen and Lehman’s injuries arose out of the course of their employment by Harvey and dismissed their tort claims against Harvey.

21. Relying upon an exception to the coming and going rule mentioned in Eriksen v. Nez Perce County, 72 Idaho 1, 235 P.2d 736 (1951), for employer-provided transportation, the Court of Appeals stated:

[I]t is undisputed that Hansen and Lehman were passengers in a vehicle furnished by their employer, as they traveled to work in Spokane. It is also undisputed that the vehicle was kept and maintained for use in the roofing business. Hansen and Lehman have asserted that they were not paid for commuting and that they did not always ride in the Harvey vehicle. However, these assertions, even if true, do not alter what we deem to be the sole material fact—that they were riding in employer-provided transportation when the accident occurred. At that time, the employer had extended the risks of employment to include transportation, and the course of employment had been extended commensurately.

Hansen and Lehman further argue that the employer-provided transportation exception was mentioned merely as a dictum in Eriksen. This may be so, but we find the exception to be conceptually sound and widely recognized. We adopt it as the basis of our decision today. Accordingly, we conclude, as did the district court, that the accident occurred in the course of employment. Worker's compensation provided the exclusive remedy. A tort suit against the employer and against the fellow employee's estate was barred by I.C. § 72-209.

Hansen, 119 Idaho at 359, 806 P.2d at 452 (emphasis supplied).

22. Upon review the Idaho Supreme Court affirmed the Court of Appeals; first on the basis of collateral estoppels, noting that Hansen and Lerhman were precluded from relitigating in the Idaho tort action the determination of the Washington Industrial Commission that they were injured within the course of their employment. As a second basis for affirmance, the Idaho Supreme Court stated:

We also affirm the district court's dismissal for the additional reason set out in the Court of Appeals' opinion which adopted the exception to the going and coming rule, described in Eriksen v. Nez Perce County, 72 Idaho 1, 235 P.2d 736 (1951), where this Court stated that "*where going [to work] or returning [from work] in some transportation facility furnished by the employer,*" an employee is deemed to be within the course of employment. 72 Idaho at 4, 235 P.2d 736 (emphasis added). This rule has also been described in Larson's treatise on worker's compensation law as follows:

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER AND DISSENTING  
OPINION- 9**

If the trip to and from work is made in a truck, bus, van, car, or other vehicle under the control of the employer, an injury during that trip is incurred in the course of employment.... The reason for the rule in this section depends upon the extension of risks under the employer's control.

1 Larson, Workmen's Compensation Law, § 17.11. A majority of states which have addressed this issue have also adopted this exception in some form. [Citations omitted.]

Under the Larson approach which was adopted by this Court in Eriksen v. Nez Perce County, 72 Idaho 1, 235 P.2d 736 (1951), any time an employee is injured while going to or coming from work in transportation provided by his employer, he is considered to be within the course of employment. The rationale underlying this rule is that "the risks of the employment continue throughout the journey" and since the employer is in control of those risks by providing the transportation, the employee is considered to be within the course of his employment. 1 Larson at § 17.00. As Larson points out, "The distinction between transportation provided by contract and transportation provided without agreement or as a courtesy is being increasingly questioned, since the fundamental reason for extension of liability—the extension of the actual employer-controlled risks of employment—is not affected by the question whether the transportation was furnished because of obligation or out of courtesy." 1 Larson at § 17.30. Furthermore, application of this rule avoids repeated litigation as to whether transportation provided by an employer to an employee was in fact a customary or contractual incident to employment. The Larson rule also promotes a basic policy underlying the concept of worker's compensation that the worker's compensation act is to be construed liberally in favor of worker's compensation coverage of claimants.

Hansen, 119 Idaho at 338, 806 P.2d at 431 (emphasis supplied).

23. Claimant argues that Hansen governs the outcome in this case since here, as in Hansen, Claimant was injured while going to or from work in transportation provided by his employer. However, we conclude that Hansen is inapposite to the facts before us. The rationale for extending the course of employment to travel to and from the work site in Hansen is that by providing a transportation facility to the injured worker, employer extended risks under the employer's control. This rationale necessarily depends on the fact that employer provided not only the vehicle used to accomplish the journey, but also an agent of the employer to operate the same. Such facts explain why, after getting into the transportation business, an employer can be

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER AND DISSENTING  
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charged with the risks that attend transportation to and from the work site. As noted in Hansen, commentators in most jurisdictions abide by this rule. 2-14 Larson's Workers' Compensation Law § 15.01 et seq. (2017).

24. The instant case is more like Barker than Hansen. Here, Employer only provided Claimant with a vehicle, and gas and maintenance necessary to operate the same. These allowances do not, standing alone, represent payment of travel time, but they do, as in Barker, constitute evidence of the payment of travel expenses. As in Barker, Claimant must adduce additional evidence “indicating that Employer intended to compensate employee for travel time,” in order to justify the expansion of the course of employment to include a going-to/coming-from trip. What other evidence is there that Employer intended to compensate Claimant for travel time? In our view, the provision of a company vehicle and the payment of expenses associated with its use and two other circumstances support the inference that Employer intended to compensate Claimant for travel time: (1) Claimant’s status as a 24/7 “on-call” employee and; (2) fact that employer enjoyed a significant benefit from this arrangement.

25. First, Claimant is a 24/7 “on-call” employee. Claimant may be called upon to respond to an emergency any time of day, and therefore, it is necessary to his work to have immediate access to a company vehicle at all times. Because Claimant must have a company vehicle at home to respond to the needs of a customer, it follows that he must use Employer’s vehicle going-to and coming-from the workplace. Because of the demands of his employment, Claimant is effectively denied the option of choosing to use his own vehicle in coming/going journeys.

26. Second, even though the provision of a company vehicle to Claimant may be regarded as an inducement to Claimant, it is also clear that the provision of a company vehicle to

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER AND DISSENTING  
OPINION- 11**

Claimant serves the Employer's interests by ensuring that Claimant will always have the means available to immediately respond to emergency calls.

27. Although we consider this to be a close case, pursuant to Barker, we find these additional factors, along with the Employer's payment of the expenses of travel, to be sufficient to bring Claimant's accident within the course of his employment.

28. In addition to the above discussed exception to the coming and going rule, Claimant and Defendants have zealously argued the applicability of several additional recognized exceptions under Idaho law, including among others the traveling employee exception, the special errand exception, and the dual purpose doctrine. However, the Barker case is controlling and dispositive of the instant dispute, rendering discussion of other exceptions to the coming and going rule unnecessary. Only the dual purpose doctrine may warrant further discussion.

29. In Smith v. University of Idaho, 67 Idaho 22, 170 P.2d 404 (1946), Smith was a hostess at a girls' dormitory at the university where she resided and managed all affairs connected with operation of the hall. She was on duty twenty-four hours each day. In December 1943, the residents of the hall were preparing a celebration and a Christmas tree was placed in the hall. On December 8, 1943, Smith left the hall and went to town where she purchased a jar of coffee and some Christmas tree ornaments. On returning toward the hall she fell on the street and fractured her femur. She was hospitalized, underwent surgery, and subsequently died from complications due to her fall. The Commission found the accident arose out of and in the course of her employment. On appeal the Idaho Supreme Court affirmed, stating:

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER AND DISSENTING  
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The rule would seem to be well established that an employee does not step aside from his employment and is without the protection of the statute when doing a reasonable and necessary act at the time and place to the end that the business of his employer may be properly conducted. Denials of awards for any period when the employee is actively engaged in working for his employer, or while doing something reasonably incident to his employment, should rarely be based on the proposition that it was not in the course of the employment. These words are construed broadly, and should be so construed, to carry out the intent and purposes of the Workmen's Compensation Act. Nor is the service interrupted when for a brief interval the worker performs a personal errand not forbidden.

