

Table of Contents

Agenda	2
Requesting approval of and signature on grant application for Idaho EMSaves (action item)	4
Discuss comments on Title III monies (action item)	21
Signature on Resolution 2025-25 Title III Expenditures from Secure Rural Schools and Self-Determination Act of 2000 should the Title III expenditures be approved (action item)	22
Requesting approval and potential signature on Work and Financial Plan with the Idaho Department of Correction (action items)	24
Discussion about and potential signature on Change Order 2 with Teton West (action item)	28
Providing a procurement update (action item)	31
Ratify signatures on Resolution No. 2025-24 Posting Weight Limits on Bannock County Highway System (action item)	32
Memo to dispose assets	34
Approval of Meeting Minutes for March 18, 2025, and Certification of Said Minutes	40
Public Hearing Comprehensive Plan Adoption and Sediment and Erosion Control Ordinance Text Change (action item)	45
On the Record Review for Conditional Use Permit for a gravel pit (action item)	46

Commissioners' Agenda

The Board of County Commissioners (BOCC) is comprised of the three elected County Commissioners: Ernie Moser (District 1), Jeff Hough (District 2, Chair), and Ken Bullock (District 3). The BOCC generally meets twice weekly: Tuesdays & Thursdays at 9:00 a.m. Unless otherwise noted, meetings are generally held in the Commissioner's Chambers at 624 E Center, Room 212, Pocatello, Idaho. During these public meetings, the BOCC may approve contracts, expend funds, hear testimony, make decisions on land use cases, and take care of other County matters.

Times are subject to change within 15 minutes of the stated time.

Tuesday, March 25, 2025

9:00 AM Business Meeting (action items)

Agenda:

- Indigent Business may require an Executive Session pursuant to Idaho Code §74-206(1)(d) to consider records exempt from public disclosure (action item)

BOARD OF AMBULANCE DISTRICT

- Ryan O'Hearn, Chief of Pocatello Fire, approval of and signature on grant application for Idaho EMSaves (requested 5 minutes) (action item)

BOARD OF COUNTY COMMISSIONERS

- Kristi Klauser, Auditing, seeking to discuss comments on Title III monies and signature on Resolution 2025-25 Title III Expenditures from Secure Rural Schools and Self-Determination Act of 2000 should the Title III expenditures be approved (requested 5 minutes) (action item)
- Dillon Evans, Solid Waste, requesting approval and potential signature on [REDACTED] Work and Financial Plan with the Idaho Department of Correction, [REDACTED] [REDACTED] (requested 5 minutes) (action item)
- Shanda Crystal, Procurement, regarding a discussion about (1) a change order for Teton West, and (2) providing a procurement update (requested 5 minutes) (action item)
- Ratify signatures on Resolution No. 2025-24 Posting Weight Limits on Bannock County Highway System (action item)

RESOLUTIONS AND ORDINANCES (action items):

LETTERS AND NOTICES (action items):

SIGNATURE ONLY (action items):

Memo to dispose assets

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 March 18, 2025, and Certification of Said Minutes

11:00 AM Public Hearing for Erosion Control Ordinance and Comprehensive Plan
(action items)

11:30 AM On the Record Review for Appeal of Council's Decision (action item)



FOR COMMISSION OFFICE USE:	
DATE <u>3/25/25</u>	TIME _____

Agenda Request Form

The Board of Bannock County Commissioners business meetings are generally held on **Tuesday** 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.

Email this completed form and any supporting documents to agendarequest@bannockcounty.us by 5:00 PM the Wednesday prior to the scheduled meeting.

Name/Department: BCAD

Phone/Email: 208-234-6202

Item to be considered: Idaho EMSaves Grant Application

Informational background:

Grant application - power loader for new ambulance

1. What meeting are you requesting? 3/20/20
2. How much time will be needed for this agenda item? 5 minutes or less
3. Is Commission action requested (decision, approval, signature, or guidance)? Signature
4. Does this request involve a contract, agreement, external funding source, or award acceptance? YES
5. What is the potential financial impact of this request? \$29,989.09
6. Have all supporting documents been included with this form? YES
7. Will you be using presentation software or have other presentation needs? (if YES, provide presentation with this form) NO
8. Name and contact information for others who should be invited to attend:

Chief Ryan O'Hearn & Autumn Baker from Bannock County Ambulance District

TO: BANNOCK COUNTY COMMISSIONERS
FROM: RYAN O'HEARN, BANNOCK COUNTY AMBULANCE DISTRICT
SUBJECT: IDAHO EMSAVE GRANT APPLICATION
DATE: MARCH 25, 2025
CC: KRISTI DAVENPORT, KRISTI KLAUSER, AUTUMN BAKER

The Bannock County Ambulance District seeks approval of a grant application for the Idaho Emergency Medical Services Agency Vehicle and Equipment (EMSAVE) grant. This grant is an annual grant through the State of Idaho. The Bannock County Ambulance District has had great success with this grant in the past. This year the district would like to submit for a Powered System Kit. The cost of this kit is \$69,989.09. The maximum grant award is \$40,000. The ambulance district will submit to include the local match as part of the FY2026 Capital Budget Request.

The ambulance district currently has an ambulance on order. This kit is necessary to be compatible with the other ambulances in our fleet. This kit includes the Power Pro 2 cot and the MTS Power Load system. Powered systems like this greatly reduce injury to providers and increase the safety of patients.

Signature: _____

Date: _____

BANNOCK COUNTY COMMISSIONERS

Jeff Hough, Chair

Ernie Moser, Commissioner

Ken Bullock, Commissioner

GRANT TEAM RISK ASSESSMENT FOR GRANTS

Department:	<u>Bannock County Ambulance District</u>	Apply for award	X	
Project name:	<u>Idaho EMSaves 2026</u>	Do not apply		
Assistance Listing # <i>(formerly CFDA #)</i>	<u>State</u>	Federal Procurement		
Grant Writing	No <i>(0 pts)</i>	Maybe <i>(2.5 pts)</i>	Yes <i>(5 pts)</i>	Score
Project clearly eligible for grant? Meets priorities of the grant? If no, stop, do not apply.			X	5
Will administrative costs be allowed by the grant? Equipment only = 5			X	5
Matching funds: 0: cash or mix required, not budgeted; 2.5: match obtainable; 5: No match, or has been/can be budgeted, in-kind easily obtainable			X	5
Sufficient time to prepare grant submission before the due date?			X	5
Department and/or Grant Team have adequate time to write grant?			X	5
Award odds assessment: 0: strong competition, small number of awards, odds of award <10% 2.5: open competition, odds of award >10% to <50% 5: Meets top priorities, odds of award greater than 50%		X		2.5
Funding agency history: 0: none; 2.5: funder known/no history; 5: good relationship with funder			X	5
No organizational resources needed (space, equipment, in-kind)			X	5
Are new personnel fully covered by grant? n/a = 5			X	5
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			X	5
Extent of Project				
Aligns with department's mission			X	5
Existing or imminently anticipated need			X	5
Program will not be a duplication of existing efforts in area			X	5
Expertise of department/director in relevant area			X	5
Staff training: 0: required, not funded; 2.5: Minimal, some covered; 5: Minimal, required and costs covered			X	5
Program partnership: 0: needed/not developed; 2.5: potential identified; 5: not needed/already contacted			X	5
Procurement complexity: 0: multiple/phases/formal; 2.5: 1-2 simple/semi-formal; 5: none		X		2.5
Department capacity to administer and monitor project			X	5
Auditing capacity for processing, reporting, and monitoring			X	5
Department capacity for tracking/progress reports			X	5
Comments: Department will complete application, Grant Team will submit.			95	
Other departments to involve:			Score	
Scoring Key: 70% = Yes 50-69% = Maybe <50 = No	Possible adjustments to scoring: New personnel required -3 New system (reporting/application) -1 to 10 Subaward (adds admin burden) -4 Davis Bacon required -10 Does proposal provide operational support (rather than project support) up to +5			
Auditing/Grant Team: <i>LuAnn Losee</i>	Date:	03/06/2025		
Override of Recommendation not to apply: Justification:	Date:			
Commissioner:	<i>Jeff Hough</i>	Date:	<i>3/25/25</i>	



FY 2026 Idaho Emergency Medical Services Agency Vehicle and Equipment (EMSAVE) Grant Application

Application is due April 7, 2025, by 11:59PM
and must be submitted via email: EMSGrants@DHW.Idaho.gov

IMPORTANT INFORMATION AND INSTRUCTIONS FOR SUBMITTING YOUR APPLICATION

1. Once you submit the grant application, it is FINAL and cannot be modified.
2. Only ONE application per agency and grant cycle will be accepted.
3. We are not able to do a "courtesy review" of applications, but are able to answer questions, prior to your submission. If you have questions, please call us at (208) 334-4000.
4. Reference the Price Caps and Ineligible Items list for allowable items and amounts.
5. Required attachments (vendor quotes, endorsements, rosters, titles, W-9, etc.) are listed on the Required Attachment Checklist on Page 2. If any of the required attachments are missing, your application will not be considered.
6. The following forms in the agency's IGEMS must be reviewed and updated:
 - a. Agency Roster: Personnel Updates Form
 - b. Vehicles Agency Update Form (fleet/vehicle information)
 - c. Patient Care Reporting (PCR)

This data is used in the review and scoring process and can impact your score.
7. A grant application webinar is held to walk agencies through the application, communicate any changes, and answer questions. The webinar will be recorded and posted to our website at www.idahoems.org. The webinar will be held on Wednesday, February 5th at 6PM MST and be accessed with this link: <https://idhw.webex.com/idhw/j.php?MTID=m0211aa878379b20f9d4b639462b89b59>. Webinar information will also be available on our website.
8. The grant application is a fillable PDF document. We recommend that you save a copy of your completed application.
9. We will send you an email confirmation within 1-2 business days after the application has been received. If you do not receive a confirmation, please contact Gail at (208) 334-4002 or by email to EMSGrants@dhw.idaho.gov.

