



MINUTES OF THE BOARD OF BANNOCK COUNTY COMMISSIONERS

Meeting Details

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| Date of Meeting: | Tuesday, January 14, 2025 |
| Commissioners present: | Ernie Moser, Jeff Hough, and Ken Bullock |
| Clerk of the Board: | Jason C. Dixon |
| Absent Board Members: | |
| Staff present: | Deputy Clerk Nancy Allen, Comptroller Kristi Klauser, and Attorney Jon Radford |

Agenda Details

| AGENDA | |
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| 1 | Business Meeting (action item) BOARD OF COMMISSIONERS MEETING CALL TO ORDER, AGENDA CHANGES & AGENDA APPROVAL (action item) |
| 2 | <ul style="list-style-type: none"> Discussion regarding choosing a Chairman for the Board of Bannock County Commissioners (action item) |
| 3 | <ul style="list-style-type: none"> Tony Manu, Sheriff, request for approval for abandoned and found property to be auctioned at Prime Time Auctions (requested 10 minutes) (action item) |
| 4 | <ul style="list-style-type: none"> Approval of the Bannock County Board of Commissioners Quarterly Jail Inspection report executed on January 9, 2025 per Idaho Code §20-622 (action item) |
| 5 | <ul style="list-style-type: none"> Adam McKinney, Chief Technical Officer, requesting signature on a Tower Site Lease Agreement with Day Wireless (requested 5 minutes) (action item) |
| 6 | <ul style="list-style-type: none"> Daniel Kendall, Chief Building Officer, seeking potential signature on an utility easement (requested 5 minutes) |
| 7 | <ul style="list-style-type: none"> Kristi Davenport, Management Assistant, presenting a request for signature on Acceptance of Digital Images authorization for Daida to destroy physical records (requested 5 minutes) (action item) |
| 8 | RESOLUTIONS AND ORDINANCES (action items): Resolution 2025-4 Designating County Roads for State Reimbursement Resolution 2025-5 Authorization to Dispose Surplus Assets/Dispose |
| 9 | SIGNATURE ONLY (action items): Request to shred records according to the Bannock County Sheriff's Office retention policy Memorandum – Authorization to sign for Accounts Payable Cardholder User Agreement and Authorization |
| 10 | CONSENT AGENDA (action items): <ul style="list-style-type: none"> 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 Minutes: Approval of Meeting Minutes for January 7, 2025 and Certification of Said Minutes |
| 11 | Public Hearing Road Validation (action item) |