Smith, 67 Idaho at 27, 170 P.2d at 407 (emphasis supplied).

30. In Williams v. Knitting Factory Entertainment, 2016 WL 1072695 (Idaho Ind. Com. Feb. 1, 2016), the Commission articulated the dual purpose doctrine, stating:

We recognize that an errand, such as that undertaken by Claimant, can serve both a business and a personal purpose. Such an errand may still be compensable under the dual purpose doctrine, summarized as follows:

If the work of the employee creates the necessity for travel, he is in the course of his employment, though he is serving at the same time some purpose of his own. If, however, the work had had no part in creating the necessity for travel, if the journey would have gone forward though the business errand had been dropped, and would have been cancelled upon failure of the private purpose, though the business errand was undone, the travel is then personal, and personal the risk.

See Reinstein v. McGregor Land & Livestock, 126 Idaho 156, 879 P.2d 1089 (1994). The Reinstein court also noted that so long as the service of the employer was at least a concurrent cause of the trip, it need not be a paramount cause of the trip.

Williams, 2016 WL 1072695, at 16–17.

31. In the present case, it is undisputed that Claimant's route of travel from his home to the Meridian 2M office on the day of the accident was the shortest route to the office and precisely the route and journey he would have taken regardless of whether he planned to stop at the Whitewater Saloon. Moreover, Claimant was not forbidden from taking his wife in the

company truck. He was traveling via the company truck and had not yet arrived at the saloon when he was injured. He made no personal detour prior to his accident.

32. Claimant has proven that his March 11, 2017 accident was sustained in the course of his employment with 2M.

33. **Medical care.** The next issue is Claimant's entitlement to medical care for his industrial injuries. Idaho Code § 72-432 provides in pertinent part:

the employer shall provide for an injured employee such reasonable medical, surgical or other attendance or treatment, nurse and hospital services, medicines, crutches and apparatus, as may be reasonably required by the employee's physician or needed immediately after an injury or manifestation of an occupational disease, and for a reasonable time thereafter. If the employer fails to provide the same, the injured employee may do so at the expense of the employer.

34. Having proven that his March 11, 2017 accident occurred in the course of his employment, Claimant has also proven he is entitled to reasonable medical treatment relating to his industrial accident.

35. **Neel.** Claimant requests payment of full invoiced amounts of his outstanding medical bills be made by Defendants directly to Claimant and his counsel pursuant to Neel v. Western Construction, Inc., 147 Idaho 146, 206 P.3d 852 (2009), and St. Alphonsus Regional Medical Center. v. Edmondson, 130 Idaho 108, 937 P.2d 420 (1997).

36. In Neel, the Idaho Supreme Court held:

when a surety initially denies an industrial accident claim which is later determined to be compensable, it is precluded from reviewing medical bills for reasonableness under the workers' compensation regulations from the time such bills are initially incurred until the claim is deemed compensable, but once the claim is deemed compensable a surety may review a claimant's medical bills incurred thereafter for reasonableness in accordance with the workers' compensation regulatory scheme.

Neel, 147 Idaho at 149, 206 P.3d at 855.

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER AND DISSENTING  
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37. Claimant has proven his March 11, 2017 accident arose in the course of his employment with 2M and he is entitled to reasonable medical benefits related thereto. Defendants denied the claim, thus, pursuant to Neel, Claimant is entitled to recover the full invoiced amount of medical bills incurred in connection with medical treatment including but not limited to multiple right leg surgeries and other treatment due to his industrial accident between the date of Defendants' denial and the date of this decision.

38. In St. Alphonsus Regional Medical Center. v. Edmondson, 130 Idaho 108, 937 P.2d 420 (1997), Edmondson was injured and treated at a hospital. The hospital billed Edmondson's employer who denied the claim. Edmondson's attorney pursued a workers' compensation claim seeking compensation from the employer and surety, offering to collect medical expenses for the hospital for a 30% contingency fee plus a pro-rata share of the costs, or in the alternative inviting the hospital to join in the workers' compensation litigation. The hospital declined and instead filed a notice of medical expenses and requested that the Commission order the surety to pay medical expenses directly to the hospital. The Commission concluded Edmondson's injuries were compensable and he was entitled to workers' compensation benefits. The hospital then sought a declaratory ruling that it was entitled to direct payment of the medical expenses from the employer and surety and a determination of whether Edmondson's attorney's fees could be deducted from the medical expenses. The Commission determined that the workers' compensation laws did not require direct payment to the hospital and approved a 30% contingent attorney fee for Edmondson's attorney as a lien against the award of medical expenses.

39. On appeal the Idaho Supreme Court affirmed, declaring:

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER AND DISSENTING  
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Because the employer and the surety contended that the worker was not entitled to compensation for his injury, the employer did not pay the medical expenses. When the Commission awarded the worker compensation for his injury, the employer and the surety became obligated to pay the medical expenses. This does not mean, however, that the employer and the surety became directly obligated to the provider. Nothing in I.C. § 72-432(1) requires direct payment to a provider.

The provider is not a party to the workers' compensation proceeding. The Commission's order in that proceeding states: "*Claimant* suffered accidental injuries arising out of the course and scope of this employment with Hansen-Rice Construction Company on July 10, 1993, and *is entitled to appropriate workers compensation benefits.*" (Emphasis added). The Commission awarded benefits to the worker, not payment to the provider.

Edmondson, 130 Idaho at 111, 937 P.2d at 423.

40. The Court concluded the Commission acted within its authority in approving Edmondson's attorney's lien against the award of medical expenses noting that Idaho Code § 72-803 required that the Commission approve claims of attorneys in workers' compensation cases, Idaho Code § 72-508 granted the Commission authority to promulgate and adopt reasonable rules and regulations for effecting the purposes of the workers' compensation act, and IDAPA 17.02.08.033 was duly promulgated authorizing the Commission to approve the lien of a workers' attorney against the award to the worker.

41. Pursuant to Neel and Edmondson, Claimant and his counsel are entitled to receive from Defendants payment of the full invoiced amount of the medical bills related to Claimant's March 11, 2017 industrial accident, from the date of Defendants' denial to the date of this decision.

### **CONCLUSIONS OF LAW AND ORDER**

1. Claimant has proven his March 11, 2017 accident arose out of and in the course of his employment with 2M.
2. Claimant has proven he is entitled to reasonable medical benefits for his

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER AND DISSENTING  
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March 11, 2017 industrial accident.

3. Claimant and his counsel are entitled to receive from Defendants payment of the full invoiced amount of the medical bills related to Claimant's March 11, 2017 industrial accident, from the date of Defendants' denial to the date of this decision.

4. Pursuant to Idaho Code § 72-718, this decision is final and conclusive to all matters adjudicated.

DATED this 6th day of March, 2018.

INDUSTRIAL COMMISSION

/s/  
Thomas P. Baskin, Commissioner

/s/  
Aaron White, Commissioner

ATTEST:

/s/  
Assistant Commission Secretary

**Dissent by Chairman, Thomas E. Limbaugh:**

After reviewing the record and controlling case law in this matter, I respectfully dissent. The majority broadly expands an exception to the "coming and going rule" to transform Claimant's ordinary commute to the main office into a compensable activity covered by workers' compensation protection. In general, the "coming and going" rule states that an employee traveling to or from work is not within the course of employment and not covered by workers' compensation protection. Spanbauer v. Peter Kiewit Sons' Co., 93 Idaho 509, 465 P.2d 633 (1970); See Clark v. Daniel Morine Construction Co., 98 Idaho 114, 559, P.2d 293 (1997). The "coming and going" rule is based on the notion that the Idaho Workers' Compensation Act

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER AND DISSENTING  
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does not protect against the common perils of ordinary commuting on public ways that are common to all who travel.