CHANGES FROM THE PREVIOUS YEAR

1. Applications for both vehicle and equipment requests now include two options, adding and/or replacing.
 - a. Adding a vehicle narrative is on page 4 and replacing a vehicle narrative is on page 5.
 - b. Adding equipment narratives are on pages 9, 12, and 17, and replacing equipment narratives are on pages 10, 14, and 18.
2. The population of full-time residents will need to be documented via Census.gov; more information can be found on page 2 under Demographics.
3. Updates to the Price Caps and Ineligible Item list have been made.
4. The requirement for an endorsement letter for equipment applications may be waived if a justification letter is included; however, five points will be deducted from the application score regardless of waiver. Please see Templates for a justification letter example.
5. The allotted \$1.7 million for the grant cycle will be disbursed with 60% or \$1,020,000 for vehicles and 40% or \$680,000 for equipment.



APPLICATION and SUBGRANT AWARD GUIDELINES

REQUIRED ATTACHMENTS CHECKLIST

Endorsements (Templates are provided beginning with page 23)

- a. One signed endorsement letter from a county, fire district or incorporated city government official in your primary response area.
 - For vehicle requests, this endorsement is mandatory and if it is NOT provided your application will be ineligible.
 - For equipment requests, if an endorsement letter is not provided you will not receive the allowable points for this requirement. However, for your application to remain eligible you must provide justification as to why an endorsement letter was not included.
- b. A medical director endorsement letter is required for specific equipment items. Please reference the Price Caps list, beginning with page 21.

Quotes

- a. One vendor price quote for each vehicle and/or equipment item requested. The quote must include any add-on options with description and pricing, ending with a total purchase price.

Demographic/Population Back Up

- a. See examples beginning on page 26.

Extrication Equipment Requests

- a. Must provide an official roster from a recognized course and/or personnel certifications that meet the current NFPA 1670 standards for the Extrication Operation or Technician level training.

Proof of Vehicle Ownership

- a. Applicants seeking to replace a vehicle, must include a copy of the registration or title of the vehicle that is being replaced.

ADDITIONAL REQUIREMENTS FOR SUBGRANT AWARDS

Unique Entity Identifier Number

- a. A Unique Entity Identifier (UEI) number is required for all awards. A number can be obtained at System for Award Management ([SAM.gov](https://sam.gov)).
- b. For verification purposes, your agency's profile must be set to Public View.
- c. The process to acquire a UEI can be lengthy. It is highly recommended to begin this process prior ~~to~~ upon submission of the application.
- d. UEI numbers do not expire. However, your UEI registration must be current. If the registration ~~expired~~, it will need to be renewed per [SAM.gov](https://sam.gov) requirements. Screenshots or other documentation of UEI number will not be accepted.
- e. The Bureau is unable to offer technical assistance with [SAM.gov](https://sam.gov) registration. For more information visit [SAM.gov](https://sam.gov) or Federal Service Desk, [FSD.gov](https://federal.gov).
- f. Additional information and assistance can be found here, [Quick Start Guide for Getting a Unique Entity ID](#).

W-9

- a. An Employer Identification Number (EIN) or Tax Identification Number (TIN) is required for all subgrants/awards. If the State Controller's Office does not have a current W-9 on file for your agency and/or if there have been any changes, you will need to complete, sign, and submit a W-9 with your official entity name and current address. The signature date must be within three months of W-9 submission.
- b. Submitting the W-9 with your application could expedite processing if you are awarded a subgrant.

FY2026 EMSAVE GRANT APPLICATION

AGENCY/FINANCIAL/DEMOGRAPHIC INFORMATION

1. General Information:

Agency Name (as it appears on license):
Bannock County Ambulance District

Governmental or Non-Profit Agency:
Government - Bannock County

Federal Tax ID Number:
82-6000279

UEI Number:
JCN5K8AWYGB1

Secretary of State Registry:
NA

required if a non-profit agency

Contact Name:
LuAnn Losee

Title:
Grant Corrdinator

Email:
luanns@bannockcounty.gov

Daytime Phone Number:
208-236-7335

2. Demographics:

Number of **full-time** residents within your primary response area?

87,019 Census 2020

Use the available city and town and/or county data found at [Census.gov](https://www.census.gov) for your answer. Download the file and highlight the applicable area/population. This download will need to be included as an attachment to your application. If your service area covers multiple cities, towns, and/or counties, provide a coversheet with each city, town and/or county listed with their population as subtotals with a calculated total for answer, see example on page 26.

3. Verify and update Agency's Roster/Personnel Updates, Patient Care Reporting (PCRs) and Vehicles Agency Update in IGEMS Information.

Agency information must be up to date in IGEMS. The information affects the scoring of the application. If the numbers reported by your agency do not reflect what is reported in IGEMS, the information in IGEMS will be used by default.

4. Financial and Operating Information:

Provide financial operating information for the most recent completed fiscal year. Financial information provided for the period of Start Date: 10/01/2023 to End Date: 09/30/2024

Do not leave any blanks. Enter "0" if none

Funding Sources and Revenue – whole numbers only, do not include cents.

Taxing Funds (Ambulance Tax, Fire Tax District, Hospital Tax District, General Funds)	\$2,143,678
---	-------------

All other income (Grant Funds, Donations, Cash-on-Hand, Investment Income, EMS Billing, etc.)	\$3,932,521
---	-------------

EMS EQUIPMENT INSTRUCTIONS AND GUIDELINES:

1. Equipment must be appropriate based on clinical level of agency license and associated scope of practice as approved by the Idaho EMS Physician Commission.
2. Kits – a group of related items may be requested as one priority if it adheres to the definition of a kit. A kit is defined as "a group of items that will not work without the other pieces for a specific purpose." The "kit" must be advertised or cataloged as a kit by the vendor.
3. Identical items may be requested as one priority based on the number of licensed personnel listed on the most recent agency renewal application.
4. Requests for communication equipment must have been reviewed by the Public Safety Answering Point (PSAP) which provides services to your agency and/or the District Interoperability Governing Board (DIGB) and must be compliant with the communications plans developed.
5. No funding will be provided for training, firefighting equipment, or disposable supplies (including epi auto-injectors). Additional ineligible items are listed on page 20 of this application.

EQUIPMENT INFORMATION – PRIORITY 1 FOR: Bannock County Ambulance District

1. EQUIPMENT REQUEST

Type of Equipment Requested	If Other Please Describe:	Quantity
Gurney and Load System Kit	_____	1

Purpose of Equipment

Power Load Kit that will be installed in new ambulance for McCammon ALS service expansion

Vendor Quote
(attach documentation)

Amount Requested
(cannot exceed price cap)

Stryker Quote 11057048 Power Load Kit \$69,989.09

\$40,000

2. EQUIPMENT USE

Using whole numbers only how many calls do you anticipate using this equipment in the next year?

In minutes, what is anticipated time the equipment could be used per patient?

137 - Transport Calls in South County area

45 minutes (average transport time)

-- continue to page 9 for adding or page 10 for replacing --

If your Priority 1 request will be replacing equipment, skip to page 10

ADDING EQUIPMENT NARRATIVE – PRIORITY 1

Agency Name:

Bannock County Ambulance District

Requested Item:

Gurney and Load System Kit

1. Distance in miles closest to similar equipment, within your agency: 11+ Miles
2. Time in minutes to closest similar equipment, within your agency: 11+ Minutes
3. Using whole numbers, how many similar items does your agency have currently? 12

Describe the need for the requested equipment and lack of funding available from other sources:

The Bannock County Ambulance Service District (BCAD) is requesting funding assistance for the purchase of a Stryker Power Load Powered Cot Fastener system. If awarded, this unit would be used in the new ambulance that is currently in production. The intent is to expand ALS service to the South County area of Bannock County at the new McCammon Fire Station. This type of equipment has reduced back injury rates associated with patient loading and unloading from the ambulances. Powered patient movement device adoption has proven to be a welcome and embraced technology that has provide for better safety for the patient and the provider. The BCAD, in conjunction with adoption of a long term replacement and rotation plan, is leveraging ambulance safety design with powered cot fastener systems for the purpose of providing the safest work and patient care environments. Research and standards, NFPA and CASS, support the adoption of powered cot fastener kits.