Meeting Notes

- 1 9:00 AM Moser called the meeting to order.
- 2 9:00 AM Moser moved to appoint Hough as chair. The motion passed.
- 3 9:01 AM Radford explained the auction public notice process. 9:03 AM Manu and Chief Deputy Sheriff Alex Hamilton appeared. Manu reviewed the request to auction abandoned property, most of which are lost or found firearms. Bullock moved to approve the request. The motion passed.
9:06 AM Maggie Gutierrez, Evidence Technician, reviewed the process to clear the firearms through NCIC and owner notification.
- 4 9:08 AM Hough relayed he is very impressed with the jail every visit. Moser moved to approve the jail inspection report. The motion passed.
- 5 9:09 AM McKinney reviewed the agreement to formalize use/access of tower sites with Day Wireless. Bullock moved to approve the lease agreement. The motion passed.
- 6 9:13 AM Kendall explained the proposed location for the new YDC building is over an easement, so Idaho Power would like to move the easement. Moser moved to accept the easement adjustment with Idaho Power. The motion passed.
- 7 9:16 AM Davenport explained that prosecutor files were scanned and destruction is covered in the contract, but authorization is needed to destroy the documents. Bullock moved to authorize the Chair to sign the authorization. The motion passed.
- 8 9:17 AM Hough reviewed the resolutions. Bullock moved to adopt the resolutions. The motion passed.
- 9 9:20 AM Moser moved to authorize shredding Sheriff records. The motion passed.
9:20 AM Hough moved to approve the memorandum and cardholder authorization for Bullock. The motion passed.
- 10 9:22 AM The consent agenda included salary forms and minutes. Bullock moved to accept the consent agenda. The motion passed.
- 11 11:00 AM Public Works Director Kiel Burmester and Assistant Director Buddy Romriell were present. Hough reviewed the public hearing process. Moser moved to open the public hearing. The motion passed.
11:01 AM Radford reviewed statutes for validation, Idaho Code §40-204A, and that today's validation hearing was initiated as doubt exists as to the legal establishment of the public right of way for Garden Creek Road. Any decision would clarify if the road is private or public.
11:04 AM Burmester shared criteria to consider is if the road changed throughout years, maintenance, and County road maps. Radford clarified this process is not to take a private road and make it public.
11:05 AM Dan Williams shared he lives on the road year-round. This road has been public for as long as he can remember and longer. The County has taken care of the road and there are no fences or gates blocking it. It is not a private road. This should be a public road and it is up to the Board for any restrictions put on it. His dad homesteaded up there after WWII.
11:07 AM Sherrilyn Munden shared she owns 1500 acres in the area. It was purchased in 2012 with plans to have a ranch. She knew there was no winter maintenance. The problem is that the County has chosen to close the road and has caused impacts on her family and ranch. Whether it is public or private, she doesn't believe the Board has the right to designate it however they want and restrict access to her property. There's a lot of money invested in the property. It started out with no winter maintenance, and was not groomed. They signed a paper acknowledging there was no winter maintenance. They were sent notification they could not plow the road and in 2019 it was designated as a snowmobile trail.
11:11 AM Dennis Munden shared he owns 1500 acres on the road. The land title is in their name so there must be prescriptive easement for the road. When they first started the process, the road director told him they were going to start plowing the road since there was enough people up there. Now there's a new guy and all the sudden it is shut down and turned into a snowmobile trail. Bullock, as previous commissioner, had suggested they go to the road meeting and request the road be plowed.

11:13 AM Linda Burnham has property in that area and has farmed in the area for many years. The road has always been a public road. She's been farming for 60 years. Before that, there was Garden Creek Road. There are a lot of roads that say no winter maintenance. She knows Garden Creek Road is designated as snowmobile.

11:15 AM Hough relayed that Ralph Wheatly submitted a written statement. Moser moved to close public hearing. The motion passed.

11:15 AM Burmester reported maintenance records started in 1946. He pulled up the last 20 years that show \$586,278 in chloride, gravel, and blading. So maintenance is proved. There are meeting notes from 1946 regarding a petition to open part of the road and improve the rest with specific section numbers. General highway maps are approved through public meetings every five years. A map from 1958 shows it as a County maintained road with no major difference in location to today's map.

11:18 AM Discussion ensued on snowmobile trail designations and grooming. It's been that way for many years.

11:19 AM Bullock has used the road for most of his life and in 1973 riding snowmobiles and there was no winter maintenance. He felt it in the best interest of the county to keep it how it is. Moser questioned if grooming trail designation is done by the state as snowmobile stickers are regulated by the state with those funds paying for the grooming. Hough felt the validation is in the public's interest. Bullock moved to validate that it is a public, established road. The motion passed.

Action Item Summary

| ACTION/DIRECTION | ASSIGNED TO |
|--|---------------------------|
| Approved appointing Commissioner Hough as chair of Board. | Clerk/Resolution |
| Approved Prime Time auction of abandoned property. | Sheriff |
| Approved jail inspection report. | Sheriff |
| Approved tower site lease with Day Wireless. | IT |
| Approved utility easement adjustment with Idaho Power. | Facilities/Planning |
| Approved Daida to destroy files that are digitized. | Commission/Resolution |
| Approved Resolutions 2025-4 Designating County Roads for State Reimbursement and 2025-5 Authorization to Dispose Surplus Assets/Dispose. | Clerk |
| Approved destruction of Sheriff records. | Sheriff/Resolution |
| Approved authorizations for AP and cardholder new Commissioner. | Auditing |
| Approved salary forms and minutes. | Auditing/Clerk/Resolution |
| Approved entry/exit public hearing and to validate Garden Creek Road. | Public Works/Resolution |