After finding Hansen v. Estate of Harvey, 119 Idaho 333, 806 P.2d 426 (1991) inapposite to the present facts (Majority, p. 11), and recognizing that Idaho is not a jurisdiction that recognizes that the deliberate and substantial payment of the expenses of travel alone are sufficient to create an exception to the “coming and going” rule (Majority Opinion, pp. 7-8), the majority nevertheless finds support for its expansion of the exception in Matter of Barker, 110 Idaho 871, 719 P.2d 1131 (1986). In Matter of Barker, *supra*, the Court held that payment of travel expenses was not a stand-alone exception to the “coming and going” rule, but remanded the matter for “other evidence” from the parties. No additional evidence was produced to the Commission, and Court found the case remained non-compensable. Because the parties did not provide additional evidence, the Court did not have the opportunity to elaborate, interpret, or apply what they intended with this “other evidence” comment. Notwithstanding the constraints of the Court’s Barker holding, the majority reasons that Claimant has satisfied this additional evidence requirement by showing he was a 24/7 “on-call” employee, and that Claimant’s use of a company vehicle serves Employer’s interests by allowing Claimant to immediately respond to emergency calls. (Majority, p. 12.)

I disagree with the majority’s creation and application of these factors. The “24/7 on call employee” approach is too broad, and without any discussion of the parties’ expectations regarding availability, such as whether Claimant is required to remain in any particular place during on-call time; whether the Claimant is permitted to engage in his own activities during such time; and whether the Claimant’s availability during the on-call time is predominantly for the employee’s or the employer’s benefit. I am not persuaded that Employer expected

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER AND DISSENTING  
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unremitting work 24/7, particularly where Claimant and his wife were en route to retrieve their personal vehicle from their date night the previous evening. If Claimant were truly “on call” 24/7, why would he have left his work vehicle at home and used his personal vehicle for a date night with his spouse? The more reasonable inference from these facts is that Claimant is not a “24/7 on call employee.” While Claimant did perform well and promptly when customer issues arose, the focus should be on the employee’s specific activity at the time of injury. Claimant’s accident occurred on the way to retrieve his personal vehicle, which just happens to follow his ordinary route to work. Even if you set aside the personal errand, Claimant’s need to commute to work is like all employees who are required to arrive at his or her work site and leave when their day’s work is done. The routine quality and regularity of this commute should be a textbook “coming and going” non-compensable activity.

While Employer’s interests can be served by providing a company vehicle to Claimant, the company vehicle should not transform *all* driving activities into work-related activities. Although Claimant might have received an urgent call and used his company vehicle, Claimant’s injury did not occur under those circumstances. Claimant was not on any special errand for Employer, nor was he “on call” or acting as a traveling employee, i.e., traveling from the main office to a customer. Given Claimant’s many personal errands and travels in his company vehicle, the lack of specific compensation for his daily commute, an inference of employer control or benefit is tenuous. Therefore, for the foregoing reasons, I respectfully dissent.

\_\_\_\_\_/s/\_\_\_\_\_  
Thomas E. Limbaugh, Chairman

ATTEST:

\_\_\_\_\_/s/\_\_\_\_\_  
Assistant Commission Secretary

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER AND DISSENTING  
OPINION- 19**

**CERTIFICATE OF SERVICE**

I hereby certify that on the \_\_6th\_\_ day of \_\_\_\_\_ March \_\_\_\_\_, 2018, a true and correct copy of the foregoing **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER AND DISSENTING OPINION** was served by regular United States Mail upon each of the following:

BRADFORD S EIDAM  
PO BOX 1677  
BOISE ID 83701-1677

ALAN R GARDNER  
PO BOX 2528  
BOISE ID 83701

\_\_\_\_\_/s/\_\_\_\_\_  
\_\_\_\_\_

## BANNOCK COUNTY COMMISSIONERS

624 E. Center St., Pocatello, ID 83201  
 Phone: (208) 236-7210 • Fax: (208) 232-7363



ERNIE MOSER  
 Commissioner  
 1st District

JEFF HOUGH  
 Commissioner  
 2nd District

JOHN CROWDER  
 Commissioner  
 3rd District

## Business Meeting Agenda Request Form

The Board of Bannock County Commissioners business meetings are generally held on **Tuesday at 9:15 a.m.** in the Commissioners' Chambers in the Bannock County Courthouse, Room 212; 624 E Center Pocatello, Idaho or as noticed **48 hours** prior to the meeting at <https://bannockcounty.us/commissioners/>. The Commissioners also hold meetings throughout the week as coordinated with the Commissioners' staff. Agenda times are subject to change within **15 minutes** of scheduled time. Any person(s) needing special accommodations to participate in public meetings should contact the Commissioners' Office at 208-236-7210, three to five working days before the meeting.

Requestor Name:

Kristi Klauser

Department:

Grants/Auditing

Requestor Email:

kristik@bannockcounty.gov

Item(s) to be considered:

Seeking approval to apply for the reoccurring BJA FY 24 State Criminal Alien Assistance Program.

Date of meeting being requested:

06/18/2024

Time requested:

5 Minutes

Does the request involve a contract, agreement, external funding, or award acceptance?

External Funding

Contract/Agreement Begin Date:

Contract/Agreement End Date:

List of additional attendees:



## GRANT TEAM RISK ASSESSMENT FOR GRANTS

Department: Sheriff's Apply for award ☒

Project name: SCAAP Do not apply ☐

Assistance Listing # \_\_\_\_\_  
(formerly CFDA #)

Grant Writing	No (0 pts)	Maybe (2.5 pts)	Yes (5 pts)	Score
Will administrative costs be allowed by the grant?				
Matching funds: 0: cash or mix required, not budgeted 2.5: match obtainable 5: No match, or budgeted, in-kind easily obtainable				
Sufficient time to prepare grant submission?				
Program and/or Grant Team have adequate time to prepare grant?				
Project clearly eligible for grant?				
Competitive: 0: strong competition, odd of award <10% 2.5: open competition, odds of award >10% to <50%      5: Odds of award greater than 50%				
Funding agency history: 0: none; 2.5: funder known/positive history 5: good relationship with funder				
No organizational resources needed (space, equipment, in-kind)				
Are new personnel covered by grant?				
Sustainability: 0: difficult, may require significant ongoing commitment of resources; 2.5: effort needed, may require some ongoing support; 5: minimal additional resources OR no sustainability expected/needed				
Extent of Project	No (0 pts)	Maybe (2.5 pts)	Yes (5 pts)	Score
Aligns with department's mission				
Existing or imminently anticipated need				
Will this program be a duplication of existing efforts?				
Expertise of program/director in relevant area				
Staff training: 0: required, not funded; 2.5: Minimal, some costs covered; 5: Minimal requires and all costs covered				
<b>Availability of resources for project:</b>				
- Program capacity to administer and monitor project				
- Finance capacity for processing, reporting, and monitoring				
- Program capacity for progress reports				
Considerations: <u>Based off past eligible inmates for dates 7-1-22 to 6-30-23 - Recoup costs</u>				NA Score
Other departments to involve:				
Auditing/Grant Team: <u>Mandy Keller</u>	Date:	<u>6-5-24</u>		
Override of Recommendation not to apply:	Date:			
Commissioner: <u>Ernie Moser, Commissioner</u>	Date:	<u>6-18-24</u>		
Scoring Key: Must score 60 or greater for a recommendation to apply				