The District provides emergency medical services to 1147 square miles in Bannock County and also responds into Power County and the Fort Hall Indian Reservation. Often only two personnel are available to load patients for transport in the rural areas of our response area. BCAD provides basic and advanced life support capable transport service with 3 ambulances manned full time at Pocatello Fire Department stations with 4 reserve ambulances, 1 transport ambulance and 1 event ambulance. There are 3 compensated volunteer staffed ambulances in the communities of Inkom, Lava Hot Springs, and Downey. BCAD is expanding ALS service to the south county area and will place a new ambulance in McCammon to provide improved ALS response times.

Bannock County often takes the maximum levy rate each year providing little to no tax solution for large capital purchases. Below is BCAD FY25 Budget, all funding is currently allocated.

Personnel & Operating:	\$ 4,492,677
Capital:	\$ 707,009
Total FY25 Budget:	\$ 5,199,686

The BCAD plans to use a portion of capital funding annually to replace aging Power Load Cots and Loaders as necessary.



ADDING OR REPLACING EQUIPMENT NARRATIVE – PRIORITY 1 (CONTINUED, IF NEEDED)

Bannock County Ambulance District

Bannock County Ambulance District (BCAD) Current Power Load and Cots Inventory

Ambulance Cots and Power Load

We have an aging infrastructure of Cots (12 total units)

- (1) Four are 16 years old
- (2) One is 13 years old
- (3) Two are 11 years old
- (4) One is 10 years old
- (5) One is 7 years old
- (6) One is 5 years old
- (7) One is 3 years old
- (8) One is 1 year old

We have an aging infrastructure of Power Loads (12 total units)

- (1) One is 12 years old
- (2) Four are 11 years old
- (3) Two are 10 years old
- (4) One is 8 years old
- (5) One is 6 years old
- (6) One is 5 years old
- (7) Two are one year old

SIGNATURE PAGE

As an authorized representative (i.e., president, agency administrator) for my agency, I certify that the information provided in this application, including all attachments, is complete and accurate.

I understand that providing false or incomplete information is grounds for declaring the application ineligible. By law, any and all funds determined to have been acquired based on fraudulent information must be returned.

I acknowledge that the tax ID number on the attached W-9 is associated with the address provided. If my agency is granted an award, the funds will be mailed to the address provided on the attached W-9.

Further I acknowledge that if my agency is granted an award, my agency will follow the specified dates on the signed subgrant agreement to purchase awarded item(s), as the purchase date CANNOT be prior to the beginning date of the subgrant agreement. Additionally, we agree to provide the following documentation to the Bureau:

- All awards require a completed Accounting Form with supporting documentation.
 - Vehicle awards, must also include:
 - a. A copy of the vehicle specifications at the time of the purchase contract is accepted/executed
 - b. Proof of obligation of funds
 - c. Title listing the Bureau of EMS and Preparedness listed as lienholder
 - d. Insurance certificate showing Bureau of EMS and Preparedness listed as lienholder
 - Communication equipment awards must also include:
 - a. County or Regional Communications Center and/or the District Interoperability Governing Board (DIGB) sign-off that equipment is compliant with the developed communications plans

The above-mentioned supporting documentation must be submitted to the Bureau of EMS & Preparedness Grant Team, as part of the terms in the subgrant.

Autumn Baker (BCAD)

Printed Name of Individual Completing Application

Jeff Hough

Printed Name of Person Authorizing Application

Commissioner

Signature of Person Authorizing Application:

Title

Date

Reset Form

FY 2026 Price Caps

Vehicles

Any additional expenses due to add-ons to the vehicle that are above the price cap are the responsibility of the agency receiving the grant funds.

Vehicle Type	Price Cap
Ambulance (Transport)	\$218,750
Non-Transport/Rescue	\$115,000

Equipment

Agency Cap: \$40,000

System Cap: \$128,000

Approved Equipment	Comment	Price Cap
12 Lead Monitor/Defibrillator <i>Agency Clinical Level = Paramedic or Higher</i>	Medical Director Letter Required*	\$31,500
12 Lead Acquisition Device <i>Agency Clinical Level = EMR, EMT or AEMT</i>	Medical Director Letter Required*	\$3,150
AEDs	Base Model	\$1,785
Automatic Transport Ventilators	Medical Director Letter Required*	\$4,200
Automated Vital Sign Monitors	Must contain NIBP, SpO2, Pulse Rate	\$1,500
Computers Desktop, Laptop or Tablet		\$1,050
Extrication Items		
Cutter	Must provide an official roster from a recognized	\$14,700
Spreader	course and/or personnel certifications that	\$14,700
Pusher/RAM	meet the current NFPA 1670 standards for	\$12,600
Stabilization tools	Extrication Operation or Technician level training	\$10,500
Gurney		
Power		\$19,950
Power Gurney Load System		\$24,150
Power Gurney and Load System Kit	Must be identified as 'kit' in quote	\$40,000
Mechanical CPR Device		\$16,800
Pulse Oximeter		
Without CO monitoring	Base – standalone units	\$1,050
With CO monitoring	(Not Part of a BP Monitor Kit)	\$5,250
Stair Chair		
Manual		\$3,675
Power		\$15,750
Video Laryngoscope	Medical Director Letter Required*	\$2,100

*template included with application packet

Equipment Ineligibility List

NO funding for items beyond current clinical scope of practice of applicant agency.

The following items are **INELIGIBLE** for **ALL AGENCIES**:

1. Avalanche Beacons
2. Digital Camera
3. Disposable Items (includes radio batteries, AED pads, bandaging supplies, medications, etc.)
4. Doppler Scope
5. Firefighting Equipment or vehicles, snowmobiles, boats, All-Terrain Vehicles, trailers, etc.
6. Power Generators
7. Repeaters, Duplexers
8. Structural Firefighting Turnouts
9. Training Equipment
10. Ballistic Equipment
11. Equipment used solely for a trial basis or pilot project

The following items are **INELIGIBLE** for **NON-TRANSPORT AGENICES**:

12. Retrofit Power Gurney
13. Power Gurney
14. Power – Load System
15. Power Gurney and Load System Kit



03/10/2025

RE: Equipment Endorsement Letter

EMSAC Dedicated Grant Review Committee,

I have reviewed the grant application for [name of applicant agency] and agree with the stated need and appropriateness of the requested equipment listed below:

Priority One: **Stryker - Power Gurnery and Load System KIT**

See attached quote.

Should any of the above-mentioned equipment require specific training as part of the Optional Module program, it will be completed. I will ensure that an appropriate number of members receive the training and will s who receive the training are credentialed. I will ensure that an appropriate number of the members receive this training and are credentialed prior to equipment being put to use by EMS Agency.

Respectfully,

A handwritten signature in black ink, appearing to read "Ryan O'Hearn".

Ryan O'Hearn, MPA, NRP

Fire Chief

Pocatello Fire Department/Bannock County Ambulance District

Annual Estimates of the Resident Population for Counties in Idaho: April 1, 2020 to July 1, 2023