In the Matter of DESIGNATING)
COUNTY ROADS FOR STATE REIMBURSEMENT)

R.S. No. 2025-04
January 14, 2025

RESOLUTION

WHEREAS, the following road has been constructed to meet Bannock County Road and Bridge standards, is paved, and in good condition:

| <u>Road</u> | <u>Length</u> | <u>Location</u> |
|------------------|---------------|---------------------------------------|
| Eagle View Drive | 3,281 FT | Mount Bonneville Estates Phases 2 & 3 |

and

WHEREAS, County Public Works Director Kiel Burmester has recommended it being in the best interest of Bannock County to add this road to the County road system at this time; and

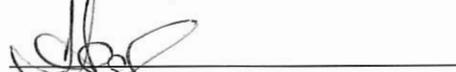
WHEREAS, Bannock County wishes to start receiving reimbursement from the Idaho Transportation Department for the total mileage added to the County road maintenance system; and

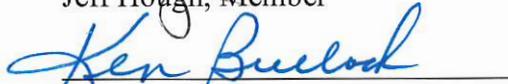
WHEREAS, in order to receive reimbursement, Bannock County must identify additions to the County road system and officially place them on the Bannock County road maintenance system;

NOW, THEREFORE, BE IT RESOLVED that Eagle View Drive is hereby identified as a County road and will be officially placed on the Bannock County Road Maintenance System.

BOARD OF BANNOCK COUNTY COMMISSIONERS


Ernie Moser, Chair


Jeff Hough, Member


Ken Bullock, Member

ATTEST: 
Jason C. Dixon, Clerk

RESOLUTION

WHEREAS, Idaho Code §§31-807 and 31-808 vest the power and authority to manage real and personal property for the benefit of the County with the Board of County Commissioners; and

WHEREAS, Idaho Code §31-829 provides that whenever any elected official has any personal property belonging to the county under his/her jurisdiction or control which, in his/her judgment, is of no further use to the county, he/she may, with the consent of the Board of County Commissioners, dispose of the property through sale or other means; and

WHEREAS, the following assets/property are of no further use to the County:

| Quantity | Description | County Asset Number/VIN |
|----------|------------------------------|--|
| 49 | 18" 4 drawer filing cabinets | 1097, 1944, 2037, 2561/6729, 5425/6804, 9040 |
| 2 | 18" 5 drawer filing cabinets | 0939, 6633 |
| 1 | 18" 2 drawer filing cabinet | |
| 1 | 15" 2 drawer filing cabinet | |

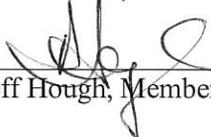
and

WHEREAS, it was recommended to recycle the filing cabinets.

NOW THEREFORE, IT IS HEREBY RESOLVED that the above property is declared to be surplus and the items be taken to recycle.

BOARD OF BANNOCK COUNTY COMMISSIONERS


Ernie Moser, Chair


Jeff Hough, Member


Ken Bullock, Member

ATTEST: 
Jason C. Dixon, Clerk

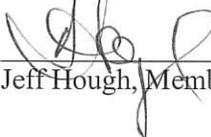
**BOARD OF BANNOCK COUNTY COMMISSIONERS
MINUTE CERTIFICATION**

We, the Board of Bannock County Commissioners, hereby certify approval of the minutes of the Bannock County Commissioners' meetings inclusive of the dates of January 7, 2025, as approved during the meeting of January 14, 2025.

BOARD OF BANNOCK COUNTY COMMISSIONERS



Ernie Moser, Chair



Jeff Hough, Member

John Crowder, Member

ATTEST:



Jason C. Dixon, Clerk