# Bannock County

## NOTICE OF FUNDING OPPORTUNITY AND RISK ASSESSMENT FOR GRANTS

\*\*Must attach notice of funding opportunity\*\*

Submit to: grantnotify@bannockcounty.us

Is this a reoccurring grant? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Department:	Bannock County Sheriff	Date Form Completed:	06/04/2024
Supervisor:	Sheriff Tony Manu	Program Manager:	Tereca Argyle
Project Title:	FY2024 SCAAP Program	Submission Deadline:	07/15/2024 Grants.gov 07/29/2024 JustGrants
Grant Name:	Fy2024 SCAAP	Grant Number:	
Funding Agency:	US Department of Justice		
Amount requested:	Highest Alloted Amount	Grant match %:	N/A <input type="checkbox"/> In-kind allowed
Total estimate project cost: \$0.00			
Long-term maintenance cost (including staffing): N/A			
Explain source of match: N/A			
<p>Project Summary: Annual SCAAP Application offered by the US Department of Justice. This is not actually a competitive grant. It is offered annually to Jails as a funding opportunity for housing inmates who are "non-citizens" and meet certain criteria under the DOJ's specific requirements. The award amount is based on the number of non-citizen inmates which meet the qualifications determined under the DOJ annual guidelines during each years reporting period. The FY2024 reporting period for this years funding is 07/01/2022 through 06/30/2023.</p>			
Anticipated Notification date:	unknown	Project start/end dates:	07/01/22 to 06/30/23
Funding Type:	<input checked="" type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Local government <input type="checkbox"/> Private <input type="checkbox"/> Other		
Net Cash Outflow:	<input type="checkbox"/> Reimbursement <input type="checkbox"/> Advance Funded <input checked="" type="checkbox"/> Other		
Target Population: Non-Citizen Inmates Cost Recovery			
Potential Impact on Target Population: N/A			
Funding Source Reporting Requirements: All program reporting is done in advance to show qualification. Financial reporting is completed after awarded, accepted and the drawdown of funds is complete.			
# of staff to participate: 2	Will grant require staff be pulled from primary duties? <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Will staff training be provided?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Training cost included in budget?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does grant include technology?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If so, has IT Dept been notified?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does grant require office space?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Grant require new personnel?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Chance of successful funding: <input type="checkbox"/> High <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Low			
Application prep burden:			
<input type="checkbox"/> High (needs project development & grant writing assistance)			
<input type="checkbox"/> Medium (small project development or grant writing assistance)			
<input checked="" type="checkbox"/> Low (program in place, simple project development or department able to complete application)			
Administration/Management burden: <input type="checkbox"/> High <input type="checkbox"/> Medium <input checked="" type="checkbox"/> Low			

Tereca Argyle

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**From:** Bureau of Justice Assistance <BJA@public.govdelivery.com>  
**Sent:** Friday, May 31, 2024 7:02 AM  
**To:** Tereca Argyle  
**Subject:** New Announcement: FY 2024 State Criminal Alien Assistance Program (SCAAP) Application

[View as a webpage / Share](#)



The Bureau of Justice Assistance (BJA) of the Office of Justice Programs (OJP), U.S. Department of Justice, is pleased to announce that FY 2024 State Criminal Alien Assistance Program (SCAAP), Grants.gov opportunity number [O-BJA-2024-172032](#), is now open. Under SCAAP, OJP makes payments to eligible states and units of local government that incur certain types of costs due to incarceration of "undocumented criminal aliens" during a particular 12-month reporting period.

The [BJA FY 2024 SCAAP Program Requirements and Application Instructions](#) provide **critical** information on program requirements, eligibility, deadlines, and how to access the online application within OJP's JustGrants system.

The [Grants.gov](#) deadline to apply for funding is **July 15, 2024, at 8:59 p.m. Eastern Time**, and the [JustGrants](#) deadline to apply is **July 29, 2024, at 8:59 p.m. Eastern Time**. See below for more details on the two-step application submission process for SCAAP.

**NOTICE:** OJP has created an updated [SCAAP Application Submission and Acceptance Job Aid Reference Guide](#).

#### **Eligibility Information**

Only a "state" or a "unit of local government" is eligible to apply, and only on its own behalf. **Note: A department or agency that is part of such a "unit of local government" is not itself considered a "unit of local government" and applications listing an agency that is not the "unit of local government" will be denied.**

#### **IMPORTANT NOTE**

Before entering any information into the online application for the FY 2024 program, any government official who intends to complete and submit the application on behalf of an applicant government **MUST** carefully review the [BJA FY 2024 SCAAP Program Requirements and Application Instructions](#).

#### **Submission Information**

**Registration:** Before submitting an application, all applicants must register with the System for Award Management (SAM). You must renew and validate your registration every 12 months. If you do not renew your SAM registration, it will expire. An expired registration can delay or prevent application submission in Grants.gov and JustGrants. Registration and renewal can take up to 10 business days to complete.

**Submission:** Applications must be submitted to DOJ electronically through a two-step process via Grants.gov and JustGrants.

**Step 1:** The applicant must submit by the Grants.gov deadline the required Application for Federal Assistance standard form (SF-424) when they register in Grants.gov at <https://www.grants.gov/register>. **Submit the SF-424 as early as possible, but no later than 48 hours before the Grants.gov deadline.** If an applicant fails to submit in Grants.gov, they will be unable to apply in JustGrants.

For technical assistance with submitting the SF-424 in Grants.gov, contact the Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, <https://www.grants.gov/support>, or [support@grants.gov](mailto:support@grants.gov). The Grants.gov Support Hotline operates 24 hours a day, 7 days a week, except on federal holidays.

**Step 2:** The applicant must submit the full application, including attachments, in JustGrants at <https://justgrants.usdoj.gov> by the JustGrants application deadline. For technical assistance with submitting the full application in JustGrants, contact the JustGrants Service Desk at 833-872-5175 or [JustGrants.Support@usdoj.gov](mailto:JustGrants.Support@usdoj.gov). The JustGrants Service Desk operates 5 a.m. to 9 p.m. ET Monday–Friday and 9 a.m. to 5 p.m. ET on Saturday, Sunday, and Federal holidays.

OJP encourages applicants to review the "How to Apply" section in the OJP Grant Application Resource Guide and the JustGrants website for more information, resources, and training. Applicants should maintain all receipts and confirmations received from SAM.gov, Grants.gov, JustGrants systems. Also see the SCAAP Application Submission and Acceptance Job Aid Reference Guide.

An applicant that experiences unforeseen technical issues beyond its control that prevent it from submitting its application by the deadline must email the SCAAP Help Desk **within 24 hours after the application deadline** to request approval to submit its application after the deadline. See the Submission Dates and Time section of the FY 2024 SCAAP Program Requirements and Application Instructions for detailed information.

Sincerely,

SCAAP Team

Bureau of Justice Assistance

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*BJA offers many resources, training and technical assistance, and policy development services to support local, state, and tribal governments in achieving safer communities.*



**BJA**  
U.S. DEPARTMENT OF JUSTICE  
BUREAU OF JUSTICE ASSISTANCE

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If you no longer want to receive email notifications from NewsFromBJA, you can [unsubscribe here](#).

**BANNOCK COUNTY PUBLIC HEARING NOTICE**

NOTICE IS HEREBY GIVEN THAT THE BANNOCK COUNTY BOARD OF COMMISSIONERS will conduct a public hearing on Tuesday, July 23, 2024, at 11 a.m. in the Bannock County Courthouse, Room 212, Pocatello, Idaho.