Geographic Area	April 1, 2020 Estimates Base	Population Estimate (as of July 1)			
		2020	2021	2022	2023
Idaho	1,839,117	1,849,339	1,904,537	1,938,996	1,964,726
Ada County, Idaho	494,961	498,278	513,025	519,004	524,673
Adams County, Idaho	4,382	4,428	4,623	4,791	4,903
Bannock County, Idaho	87,019	87,276	88,515	89,625	90,400
Bear Lake County, Idaho	6,370	6,367	6,567	6,730	6,766
Benewah County, Idaho	9,531	9,576	9,895	10,291	10,369
Bingham County, Idaho	47,983	48,037	48,929	49,373	50,395
Blaine County, Idaho	24,278	24,348	24,782	24,901	25,041
Boise County, Idaho	7,614	7,664	8,133	8,360	8,517
Bonner County, Idaho	47,103	47,403	49,633	51,407	52,547
Bonneville County, Idaho	123,964	124,737	128,064	129,543	131,366
Boundary County, Idaho	12,057	12,133	12,620	13,272	13,557
Butte County, Idaho	2,576	2,584	2,666	2,698	2,758
Camas County, Idaho	1,074	1,084	1,137	1,169	1,232
Canyon County, Idaho	231,102	233,013	243,710	250,892	257,674
Caribou County, Idaho	7,027	7,013	7,109	7,200	7,219
Cassia County, Idaho	24,632	24,760	25,244	25,644	25,696
Clark County, Idaho	789	792	793	810	801
Clearwater County, Idaho	8,728	8,750	8,925	9,035	9,214
Custer County, Idaho	4,279	4,271	4,446	4,518	4,523
Elmore County, Idaho	28,665	28,669	28,978	29,391	29,724
Franklin County, Idaho	14,194	14,282	14,670	15,170	15,494
Fremont County, Idaho	13,387	13,419	13,591	14,017	14,196
Gem County, Idaho	19,122	19,272	19,802	20,454	21,071
Gooding County, Idaho	15,601	15,649	15,793	15,879	16,061
Idaho County, Idaho	16,547	16,594	17,059	17,637	17,890
Jefferson County, Idaho	30,890	31,080	32,201	33,336	34,198
Jerome County, Idaho	24,242	24,270	24,738	25,244	25,479
Kootenai County, Idaho	171,363	172,785	180,058	183,290	185,010
Latah County, Idaho	39,523	39,638	40,400	40,824	41,301
Lemhi County, Idaho	7,979	7,962	8,160	8,284	8,441
Lewis County, Idaho	3,526	3,527	3,690	3,725	3,739
Lincoln County, Idaho	5,127	5,134	5,285	5,385	5,450
Madison County, Idaho	52,813	52,928	54,092	54,958	54,547
Minidoka County, Idaho	21,582	21,668	21,944	22,208	22,480
Nez Perce County, Idaho	42,091	42,145	42,500	42,909	42,987
Oncida County, Idaho	4,566	4,566	4,605	4,740	4,853
Owyhee County, Idaho	11,915	11,996	12,356	12,645	12,722
Payette County, Idaho	25,389	25,590	26,386	26,929	27,279
Power County, Idaho	7,876	7,879	7,975	8,136	8,253
Shoshone County, Idaho	13,168	13,199	13,615	13,935	14,026
Teton County, Idaho	11,631	11,735	12,273	12,519	12,549
Twin Falls County, Idaho	90,049	90,372	92,394	93,821	95,156
Valley County, Idaho	11,744	11,842	12,256	12,450	12,644
Washington County, Idaho	10,438	10,558	10,900	11,147	11,425

Vitalis 2023 data products are associated with Data Management System projects P-5000042, P-7501653, and P-7527955. The U.S. Census Bureau reviewed these data products for unauthorized disclosure of confidential information and approved the disclosure avoidance practices applied in this release (COPRP-FY24-0005).

Note: The estimates are developed from a base that integrates the 2020 Census, Vitalis 2020 estimates, and 2020 Demographic Analysis estimates. For population estimates methodology statements, see <https://www.census.gov/programs-surveys/popest/technical-documentation/methodology.html>. All geographic boundaries for the 2023 population estimates series are as of January 1, 2023.

Suggested Citation:

Annual Estimates of the Resident Population for Counties in Idaho: April 1, 2020 to July 1, 2023 [CO-EST2023-POP-16]

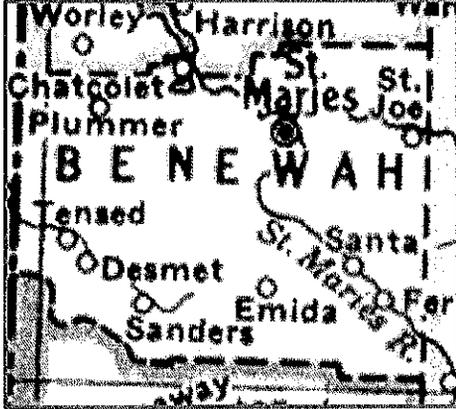
Source: U.S. Census Bureau, Population Division

Release Date: March 2024

Demographics

Use the links provided in the application to access the Census.gov Population Totals (city and town or county). Scroll down to access the listing of states, select Idaho, and download the file. Once downloaded, highlight the applicable cities, towns and/or counties in your service area and calculate the number that will be used on the application and included in the application submission.

Using Benewah County as an example, only three of the cities shown on the map appear on the Census.



Geographic Area	Population Estimate (as of July 1)				
	April 1, 2020 Estimates Base	2020	2021	2022	2023
Pierce city, Idaho	466	467	503	528	523
Pinehurst city, Idaho	1,679	1,681	1,732	1,774	1,780
Pleaserville city, Idaho	46	46	48	48	48
Plummer city, Idaho	1,015	1,018	1,043	1,111	1,113
Pocatello city, Idaho	56,327	56,436	57,388	57,824	58,084
Tririe city, Idaho	663	665	694	698	705
Roberts city, Idaho	500	500	535	565	578
Rockland city, Idaho	240	240	242	258	258
Rupert city, Idaho	6,080	6,104	6,109	6,238	6,324
St. Anthony city, Idaho	3,697	3,708	3,759	3,923	4,025
St. Charles city, Idaho	163	163	172	180	186
St. Maries city, Idaho	2,358	2,364	2,421	2,478	2,473
Salmon city, Idaho	3,124	3,117	3,192	3,285	3,295
Shoshone city, Idaho	8,657	8,730	9,158	9,768	10,024
Sun Valley city, Idaho	1,788	1,791	1,805	1,790	1,771
Swan Valley city, Idaho	227	242	256	283	303
Tensed city, Idaho	85	85	88	93	94
Wildier city, Idaho	1,598	1,595	1,660	1,643	1,685
Winchester city, Idaho	354	354	366	369	371
Worley city, Idaho	254	254	255	253	249
Total:					3680

In this instance it would be best to use the County:

Geographic Area	April 1, 2020 Estimates Base	Population Estimate (as of July 1)			
		2020	2021	2022	2023
Idaho	1,839,117	1,849,339	1,904,537	1,936,996	1,964,726
Ada County, Idaho	494,961	498,278	513,025	519,004	524,673
Adams County, Idaho	4,382	4,428	4,623	4,791	4,903
Bannock County, Idaho	87,019	87,276	88,515	89,625	90,400
Bear Lake County, Idaho	6,370	6,367	6,567	6,730	6,766
Benewah County, Idaho	9,531	9,576	9,895	10,291	10,369
Bingham County, Idaho	47,983	48,097	48,929	49,973	50,395
Blaine County, Idaho	24,278	24,348	24,782	24,901	25,041
Boise County, Idaho	7,614	7,664	8,133	8,360	8,517
Bonner County, Idaho	47,103	47,403	49,633	51,407	52,547
Bonneville County, Idaho	123,964	124,737	128,064	129,543	131,366
Total:					10,369

If the agency does not service certain cities within the county, they would include both the city or town and county files and would subtract the population associated with the areas that they do not service:

Geographic Area	April 1, 2020 Estimates Base	Population Estimate (as of July 1)			
		2020	2021	2022	2023
Idaho	1,839,117	1,849,339	1,904,537	1,936,996	1,964,726
Ada County, Idaho	494,961	498,278	513,025	519,004	524,673
Adams County, Idaho	4,382	4,428	4,623	4,791	4,903
Bannock County, Idaho	87,019	87,276	88,515	89,625	90,400
Bear Lake County, Idaho	6,370	6,367	6,567	6,730	6,766
Benewah County, Idaho	9,531	9,576	9,895	10,291	10,369
Bingham County, Idaho	47,983	48,097	48,929	49,973	50,395
Blaine County, Idaho	24,278	24,348	24,782	24,901	25,041
Boise County, Idaho	7,614	7,664	8,133	8,360	8,517
Bonner County, Idaho	47,103	47,403	49,633	51,407	52,547
Bonneville County, Idaho	123,964	124,737	128,064	129,543	131,366
Boundary County, Idaho	12,057	12,139	12,620	13,272	13,557
Subtotal:					10,369
Less:					
St. Maries:					2,473
Total:					7,896

Agencies that cover multiple counties would follow first example used to demonstrate multiple cities.



Powered System Kit - EMSAVE 2025

Quote Number: 11057048

Remit to: Stryker Sales, LLC
21343 NETWORK PLACE
CHICAGO IL 60673-1213
USA

Version: 1

Prepared For: BANNOCK COUNTY AMB DISTRICT
Attn:

Rep: Annie Hofman
Email: annie.hofman@stryker.com
Phone Number:
Mobile: (208) 565-7707

Quote Date: 01/28/2025

Expiration Date: 09/30/2025

Delivery Address		Sold To - Shipping		Bill To Account	
Name:	BANNOCK COUNTY AMB DISTRICT	Name:	BANNOCK COUNTY AMB DISTRICT	Name:	
Account #:	20147710	Account #:	20147710	Account #:	
Address:	408 E WHITMAN ST FL 1 POCATELLO Idaho 83201-6450	Address:	408 E WHITMAN ST FL 1 POCATELLO Idaho 83201-6450	Address:	

Equipment Products:

#	Product	Description	Qty	Sell Price	Total
1.0	650705550001	6507 POWER PRO 2, HIGH CONFIG	1	\$34,688.70	\$34,688.70
2.0	639005550001	MTS POWER LOAD	1	\$32,001.30	\$32,001.30
3.0	650707000002	KIT, ALVARIUM BATTERY, SERVICE	1	\$846.75	\$846.75
4.0	650700450102	ASSEMBLY, POWER CORD, NORTH AM	1	\$27.75	\$27.75
5.0	650700450301	ASSEMBLY, BATTERY CHARGER	1	\$1,212.00	\$1,212.00
6.0	650700450053	O2 BOTTLE HOLDER, FOWLER	1	\$295.50	\$295.50
Equipment Total:					\$69,072.00