TOPIC OF THE MEETING: Petition for a Vacation of a portion of Sorelle Road Right-of-Way, Bannock County, Idaho pursuant to Idaho Code § 50-1306A.

DESCRIPTION: A parcel of land located in the Southwest 1/4 of the Southeast 1/4 of Section 9, and the Northeast 1/4 of Section 16, Township 7 South, Range 36 East, Boise Meridian, Bannock County, Idaho

Requested to be vacated:

A BANNOCK COUNTY ROAD BEING SORELLE ROAD LOCATED IN THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 9 AND THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 7 SOUTH RANGE 36 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, AS FOLLOWS:

THE APPROXIMATE CENTERLINE OF SAID SORELLE ROAD DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SECTION 9, BEING MONUMENTED BY A 3" BLM BRASS CAP STAMPED 1962 AFFIXED TO A 2.5" IRON POST AS DESCRIBED IN CORNER PERPETUATION FILING INST. NO. 22117821; THENCE NORTH 00°23'35" EAST ALONG THE MERIDIONAL CENTERLINE OF SECTION 9 FOR A DISTANCE OF 490.96 FEET; THENCE NORTH 90°00'00" EAST A DISTANCE OF 370.93 FEET TO A POINT ON THE APPROXIMATE CENTERLINE OF SORELLE ROAD, ALSO BEING **THE POINT OF BEGINNING**

THENCE ALONG SAID APPROXIMATE CENTERLINE OF SORELLE ROAD THE FOLLOWING THIRTY-ONE (31) COURSES: 1. SOUTH 45°56'15" EAST FOR A DISTANCE OF 207.94 FEET; 2. SOUTH 57°05'02" EAST FOR A DISTANCE OF 98.61 FEET TO A POINT OF CURVATURE WITH A 500.00-FOOT-RADIUS CURVE WHOSE CENTER BEARS SOUTH 32°54'58" WEST; 3. FOLLOWING ALONG SAID CURVE CLOCKWISE FOR AN ARC LENGTH OF 49.35 FEET THROUGH A CENTRAL ANGLE OF 05°39'19" (THE CHORD OF SAID CURVE BEARS SOUTH 54°15'23" EAST A DISTANCE OF 49.33 FEET) TO A POINT OF TANGENCY; 4. SOUTH 51°25'44" EAST A DISTANCE OF 165.89 FEET TO A POINT OF CURVATURE WITH A 250.00-FOOT-RADIUS CURVE WHOSE CENTER BEARS NORTH 38°34'16" EAST; 5. FOLLOWING ALONG SAID CURVE COUNTERCLOCKWISE FOR AN ARC LENGTH OF 109.21 FEET THROUGH A CENTRAL ANGLE OF 25°01'44" (THE CHORD OF SAID CURVE BEARS SOUTH 63°56'36" EAST A DISTANCE OF 108.34 FEET) TO A POINT OF TANGENCY; 6. SOUTH 76°27'28" EAST FOR A DISTANCE OF 54.46 FEET TO POINT OF CURVATURE WITH A 80.00- FOOT-RADIUS CURVE WHOSE CENTER BEARS SOUTH 13°32'32" WEST; 7. FOLLOWING ALONG SAID CURVE CLOCKWISE AN ARC LENGTH OF 94.96

FEET THROUGH A CENTRAL ANGLE OF 68°00'41" (THE CHORD OF SAID CURVE BEARS SOUTH 42°27'07" EAST A DISTANCE OF 89.48 FEET) TO A POINT OF TANGENCY; 8. SOUTH 08°26'46" EAST A DISTANCE OF 112.69 FEET; 9. SOUTH 17°06'41" EAST A DISTANCE OF 78.08 FEET; 10. SOUTH 12°51'45" EAST A DISTANCE OF 51.73 FEET TO A POINT OF CURVATURE WITH A 500.00-FOOT-RADIUS CURVE WHOSE CENTER BEARS NORTH 77°08'15" EAST; 11. FOLLOWING ALONG SAID CURVE COUNTERCLOCKWISE FOR AN ARC LENGTH OF 133.09 FEET THROUGH A CENTRAL ANGLE OF 15°15'04" (THE CHORD OF SAID CURVE BEARS SOUTH 20°29'17" EAST A DISTANCE OF 132.70 FEET) TO A POINT OF TANGENCY; 12. SOUTH 28°06'49" EAST A DISTANCE OF 79.64 FEET TO A POINT OF CURVATURE WITH A 250.00-FOOT-RADIUS CURVE WHOSE CENTER BEARS SOUTH 61°53'11" WEST; 13. FOLLOWING ALONG SAID CURVE CLOCKWISE FOR AN ARC LENGTH OF 102.81 FEET THROUGH A CENTRAL ANGLE OF 23°33'42" (THE CHORD OF SAID CURVE BEARS SOUTH 16°19'58" EAST A DISTANCE OF 102.08 FEET) TO A POINT OF TANGENCY; 14. SOUTH 04°33'07" EAST A DISTANCE OF 95.47 FEET TO A POINT OF CURVATURE WITH A 250.00-FOOT-RADIUS CURVE WHOSE CENTER BEARS NORTH 85°26'53" EAST; 15. FOLLOWING ALONG SAID CURVE COUNTERCLOCKWISE FOR AN ARC LENGTH OF 39.26 FEET THROUGH A CENTRAL ANGLE OF 08°59'54" (THE CHORD OF SAID CURVE BEARS SOUTH 09°03'04" EAST A DISTANCE OF 39.22 FEET) TO A POINT OF TANGENCY; 16. SOUTH 13°33'01" EAST A DISTANCE OF 49.89 FEET TO A POINT OF CURVATURE WITH A 100.00-FOOT-RADIUS CURVE WHOSE CENTER BEARS SOUTH 76°26'59" WEST; 17. FOLLOWING ALONG SAID CURVE CLOCKWISE AN ARC LENGTH OF 41.32 FEET THROUGH A CENTRAL ANGLE OF 23°40'24" (THE CHORD OF SAID CURVE BEARS SOUTH 01°42'49" EAST A DISTANCE OF 41.02 FEET) TO A POINT OF TANGENCY; 18. SOUTH 10°07'23" WEST A DISTANCE OF 91.71 FEET TO A POINT OF CURVATURE WITH A 350.00-FOOT-RADIUS CURVE WHOSE CENTER BEARS SOUTH 79°52'37" EAST; 19. FOLLOWING ALONG SAID CURVE COUNTERCLOCKWISE FOR AN ARC LENGTH OF 144.31 FEET THROUGH A CENTRAL ANGLE OF 23°37'25" (THE CHORD OF SAID CURVE BEARS SOUTH 01°41'19" EAST A DISTANCE OF 143.29 FEET) TO A POINT OF TANGENCY; 20. SOUTH 13°30'01" EAST A DISTANCE OF 93.72 FEET TO A POINT OF CURVATURE WITH A 75.00-FOOT-RADIUS CURVE WHOSE CENTER BEARS SOUTH 76°29'59" WEST; 21. FOLLOWING ALONG SAID CURVE CLOCKWISE FOR AN ARC LENGTH OF 10.86 FEET THROUGH A CENTRAL ANGLE OF 08°17'59" (THE CHORD OF SAID CURVE BEARS SOUTH 09°21'02" EAST A DISTANCE OF 10.85 FEET) TO A POINT OF TANGENCY; 22. SOUTH 05°12'02" EAST A DISTANCE OF 153.19 FEET TO A POINT OF CURVATURE WITH A 250.00-FOOT-RADIUS CURVE WHOSE CENTER BEARS SOUTH 84°47'58" WEST; 23. FOLLOWING ALONG SAID CURVE CLOCKWISE FOR AN ARC LENGTH OF 57.70 FEET THROUGH A CENTRAL ANGLE OF 13°13'23" (THE CHORD OF SAID CURVE BEARS SOUTH 01°24'40" WEST A DISTANCE OF 57.57 FEET) TO A POINT OF TANGENCY; 24. SOUTH 08°01'21" WEST A DISTANCE OF 109.50 FEET; 25. SOUTH 08°01'46" EAST A DISTANCE OF 120.77 FEET TO A POINT OF CURVATURE WITH A 100.00-FOOT-RADIUS CURVE WHOSE CENTER BEARS SOUTH 81°58'14" WEST; 26. FOLLOWING ALONG SAID CURVE CLOCKWISE FOR AN ARC LENGTH OF 100.98 FEET THROUGH A CENTRAL ANGLE OF 57°51'21" (THE CHORD OF SAID CURVE BEARS SOUTH 20°53'55" WEST A DISTANCE OF 96.74 FEET) TO A POINT OF



TANGENCY; 27.SOUTH 49°49'36" WEST A DISTANCE OF 130.97 FEET TO A POINT OF CURVATURE WITH A 100.00-FOOT-RADIUS CURVE WHOSE CENTER BEARS SOUTH 40°10'24" EAST; 28.FOLLOWING ALONG SAID CURVE COUNTERCLOCKWISE FOR AN ARC LENGTH OF 65.15 FEET THROUGH A CENTRAL ANGLE OF 37°19'36" (THE CHORD OF SAID CURVE BEARS SOUTH 31°09'48" WEST A DISTANCE OF 64.00 FEET) TO A POINT OF TANGENCY; 29.SOUTH 12°30'00" WEST A DISTANCE OF 126.57 FEET TO A POINT OF CURVATURE WITH A 500.00-FOOT-RADIUS CURVE WHOSE CENTER BEARS NORTH 77°30'00" WEST; 30.FOLLOWING ALONG SAID CURVE CLOCKWISE FOR AN ARC LENGTH OF 134.81 FEET THROUGH A CENTRAL ANGLE OF 15°26'53" (THE CHORD OF SAID CURVE BEARS SOUTH 20°13'26" WEST A DISTANCE OF 134.40 FEET) TO A POINT OF TANGENCY; 31.SOUTH 27°56'53" WEST A DISTANCE OF 377.34 FEET TO THE **POINT OF TERMINUS**

Oral and/or written testimony concerning this issue will be taken at the public hearing. Written testimony may be submitted to Bannock County Commissioners, 624 East Center, Room 101, Pocatello, ID 83201, or via email at: [commission@bannockcounty.gov](mailto:commission@bannockcounty.gov) prior to the meeting.

The Petition requesting the road right-of-way vacation is available at [www.bannockcounty.gov](http://www.bannockcounty.gov) or can be requested through the email above.

If any person requires special assistance or accommodation to participate in this hearing, please call (208) 236-7210 to make the necessary arrangements prior to the public hearing.

#### BOARD OF BANNOCK COUNTY COMMISSIONERS

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Ernie Moser, Chairman

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Jeff Hough, Commissioner

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John Crowder, Commissioner

ATTEST: \_\_\_\_\_  
Jason C. Dixon, Clerk

Publication Dates: 6/22/24 and 7/13/24

**BOARD OF BANNOCK COUNTY COMMISSIONERS' PROCEEDINGS – May 2024**

The following is a synopsis of proceedings, pursuant to Idaho Code §31-819, of the Board of Bannock County Commissioners for May 2024, to wit, of which a complete set of minutes is on file at the Bannock County Clerk's Office, Pocatello, Idaho, or can be found online at [www.bannockcounty.gov](http://www.bannockcounty.gov).

May 2: Approved invoices, Commission report, credit applications, salary forms, payroll report, alcohol licenses and certificate of residency. Denied tax payment plan for parcel RPR3803015900. Schedule Hope and Recovery funding follow up. Approved budget revision to purchase the jail van and lease a patrol vehicle. Denied PHT exemption requests. Accepted bid for review from Voltstar for concert production services.

May 9: Approved entry/exit Board of Ambulance and refunds, Commission report, invoices, salary forms, alcohol licenses, and certificate of residency. Approved fee waiver and contract for Wellness Wiggle event. Approved sponsorship contract with Camping World. Approved three-year contract with Acme Pro Pyro for fireworks. Canceled steel building bid. Released bond for jail roof project. Approved renewal of AlertSense. Approved contract with Mountain Shadow Landscaping.

May 14: Approved case number 20240024 and 2025 for cremation assistance. Approved general IC agreement and giving Director authority to sign as needed, and approved campground host IC agreement. Approved contract with Idaho for clinical services. Approved amended agreement with CBP for court collections. Approved contract with Idaho for mosquito testing. Approved contract with Motorola. Approved applying for Bulletproof Vest grant and reallocating grant match funds for sheriff mini grant. Approved Resolution Nos. 2024-27 Approving Tax Cancellation Requests; 2024-28 Approving April 2024 Salaries; 2024-29 Approving April 2024 Alcohol Licenses; and 2024-30 Authorization and Order to Reallocate Funds. Approved April 2024 Commissioner Proceedings for publication. Approved consent agenda. Approved taking tax deed for parcels RPRPPOC435402; RPR38490009601; RPRMCPM009319; RPRMBAM001605; and RPRPRT1000700. Approved 30 day extension to June 14 for parcel RPRPOAK002300.

May 16: Approved entry/exit Board of Ambulance and invoice, Commission report, invoices, salary form, and payroll report. Approved fee reduction for ISRA state competition. Approved contract with Idaho Interscholastic League. Approved moving forward with Idaho Power parking lot lease. Approved awarding concert production bid to Voltstar. Approved award 6th Street project to CM Company and utilize ARPA funds allocated to roof. Approve auctioning the Lander building after determining minimum bid through market analysis. Accepted road striping bid for review. Approved entry/exit executive session – personnel.

May 21: Approved entry/exit of the Board of Ambulance and applying for Idaho EMS grant. Approved Apricot Data System agreement. Approved disposal of stove and microwave. Approved shop intern. Approved tanker trailer lease with Asphalt Equipment Leasing. Accepted jail inspection. Approved Resolution No. 2024-31 Authorizing Issuance of Tax Deed to Bannock County on Property for Unpaid Taxes. Awarded 6th Street project to CM Company. Approved consent agenda, salary forms and minutes. Approved appointing two members to Planning Council.



May 23: Approved claims, invoices, and Commission report. Approved proclamation for Field of Heroes. Approved vacation of easement for Cook.

May 28: Accepted the canvass of votes. Rejected bid for road striping materials and labor and pursue on open market. Approved Resolution No. 2024-32 Authorization to Dispose of Surplus Assets/Property. Approved open-end lease with Bancorp, Food Service Agreement, tax cancellation request, and City of Lava Hot Springs agreement for Law Enforcement. Approved consent agenda, which included alcohol license, salary forms, and minutes. Approved Landfill to be a separate department.

May 30: Approved amended agenda, invoices, credit card receipts, salary forms, alcohol licenses, and payroll report. Approved entry/exit Board of Ambulance and EMSAVES grant application for signature and submission. Approve fee waiver for Marsh Valley Homesteaders 4H. Approved SFY25 Assessment Center Support grant application and submission. Approved reallocation for office cubicles for Ag Extension.