Price Totals:

Estimated Sales Tax (0.000%):	\$0.00
Freight/Shipping:	\$917.09
Grand Total:	\$69,989.09

Prices: In effect for 30 days

Terms: Net 30 Days



Powered System Kit - EMSAVE 2025

Quote Number: 11057048

Remit to: Stryker Sales, LLC
21343 NETWORK PLACE
CHICAGO IL 60673-1213
USA

Version: 1

Prepared For: BANNOCK COUNTY AMB DISTRICT

Rep: Annie Hofman

Attn:

Email: annie.hofman@stryker.com

Phone Number:

Mobile: (208) 565-7707

Quote Date: 01/28/2025

Expiration Date: 09/30/2025

Terms and Conditions:

Deal Consummation: This is a quote and not a commitment. This quote is subject to final credit, pricing, and documentation approval. Legal documentation must be signed before your equipment can be delivered. Documentation will be provided upon completion of our review process and your selection of a payment schedule. Confidentiality Notice: Recipient will not disclose to any third party the terms of this quote or any other information, including any pricing or discounts, offered to be provided by Stryker to Recipient in connection with this quote, without Stryker's prior written approval, except as may be requested by law or by lawful order of any applicable government agency. A copy of Stryker Medical's terms and conditions can be found at https://techweb.stryker.com/Terms_Conditions/Index.html.



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

ERNIE MOSER
 Commissioner
 1st District

JEFF HOUGH
 Commissioner
 2nd District

KEN BULLOCK
 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:

Auditing

Requestor Email:

kristik@bannockcounty.us

Item(s) to be considered:

Consider any comments regarding proposed use of Title III funds for backcountry search and rescue needs as published and potential approval of proposed resolution.

Date of meeting being requested:

03/25/2025

Time requested:

5 Minutes

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

No

Contract/Agreement Begin Date:

Contract/Agreement End Date:

List of additional attendees:

In the Matter of TITLE III EXPENDITURES)
FROM SECURE RURAL SCHOOLS AND)
SELF-DETERMINATION ACT OF 2000)

R.S. No. 2025-25
March 25, 2025

RESOLUTION

WHEREAS, Bannock County received \$22,990.32 in calendar year 2024 from the Secure Rural Schools and Community Self-Determination Act of 2000 (the Act); and

WHEREAS, 16 U.S.C. §7142(a) authorizes use of Title III funds to:

- (1) carry out activities under the Firewise Communities program to provide to homeowners in fire-sensitive ecosystems education on, and assistance with implementing, techniques in home siting, home construction, and home landscaping that can increase the protection of people and property from wildfires;
- (2) reimburse the participating county for search and rescue and other emergency services, including firefighting and law enforcement patrols, that are:
 - (A) performed on Federal land after the date on which the use was approved under subsection (b); and
 - (B) paid for by the participating county;
- (3) cover training costs and equipment purchases directly related to the emergency services described in paragraph (2);
- (4) develop and carry out community wildfire protection plans in coordination with the appropriate Secretary concerned; and
- (5) provide or expand access to:
 - (A) broadband telecommunications services at local schools; or
 - (B) the technology and connectivity necessary for students to use a digital learning tool at or outside of a local school campus; and

WHEREAS, before expending Title III funds, section (b) of the above code requires that a county can use the funds for a project in section (a) only after providing a 45-day public comment period by:

- (1) publishing in any publications of local record a proposal that describes the proposed use of the county funds; and
- (2) submitting the proposal to any resource advisory committee established under section 7125 of this title for the participating county; and

WHEREAS, Bannock County published notice in the Idaho State Journal on February 8, 2025, of the proposed use of Title III funds and giving 45 days to submit written comments; and

WHEREAS, Bannock County is not aware of any resource advisory committed established under section 7125 of the above code and, therefore, did not submit the proposal to any committee; and

WHEREAS, the proposed use of Title III funds is for equipment for Search and Rescue for back-county rescues and includes:

1. Single Track Litter: \$5,000.00
2. Snow tracks for 4-wheelers for winter months: \$4,500.00 per machine
3. Snow Toboggan for patient transport in winter: \$4,500.00
4. Vacuum Mats: \$800.00
5. 4-wheeler: \$12,000.00

The approximate total is \$26,800, and the overage from the allocated \$22,990.32 will be covered by the Search and Rescue budget.

NOW, THEREFORE, BE IT RESOLVED, after having given a 45-day notice for public comment, and taking into full consideration any comments received, that the above proposed expenditures for Search and Rescue are approved.

BOARD OF BANNOCK COUNTY COMMISSIONERS

Jeff Hough, Chair

Ernie Moser, Member

Ken Bullock, Member

ATTEST: _____
Jason C. Dixon, Clerk



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

ERNIE MOSER
Commissioner
1st District

JEFF HOUGH
Commissioner
2nd District

KEN BULLOCK
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:

Dillon Evans

Department:

Solid Waste

Requestor Email:

Dillone@bannockcounty.us

Item(s) to be considered:

Seeking approval on PWCC resident work crew contract.

Date of meeting being requested:

03/25/2025

Time requested:

5 Minutes

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

Contract

Contract/Agreement Begin Date:

03/01/2025

Contract/Agreement End Date:

06/30/2026

List of additional attendees:

**IDAHO DEPARTMENT OF CORRECTION
Vocational Work Project
Work and Financial Plan**

**Entered into by and between
Idaho Department of Correction
Pocatello Women's Correctional Center
and
Bannock County Solid Waste Department**

This plan is made and agreed to this date for the period beginning 3/1/2025 and continuing until 6/30/2026 or canceled in writing by either party with thirty (30) days' written notice. This agreement is between Bannock County Solid Waste Department and the Idaho Department of Correction under the provision of the Human Resource Agreement between Bannock County Public Works Department.

Project Title: Bannock County Solid Waste Department - Landfill

Project Description: Full description of nature and scope of the project, to include but not limited to general building and grounds maintenance, painting, event coverage, and other related projects to include landfill and bridge departments.

Therefore, it is mutually agreed that:

1. **ASSIGNMENT OF RESIDENTS**
Up to Ten (10, 1 crew of 10) but not less than six (6) resident worker(s) will be assigned to Bannock County. Idaho Department of Correction personnel will be responsible for transportation to and from the work site(s). Residents will not work in positions requiring apprenticeship. The parties hereto understand that residents will not be assigned to work on individual public work projects described in Idaho Code 54-1901(2)(c) Subsections (i) (ii) or (iii) that has an estimated cost of \$10,000 or more. Resident workers shall be available for project work for up to fifty (50) hours per week, including travel to and from the work site ('gate to gate'). This 'gate to gate' time sets forth the availability of crews; all billable time is set forth in section 8.
2. **ASSIGNMENT OF CORRECTIONAL STAFF**
One (1) Idaho Department of Correction ("IDOC") correctional supervisor will be assigned to supervise the resident worker(s). The correctional supervisor will effectively manage and supervise up to ten (10) resident workers.
3. **RESIDENT TIME KEEPING**
The correctional staff assigned to the resident worker(s) will act as timekeeper, responsible for recording and verifying all hours worked on this project.
4. **NOTIFICATION AND COMMUNICATIONS**
The Idaho Department of Correction and Bannock County liaison officials will provide mutual notification if, for any reason, the crew is unable to work.
5. **RESIDENT TRAINING**

Page 1 of 3

IDOC Data Sensitivity Classification - L3 Restricted

Bannock County is responsible for explaining the project to correctional staff and the resident worker(s) and conducting any necessary training at the onset of each project or project phase.

6. TOOLS AND EQUIPMENT

The Idaho Department of Correction will provide the following tools and equipment at the reimbursement rates specified in section 8:

7. VEHICLES

The following vehicles will be provided by the Idaho Department of Correction at the reimbursement rates specified in section 8:

- (a) One 15-man passenger van

8. PAYMENT SERVICES

The State shall invoice the Agency for services identified in this agreement and the Human Resource Agreement. Payment terms are net 30 days. Invoices will be sent to the following:

Agency Fiscal	Aubri Lewis
Contact:	Bannock County Landfill
Phone:	208-339-0292
E-Mail:	aubril@bannockcounty.gov
Address:	1500 N. Fort Hall Mine Road Pocatello, ID 83204

The primary IDOC fiscal contact for PWCC is Donna Case. Donna Case can be reached at 208-658-2071 or via e-mail at docase@idoc.idaho.gov. The secondary IDOC fiscal contact is Chris Bray and he can be reached at (208) 658-2103 or via e-mail at cbray@idoc.idaho.gov.

The Idaho Department of Correction does not warrant the quality of work provided by resident worker(s).

Payment will be made to the Idaho Department of Correction based on monthly billings at the following rates:

Resident Labor (crew of 8 residents):	\$9.36/hr per resident
Resident Labor (crew of 10 residents):	\$8.84/hr per resident
Resident Labor (crew of 12 residents):	\$7.80/hr per resident
IDOC Correctional Supervisor (Overtime)	\$52.75/hr – over forty (40) hours per week
Transportation:	\$0.85/mile per vehicle
Equipment: Trailer	\$0.13/mile per trailer
Equipment: Honey Hut	\$5.00/hr per day

The parties have executed this agreement as of the last date written below:

Dillon Evans
Bannock County Landfill Operations Manager Date

3/25/25

Date

Jeff Hough ~~Ernie Moser~~, Commissioner Member, Chairman
Bannock County

3/25/25

Date

Ernie Moser ~~John Crowder~~, Commissioner Member
Bannock County

3/25/25

Date

Ken Bullock ~~Jeff Hough~~, Commissioner Member
Bannock County

Janel Clement
Janel Clement, Warden
Pocatello Women's Correctional Center Date

3-11-25

Date

Patrick Franks
Patrick Franks, Business Support Manager
Management Services, IDOC Date

3/10/2025

Date

Liz Neville
Liz Neville, Deputy Chief of Prisons
Division of Prisons, IDOC Date

3-10-25

Date



BANNOCK COUNTY COMMISSIONERS
624 E. Center, Pocatello, ID 83201
Phone: (208) 236-7210 • Fax: (208) 236-7363

ERNIE MOSER
Commissioner
1st District

JEFF HOUGH
Commissioner
2nd District

KEN BULLOCK
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](tel:208-236-7210), three to five working days before the meeting.

E-mail this completed form and any supporting documents to agendarequest@bannockcounty.us by NOON on the Thursday prior to the scheduled meeting.

Name/Department:

Shanda Crystal/Chief Procurement Officer

Item to be considered/background:

Request to discuss 1) a change order for Teton West and 2) procurement update.

How much time will be needed? Meeting date requested:

5 minutes

3/25/25

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:

Daniel Kendall

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

Commissioner Office Only:
Date: 3/25/25 Time: _____



Change Order

Order#: 2

Order Date: 03/12/2025

License: RCE7170
PO Box 176
Rigby ID 83442
(208) 356-7979

To: Bannock County
624 East Center, Room 101
Pocatello ID 83201

Project: 24152
Bannock County Exhibit Hall
624 East Center, Room 101
Pocatello ID 83201

The contractor agrees to perform and the owner agrees to pay for the following changes to this contract

Plans Attached

Ordered By:

Customer Order:

Specifications Attached

Description of Work

Amount

Adjust Substantial Completion to 05/04/2025

Schedule needs adjustment to allow underground utilities by others time to install.

Notes

Negative changes will lower the overall contract price requiring no additional payment by owner.

Approved Amount of Change

0.00

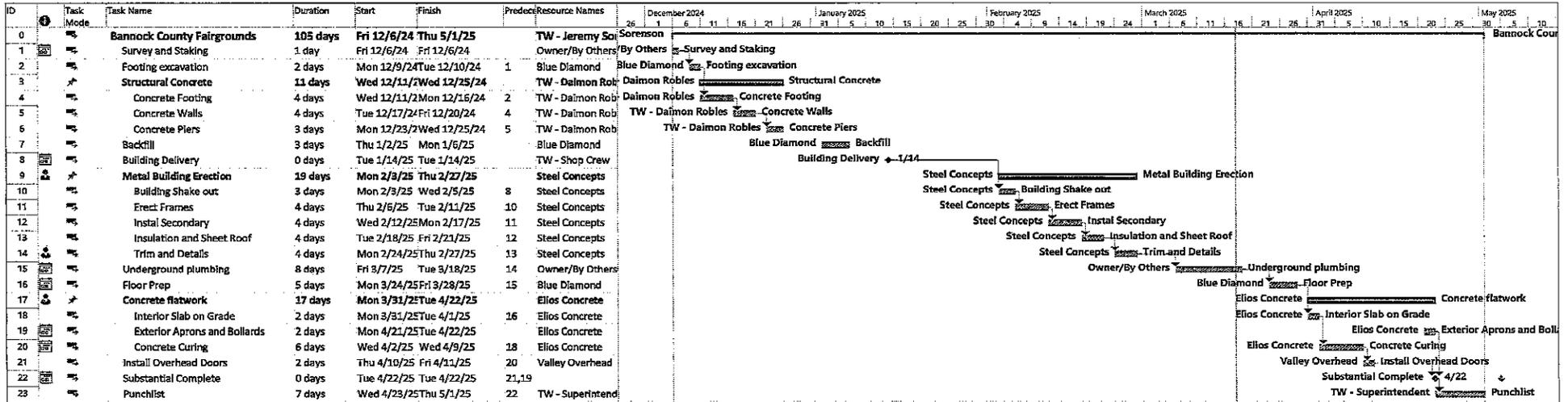
The original Contract Sum was	612,091.00
Net change by previous Change Orders	2,805.00
The Contract Sum prior to this Change Order	614,896.00
The Contract Sum will be changed by this Change Order	0.00
The new Contract Sum including this Change Order will be	614,896.00
The Contract Time will be changed by	30 Days

Owner _____
Commissioner, Chairman

Date 3/25/25

Contractor _____
[Signature]

Date 03/12/2025



Project: Bannock County Fairg	Task	Summary	Inactive Milestone	Duration-only	Start-only	External Milestone	Manual Progress
Date: Tue 3/18/25	Split	Project Summary	Inactive Summary	Manual Summary Rollup	Finish-only	Deadline	
	Milestone	Inactive Task	Manual Task	Manual Summary	External Tasks	Progress	

3/25/2025		Bids in progress	Active Bids	Closed Bids	Projects in progress	Projects Completed
		7	0	8	1	7
Active	Department	Description	Budget Allocated	Status Update	Procurement Metrics	
In Progress	Road & Bridge	Chip Seal Aggregate	\$	3/25 sent draft ITB for dept review		
In Progress	Road & Bridge	Hot Mix Asphalt	\$	Reviewing potential piggyback options		
In Progress	Road & Bridge	Road Striping & Paint	\$	3/24 comments received from dept; 3/19 draft ITB to dept for review		
In Progress	Detention Center	Diesel Generator/Fuel Tank	\$300,000 Project total	3/18 submit for legal review; 3/17 drafted piggyback on Sourcewell contract with Western States CAT		
In Progress	Road & Bridge	Road Oil	\$	3/18 Submit draft piggyback on PCHD contract for legal review		
In Progress	Road & Bridge	Guardrails	\$	Weighing piggyback vs. bidding out options		
In Progress	Public Works	Engineer Pool		Team is reviewing possibilities for ways to award contract		
No*	Detention Center	Diesel Generator Installation	\$300,000 Project total	3/17 bids due; 3/11 Addendum #1 issued; 3/3 issued ITB to pre-qualified contractors		
No	Road & Bridge	Magnesium Chloride	\$170,000	3/7 approved piggyback PCHD contract with Road Solutions, LLC; Reviewing potential piggyback on Power County Highway District		
No	Noxious Weed	Noxious Weed Chemicals	\$190,000	2/20 approved piggyback state contract with Wilbur Ellis; Reviewing potential piggyback on State of Idaho contract		
No	Public Works	Bulk County Fuel	\$900,000 FY25-26	2/11 BOCC awarded to Conrad & Bischoff; 1/31 bids due; 1/23 issued addendum #1		

* Project in progress

BANNOCK COUNTY COMMISSIONERS

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



ERNIE MOSER
 Commissioner
 1st District

JEFF HOUGH
 Commissioner
 2nd District

KEN BULLOCK
 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 Davenport

Department:

Commission

Requestor Email:

kristid@bannockcounty.gov

Item(s) to be considered:

Ratify signatures on Resolution 2025-24

Date of meeting being requested:

03/25/2025

Time requested:

5 Minutes

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

No

Contract/Agreement Begin Date:

Contract/Agreement End Date:

List of additional attendees:

In the Matter of POSTING WEIGHT LIMITS)
ON BANNOCK COUNTY HIGHWAY SYSTEM)

R.S. No. 2025-24
March 18, 2025

RESOLUTION

WHEREAS, moisture is saturating the subgrade and shoulders of Bannock County roads; and

WHEREAS, Idaho Code §31-805 provides the Board with supervision of roads, bridges, and ferries and control and management of public roads, turnpikes, ferries and bridges within the county; and

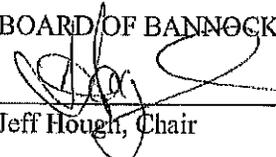
WHEREAS, Idaho Code §40-604 directs that the Commissioners shall exercise general supervision over all highways in the county highway system, including their location, design, construction, reconstruction, repair and maintenance, and develop general policies regarding highway matters; and

WHEREAS, Idaho Code §49-1005 provides that, whenever it is determined by the board over a highway that the operation on any highway or section of highway of vehicles of sizes and weights at rates of speed permissible by law will cause damage to the highway by reason of climatic or other conditions, or will interfere with the safe and efficient use of the highway by the traveling public, the board has authority to make regulations reducing the permissible sizes, weights or speeds of vehicles operated on that highway for any periods as may be necessary for the protection of the highway or for public safety; and that signs designating those regulations be erected and maintained at each end of the highway or section and at intersections with main traveled highways; and

WHEREAS, it is necessary to restrict as much weight as possible on these roads to prevent damage.