BOARD OF BANNOCK COUNTY COMMISSIONERS

\_\_\_\_\_  
Ernie Moser, Chair

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Jeff Hough, Member

\_\_\_\_\_  
John Crowder, Member

Attest: \_\_\_\_\_  
Jason C. Dixon, Clerk

Published: June 22, 2024

**BOARD OF BANNOCK COUNTY COMMISSIONERS  
MINUTE CERTIFICATION**

We, the Board of Bannock County Commissioners, hereby certify approval of the minutes of the Bannock County Commissioners' meetings inclusive of the dates of June 7, 11, and 13, 2024, as approved during the meeting of June 18, 2024.

BOARD OF BANNOCK COUNTY COMMISSIONERS

\_\_\_\_\_  
Ernie Moser, Chair

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Jeff Hough, Member

\_\_\_\_\_  
John Crowder, Member

ATTEST:

\_\_\_\_\_  
Jason C. Dixon, Clerk



## MINUTES OF THE BOARD OF BANNOCK COUNTY COMMISSIONERS

### Meeting Details

Date of Meeting:	Friday, June 7, 2024
Commissioners present:	Ernie Moser, Jeff Hough, and John Crowder
Clerk of the Board:	Jason C. Dixon
Absent Board Members:	
Staff present:	Deputy Clerk Shantal Lauulu, Comptroller Kristi Klauser, and Chief of Staff Braeden Clayson (minutes completed by Nancy Allen)

### Agenda Details

AGENDA	
1	<p>Claims Meeting and Work Session (action items)</p> <p><b>Claims Agenda:</b></p> <ul style="list-style-type: none"> <li>Board of Ambulance District: Invoices and Commissioner Report</li> <li>Board of Commissioners: Invoices, Commissioners Reports, and Credit Applications</li> <li>Salary Rate Approval Forms/Notice of Separation with Potential Executive Session under Idaho Code §74-206(1)(a)&amp;(b) regarding personnel with potential action following adjournment of Executive Session</li> <li>Payroll Report</li> <li>Alcohol Licenses and Permits</li> <li>Certificate of Residency Approval</li> <li>Mileage Reimbursement Requests</li> <li>Technology Request Form</li> <li>Memorandum Authorization for Accounts Payable</li> <li>Cardholder User Agreement and Authorization</li> </ul> <p><b>Work Session Agenda:</b></p>
2	<ul style="list-style-type: none"> <li>Scott Crowther, Business Manager and Event Director, seeking approval and signature on (1) a contract with Highland High School Volleyball, and; (2) a Lease Agreement with Idaho Power Company (action item)</li> </ul>
3	<ul style="list-style-type: none"> <li>Reading of and signature on the Idaho High School Rodeo Week Proclamation (action item)</li> </ul>
4	<ul style="list-style-type: none"> <li>Alisse Foster, Subdivision Planner, requesting approval of and signature on the final plat for Lazy Acres (requested 5 minutes) (action item)</li> </ul>
5	<ul style="list-style-type: none"> <li>Kiel Burmester, Public Works Director, seeking approval of and signature on a Road Maintenance Easement with Mr. and Mrs. Andrews (requested 5 minutes) (action item)</li> </ul>
6	<ul style="list-style-type: none"> <li>Todd Mauger, Chief Juvenile Probation Officer, requesting approval of and signature on the Notice of Award for the SFY2025 Substance Use Prevention, Treatment, Recovery Services Block Grant for Primary Prevention Programs (requested 5 minutes) (action item)</li> </ul>
7	<ul style="list-style-type: none"> <li>Kristi Klauser, Comptroller, regarding approval of and signature on (1) the Notice of FY25 Partnership for Success Law Enforcement Grant Funding, and; (2) Commercial License Terms Agreement with Tyler Technologies (signature only) (action item)</li> </ul>
8	<ul style="list-style-type: none"> <li>Torey Danner, Coroner, seeking to provide a 2023 Annual Report for the Bannock County Coroner's Office (requested 10 minutes)</li> </ul>
9	<ul style="list-style-type: none"> <li>Review of change made to Agreement to Provide Law Enforcement Protection for the City of Lava Hot Springs and potential initial on change (action item)</li> </ul>
10	<ul style="list-style-type: none"> <li>Signature on and authorization to serve Trespass Notice (action item)</li> </ul>
11	<ul style="list-style-type: none"> <li>Signature on Independent Contractor Agreement with CM Company (signature only)</li> </ul>



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| 12 | <ul style="list-style-type: none"> <li>Resolution 2024-33 Authorizing Purchase of Goods and Services for Public Works on Open Market (signature only)</li> </ul> |
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## Meeting Notes

- 1 10:00 AM Moser called the meeting to order. Hough moved to approve the invoices, Commission reports, and credit applications. The motion passed. Hough moved to approve the salary forms. The motion passed. Hough moved to authorize signature on the memo for Noxious Weeds claims. The motion passed.
- 2 10:09 AM Tana Homer also appeared. Crowther reviewed the request for a fee waiver. Homer reviewed the purpose and condition of the courts and requests to till the sand. Discussion ensued on safety of the volleyball courts, adding sand, relocating the volleyball courts in the future, and the volleyball team helping with upkeep. Moser moved to approve the fee waiver. The motion passed.  
10:26 AM Crowther reviewed quotes for work on soccer fields.  
10:30 AM Crowther reviewed the agreement. Hough moved to approve the lease agreement with Idaho Power. The motion passed.
- 3 11:05 AM Hough moved to approve the proclamation. Moser read the proclamation for Idaho High School Rodeo Week. The motion passed.
- 4 10:04 AM Foster reviewed the plat. Hough moved to approve signature of the plat for Lazy Acres. The motion passed.
- 5 10:06 AM Planning Director Hal Jensen also appeared. Burmester reviewed the easement agreement for the Sunnygate subdivision. Hough moved to approve the agreement. The motion passed.
- 6 10:35 AM Mauger received the notice of award for the Substance Use Prevention, Treatment, Recovery Services Block Grant for the families in action program. Hough moved to accept the grant as discussed. The motion passed.
- 7 11:02 AM Klauser reviewed the award for the Partnership for Success Law Enforcement Grant. Hough moved to accept the grant as presented. The motion passed.  
11:02 AM Klauser explained that Tyler bought out Access Idaho and this agreement is updating the vendor. Hough moved to approve the updated agreement as discussed. The motion passed.
- 8 10:44 AM Danner reviewed the 2023 annual report. Discussion ensued regarding jurisdiction, cremation cases, uptick in autopsy number, toxicology reports, certifications, and accreditation. Grants are being sought.
- 9 11:04 AM Hough moved to approve the amended agreement and for the Chair to initial changes. The motion passed.
- 10 10:38 AM Corporal Jen Warner reviewed a trespass notice and that some access will still be required. Ms. Taysom will have to make an appointment and must have a specific item to retrieve. Hough moved to approve the trespass notice as discussed. The motion passed.
- 11 11:04 AM Hough moved to approve the contract with CM Company. The motion passed.
- 12 11:05 AM Hough moved to approve Resolution No. 2024-33. The motion passed.