NOW, THEREFORE, BE IT RESOLVED that all county roads be posted at no more than 350 pounds per inch of tire width; a speed limit of 30 miles per hour, and a maximum width of 12.5 feet effective March 20, 2025, through May 1, 2025, unless lifted sooner.

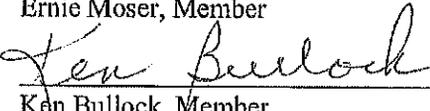
BOARD OF BANNOCK COUNTY COMMISSIONERS



Jeff Hough, Chair



Ernie Moser, Member



Ken Bullock, Member

ATTEST: 
Jason C. Dixon, Clerk



Memorandum

TO: Bannock County Commissioners
DATE: March 17, 2025
RE: Excess Office Furniture

The following items were recently used by Court Administration, Courtrooms, and various court staff. We have offered other County employees the opportunity to utilize excess furniture via Steve Harrison. This is what remains and is no longer needed.

- 3 Counsel Tables
- 1 Larger Bookshelf
- 1 Smaller Bookshelf
- 9 Office Chairs (Grey)
- 1 Section Office Cubicles (portable walls)
- 2 Easels
- Easel Paper
- 21 Brown Folding Chairs
- 2 white boards
- Miscellaneous office desk items (dividers, shelves, etc)
- None of these items have asset stickers or numbers

BANNOCK COUNTY COMMISSIONERS

Chairman _____

Commissioner _____

Commissioner _____ 3/25/25

Respectfully,

Lacy Parker

Deputy Trial Court Administrator

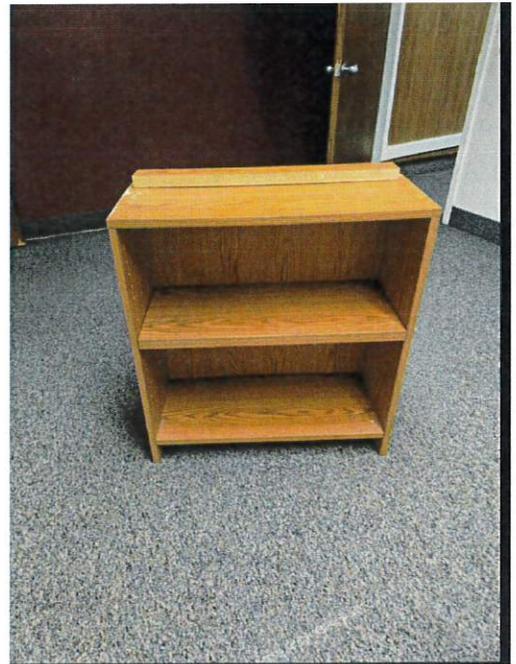


BANNOCK COUNTY COMMISSIONERS

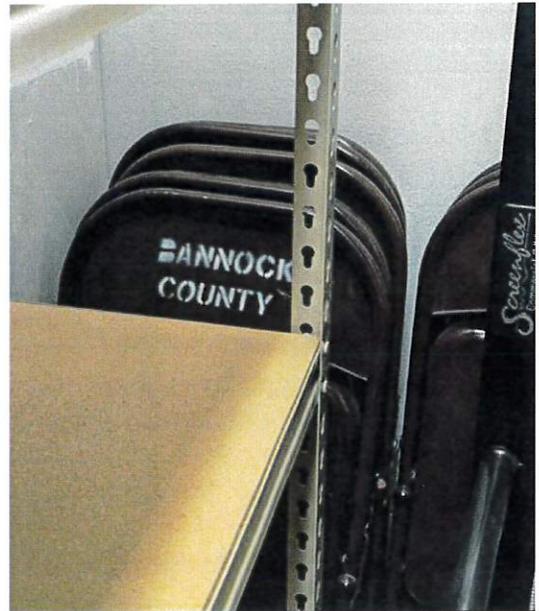
CONFERENCE

DEPUTY TRIAL COURT ADMINISTRATOR

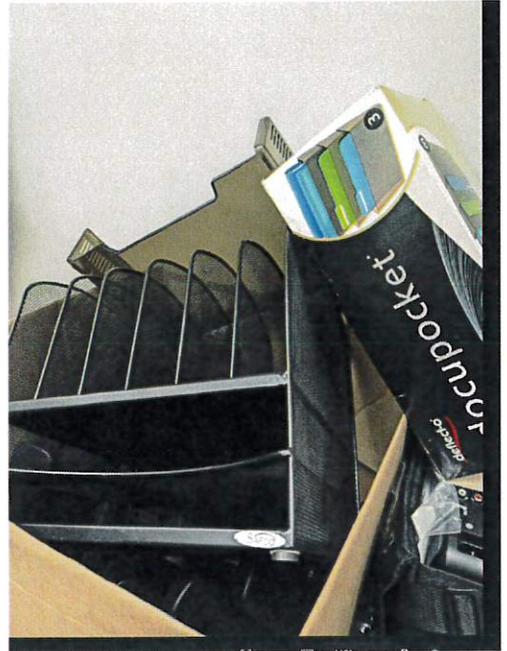
TABLE











**BOARD OF BANNOCK COUNTY COMMISSIONERS
MINUTES 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 March 18, 2025, as approved during the meeting of March 25, 2025.

BOARD OF BANNOCK COUNTY COMMISSIONERS

Jeff Hough, Chair

Ernie Moser, Member

Ken Bullock, Member

ATTEST:

Jason C. Dixon, Clerk



MINUTES OF THE BOARD OF BANNOCK COUNTY COMMISSIONERS

Meeting Details

Date of Meeting:	Tuesday, March 18, 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, Attorney Jon Radford, and HR Director Matt Phillips

Agenda Details

AGENDA	
	Business Meeting (action items)
	Agenda:
1	• Indigent Business may require an Executive Session pursuant to Idaho Code §74-206(1)(d) to consider records exempt from public disclosure (action item)
2	• Charity Staggs, SICO, requesting reimbursement for Lava Ranches Phase 1 (requested 5 minutes) (action item)
3	• Todd Mauger, Juvenile Justice, seeking approval to submit the Idaho Office of Drug Policy 2026: SUPTRIS Grant (requested 5 minutes) (action item)
4	• Daniel Kendall, Chief Building Officer, providing a monthly facilities update
5	• Dillon Evans, Solid Waste, regarding approval of and potential signature on an Environmental Services Agreement with Clean Harbors (requested 5 minutes) (action item)
6	• Kiel Burmester, Public Works, approve the Implementation of weights limits for spring breakup season on county-maintained asphalt roads (requested 5 minutes) (action item)
7	• Kim Talbot, DV Court, requesting signature on OVW/ICJR Grant Memorandum of Understanding (requested 5 minutes) (action item)
8	• Kristi Klauser, Auditing, requesting to (1) discuss use of Domestic Violence Administration monies for employee training, and; (2) review the FY26 Budget calendar (requested 5 minutes) (action item)
9	• Shanda Crystal, Procurement, regarding a discussion about (1) potential signature on Change Order #2 with Teton West , and; (2) a revised process for Approved Rental Companies (requested 10 minutes) (action item)
10	• Signature Only: Meeting Facility Use Form for Estate Planning Workshop and License Application with SD 25 for Field of Heroes (action item)
11	RESOLUTIONS AND ORDINANCES (action items): Resolution No. 2025-22 Approving Tax Cancellation Requests Resolution No. 2025-23 Authorization to Dispose Surplus Assets/Property
12	SIGNATURE ONLY (action items): Agreement to Provide Law Enforcement Protection
13	CONSENT AGENDA (action items): <ul style="list-style-type: none"> • Board of Ambulance District: Invoices and Commissioner Report • Board of Commissioners: Invoices, Commissioners Reports, and Credit Applications • 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 • Payroll Report

	<ul style="list-style-type: none"> • Alcohol Licenses and Permits • Certificate of Residency Approval • Mileage Reimbursement Requests • Technology Request Form • Memorandum Authorization for Accounts Payable • Cardholder User Agreement and Authorization • Manual Checks • Technology Forms • Minutes: Approval of Meeting Minutes for March 6, 11, and 13, 2025, and Certification of Said Minutes
14	Bid Opening for Diesel Generator Invitation to Bid (action item)
15	Department Head Meeting
16	Planning Council update to the Commissioners
17	Area of City Impact Kick-off meeting (potential action items)