## Action Item Summary

ACTION/DIRECTION	ASSIGNED TO
Approved invoices, Commission report, credit applications, salary forms, and memo authorization to sign claims.	Auditing
Approved fee waiver for HHS volleyball.	Parks & Rec
Approved lease agreement with Idaho Power.	Parks & Rec
Approved Idaho High School Rodeo Week proclamation.	Staff
Approved Lazy Acres plat.	Planning
Approved Road Maintenance Easement in Sunnygate Park subdivision.	Road and Bridge
Accepted Substance Use Prevention, Treatment, Recovery Services Block Grant award.	Juvenile/Grant Team
Accepted Partnership for Success Law Enforcement Grant award.	Sheriff/Grant Team
Approved contract with Tyler.	Auditing
Approved changes to Lava Hot Springs Law Enforcement agreement.	Sheriff
Approved trespass notice.	Security
Approved contract with CM Company for 6 <sup>th</sup> Ave and Entrance Renovation.	Procurement/Buildings
Approved Resolution 2024-33 Authorizing Purchase of Goods and Service for Public Works on Open Market.	Staff





## MINUTES OF THE BOARD OF BANNOCK COUNTY COMMISSIONERS

### Meeting Details

Date of Meeting:	
Commissioners present:	Ernie Moser, Jeff Hough, and John Crowder
Clerk of the Board:	Jason C. Dixon
Absent Board Members:	
Staff present:	Deputy Clerk Nancy Allen,

### Agenda Details

AGENDA	
1	MEETING CALL TO ORDER, AGENDA CHANGES & AGENDA APPROVAL (action item)
2	<ul style="list-style-type: none"> <li>Indigent Business may require an Executive Session pursuant to Idaho Code §74-206(1)(d) to consider records exempt from public disclosure (action item)</li> </ul>
3	<ul style="list-style-type: none"> <li>Katie Avichouser, Sixth District Court — Wood Court, seeking signature on FY24 Sixth Judicial District Wood Court Project Award from the Idaho Department of Correction (requested 5 minutes) (action item)</li> </ul>
4	<b>RESOLUTIONS AND ORDINANCES (action items):</b> Resolution 2024-34 Matter of Approving May 2024 Salaries Resolution 2024-35 Approving May 2024 Alcohol Licenses Resolution 2024-36 Approving Tax Cancellation Requests
5	<b>SIGNATURE ONLY (action items):</b> Agreement with LexisNexis Amendment #15 to the Food Service Contract
6	<b>CONSENT AGENDA (action items):</b> <ul style="list-style-type: none"> <li>Manual Checks</li> <li>Alcohol Licenses and Catering Permits</li> <li>Certificate of Residency Approval</li> <li>Salary Rate Approval Forms/Notice of Separation with Potential Executive Session under Idaho Code §74-206(1)(a)&amp;(b) regarding personnel with potential action following adjournment of Executive Session</li> <li>Technology Forms</li> <li>Minutes: Approval of Meeting Minutes for May 23, 28, and 30, 2024, and Certification of Said Minutes</li> </ul>
7	Bid Opening for Lava Ranches Fuel Reduction Request for Services (action item)

### Meeting Notes

- 9:00 AM Moser called the meeting to order.
- 9:00 AM Community Resources and Advocacy Director Shantal Lauulu presented cremation applications for case numbers 20240026 and 20240027. Hough moved to approve case numbers 20240026 and 27. The motion passed.
- 9:01 AM Judge Javier Gabiola, Probation Officer Jimmie Gentry, and Sterling Jones also appeared. Gabiola reviewed the award and budget. Jones shared his success with participation in the Wood Court

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- program. Discussion ensued on life balance with demands of the program and qualifications for the program. Hough moved to approve the funding award. The motion passed.
- 4 9:16 AM Moser reviewed the resolutions. Hough moved to approve Resolutions 2024-34, 35, and 36. The motion passed.
  - 5 9:15 AM Hough moved to approve the LexisNexis agreement and the Food Service agreement. The motion passed.
  - 6 9:17 AM Moser reviewed the consent agenda included a certificate of residency, alcohol license, and minutes. Hough moved to approve the consent agenda. The motion passed.
  - 7 11:00 AM Moser reviewed the bid solicitation for brush removal. Procurement Officer Shanda Crystal unsealed the bids. Hough reviewed one bid from CR Fence for 95 acres. Hough moved to take the bid under advisement. The motion passed.

## Action Item Summary

ACTION/DIRECTION	ASSIGNED TO
Approved cremation assistance for case numbers 20240026 and 20240027.	Indigent
Approved Wood Court award.	Auditing
Approved Resolutions 2024-34 Matter of Approving May 2024 Salaries, 2024-35 Approving May 2024 Alcohol Licenses, and 2024-36 Approving Tax Cancellation Requests.	Staff
Approved LexisNexis agreement and Food Service agreement.	Sheriff
Approved consent agenda.	Clerk/Auditing
Approved taking bid for fuels reduction under advisement.	Procurement





## MINUTES OF THE BOARD OF BANNOCK COUNTY COMMISSIONERS

### Meeting Details

Date of Meeting:	Thursday, June 13, 2024
Commissioners present:	Ernie Moser and Jeff Hough
Clerk of the Board:	Jason C. Dixon
Absent Board Members:	John Crowder
Staff present:	Deputy Clerk Nancy Allen

### Agenda Details

AGENDA	
1	<p>Claims Meeting and Work Session (action items)</p> <p><b>Claims Agenda:</b></p> <ul style="list-style-type: none"> <li>Board of Ambulance District: Invoices and Commissioner Report</li> <li>Board of Commissioners: Invoices, Commissioners Reports, and Credit Applications</li> <li>Salary Rate Approval Forms/Notice of Separation with Potential Executive Session under Idaho Code §74-206(1)(a)&amp;(b) regarding personnel with potential action following adjournment of Executive Session</li> <li>Payroll Report</li> <li>Alcohol Licenses and Permits</li> <li>Certificate of Residency Approval</li> <li>Mileage Reimbursement Requests</li> <li>Technology Request Form</li> <li>Memorandum Authorization for Accounts Payable</li> <li>Cardholder User Agreement and Authorization</li> </ul> <p><b>Work Session Agenda:</b></p>
2	<ul style="list-style-type: none"> <li>Scott Crowther, Business Manager and Event Director, regarding (1) review and signature on the contract for Portneuf Health Trust Yoga at the Port; (2) discussion about signature authorization, and; (3) discussion about soccer field (requested 10 minutes) (action items)</li> </ul>
3	<ul style="list-style-type: none"> <li>Maggie Mann, Southeast Idaho Public Health, presenting a quarterly update</li> </ul>
4	<ul style="list-style-type: none"> <li>Kiel Burmester, Public Works Director, presenting a Public Works update</li> </ul>
5	<ul style="list-style-type: none"> <li>Shanda Crystal, Chief Procurement Officer, providing a procurement update</li> </ul>

### Meeting Notes

- 9:00 AM Moser called the meeting to order. Hough moved to approve the Commission report and invoices. The motion passed. Hough moved to approve the salary forms. The motion passed. Hough moved to approve the payroll report. The motion passed.
- 9:02 AM Chaney Colter and Micaela Prochazka appeared. Colter reviewed the yoga event. Prochazka reviewed the event. Hough moved to approve the contract with the change to the insurance. The motion passed.

- 3 9:05 AM Allison Bischoff also appeared. Mann gave updates on STD testing at jails, MOUD, preventive therapy for high risk HIV, counseling, immunizations, Bannock County's percentage of use for each program, subdivision reviews, septic system inspections, public pool inspections, food protection program and inspections, WIC, community health, Narcan training, and suicide prevention efforts.
- 4 9:50 AM Burmester gave updates on gravel maintenance, flood damage, Idaho Power parking lot, asphalt maintenance, OpenGov implementation, vehicle fleet, and noxious weed cost share.
- 5 10:07 AM Crystal gave updates on procurement projects.

## Action Item Summary

ACTION/DIRECTION	ASSIGNED TO
Approved Commission report, invoices, salary forms, and payroll report.	Auditing
Approved contract for yoga event.	Parks & Rec