Meeting Notes

- 1 9:01 AM Hough called the meeting to order. Community Resources and Advocacy Director Shantal Laulu presented applications for cremation assistance for case numbers 20250027 and 20250028, and one release of lien. Moser moved to approve case numbers 20250027 and 0028, and the release of lien. The motion passed.
- 2 9:03 AM OEM Director Wes Jones also appeared. Staggs presented reimbursement requests for review and approval to submit. Moser moved to approve the reimbursement requests. The motion passed.
- 3 9:04 AM Mauger reviewed the grant application and program. Bullock moved to approve submitting the application. The motion passed.
- 4 9:06 AM Kendall gave updates on the annex, chambers, Exhibit Hall, YDC building, boilers, 6th Street frost heaves, and metal detector.
- 5 9:17 AM Evans reviewed the master services agreement. Moser moved to approve the chair's signature on the Clean Harbors contract. The motion passed.
- 6 9:19 AM Burmester requested spring weight limits for roads. Emergency or critical services will not be limited and signage is ready. Enforcement was discussed. Hough moved to approve the weight limit request. The motion passed.
- 7 The MOU was approved as part of agenda item 8.
- 8 9:25 AM Klauser reviewed hold back and don't received indirect costs. Request to draw down for portion of costs and separate request to allow those funds be used to pay for conference. 9:26 AM Kim Talbot appeared. Talbot reviewed funding, training purpose. Moser moved to approve the funds for employee training. The MOU was discussed regarding timing, budget review and approval, late. Hough suggested an amendment to the motion to include approving the MOU. The amended motion passed. 9:33 AM Klauser reviewed the budget calendar.
- 9 9:14 AM Landfill Manager Dillon Evans, Facilities Director Dan Kendall, Public Works Director Kiel Burmester, Business Manager and Event Director Scott Crowther, and Assistant Public Works Director Buddy Romriell also appeared. Crystal reviewed the equipment rental vendor process adjustments. Bullock moved to adopt the process for rental agreements. The motion passed.

- 10 9:38 AM Management Assistant Kristi Davenport appeared and reviewed agreements for training space and Field of Heroes. Moser moved to approve agreements with the City of Chubbuck and School District 25. The motion passed.
- 11 9:41 AM Bullock moved to approve Resolutions 2025-22 and 23. The motion passed.
- 12 9:40 AM Hough moved to approve the law enforcement agreement for Pocatello Downs. The motion passed.
- 13 9:41 AM The consent agenda included invoices, Commission reports, alcohol licenses, salary forms, and certificates of residency. Bullock moved to approve the consent agenda. The motion passed.
- 14 10:01 AM Procurement Officer Shanda Crystal appeared. Hough reviewed the solicitation for the diesel generator ITB. Crystal unsealed the bids. Hough reviewed bids were received from:
Arco Electric \$107,000
Barin Group \$176, 923.28
Legacy Power \$122,380
Pro Builders \$51,775
Moser moved to accept the bids for advisement, legal review and compliance. The motion passed.
- 15 10:30 AM Department heads under the Commission were present. Discussions included budget, compensation, capital requests, SIFcare, vehicle re-bills, leave without pay, building changes, comp plan, holiday gift pay, domain sunset, and cybersecurity.
- 16 2:00 PM Zoning Planner Annie Hughes, Assistant Planning Director Tristan Bourquin, Council Member Krystal Madsen, Council Member Ed Ulrich, Council Member Chad Selleneit, Council Member Molly Dimick, Subdivision Planner Alisse Foster, and Planning Director Hal Jensen were present. Discussions included challenges with volunteer positions and topics, appreciation for staff preparation and reports, comp plan, ordinances, housing crisis, and creating new areas of impact by statute.
- 17 3:02 PM Those in attendance included Mayor Rex Nielsen, Mayor Karlene Hall, Mayor Lonnie Gunter, City of Pocatello Planning Director Brent McLane, Rodney Burch with Strategic Communities Alliance representing Lava Hot Springs, Chubbuck Interim Community Services Director Don Matson, Zoning Planner Annie Hughes, Subdivision Planner Alisse Foster, Assistant Planning Director Tristan Bourquin, and Planning Director Hal Jensen. Hough explained that last year legislature passed changes for ACI's for the size and jurisdiction. Jensen reviewed suggested items for preparation of creating an ACI. The goal is to have a public hearing with all cities the same day, potentially in August if not sooner. The cities were requested to prepare for the first individual meeting what their ACI should look like and why.

Action Item Summary

ACTION/DIRECTION	ASSIGNED TO
Approved case numbers 20250027 and 0028, and one release of lien.	Indigent
Approved reimbursement requests for Lava Ranches Phase 1 to IDOL.	OEM
Approved application submission for SUPTRIS grant.	Juvenile/Grant Team
Approved contract with Clean Harbors.	Landfill
Approved implementing road weight limits.	Public Works/Resolution
Approved DV funding for training and OVW/ICJR MOU.	DV Court
Approved process for approved rental vendor list.	Procurement
Approved agreements with City of Chubbuck and School District 25 for estate planning and Field of Heroes.	Veterans
Approved Resolution Nos. 2025-22 Approving Tax Cancellation Requests; and 2025-23 Authorization to Dispose Surplus Assets/Property.	Clerk
Approved contract to provide law enforcement protection for Pocatello Downs.	Sheriff

Approved invoices, Commission reports, alcohol licenses, salary forms, and certificates of residency through consent agenda.	Auditing/Clerk/Resolution
Accepted diesel generator installation bids for review from Arco Electric, Barin Group, Legacy Power, and Pro Builders.	Procurement

BANNOCK COUNTY PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN THAT THE BANNOCK COUNTY BOARD OF COMMISSIONERS will conduct a public hearing on Tuesday, March 25, 2025, at 11:00 a.m. in the Bannock County Courthouse, Room 212, Pocatello, Idaho.

TOPIC OF THE MEETING:

1. COMPREHENSIVE PLAN ADOPTION Bannock County proposes to adopt a new Comprehensive Plan upon the recommendation of the Planning and Development Council.
2. SEDIMENT AND EROSION CONTROL ORDINANCE TEXT CHANGE Bannock County proposes textual changes to section 410 Erosion Control Permits, in accordance with Idaho Code.

Oral and/or written testimony concerning these topics 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 prior to the meeting.

The proposals are available at 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

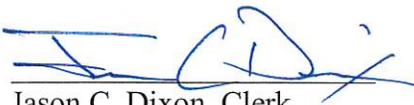
Jeff Hough, Chair



Ernie Moser, Commissioner



Ken Bullock, Commissioner

ATTEST: 

Jason C. Dixon, Clerk

Publication Dates: March 8 and 15, 2025

BANNOCK COUNTY COMMISSIONERS

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



ERNE MOSER
 Commissioner
 1st District

JEFF HOUGH
 Commissioner
 2nd District

KEN BULLOCK
 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:

Tristan Bourquin

Department:

Planning and Development

Requestor Email:

tristanb@bannockcounty.gov

Item(s) to be considered:

Appeal of Council's Decision - On January 16, 2025, Council made a decision to deny a conditional use permit for a gravel pit. This is a request to appeal that decision.

Date of meeting being requested:

03/13/2025

Time requested:

5 Minutes

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

No

Contract/Agreement Begin Date:

Contract/Agreement End Date:

List of additional attendees:

Hal Jensen



APC-25-1

Appeal of Council

Decision

Status: Active

Submitted On: 2/10/2025

Primary Location

No location

Owner

No owner information

Applicant

Anthony Budge

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Decision on Appeal

Decision being appealed*

P&D January 16, 2025 Decision Denying John Wilkes CUP Application for Parcel RPR3803048300

Date of decision*

01/16/2025

Below give a brief explanation of why the Council's decision is being appealed.

Appeal Narrative*

Applicant believes that the CUP should have been granted based on the factors listed in Bannock County Code 17.56.410, namely subsections A - D.

Acknowledgement

I, the undersigned, hereby certify that the information herein and attached hereto is true and correct to the best of my knowledge. I acknowledge that transcript fees must be paid before the end of the 10-day appeal window or within 48 hours of notice to pay, or this appeal will be considered abandoned and closed. I hereby authorize the filing of this application and consent to staff review and correction of minor discrepancies on my behalf, if found on this application.

Electronic Signature [Typed Name of Applicant]*

Anthony B. Budge

I agree that my electronic signature above is equivalent to a handwritten signature and is binding for all purposes related to this transaction*



Date*

02/10/2025

Health Consultation (Report dated September 19, 2006)

Brigham City Sand and Gravel Pits

Maximum Wind Gusts on Particulate Sampling Days in Brigham City compared to Pocatello National Weather Service Max, Wind Gust Data

Data Comparison for May through September 2004 (28 sampling days)

Date	TSP Level (ug/m3) in Brigham City at Eliason Site	Brigham City Max. Wind Gust (mph)	Pocatello Max. Wind Gust (mph)	Comments
18-May	59	18.8	25	Pocatello has higher wind gust over 20 mph
20-May	58	17.4	16	
26-May	No sample	13.7	24	Pocatello has higher wind gust over 20 mph
2-Jun	3	13.1	6	
4-Jun	87	15.3	14	
8-Jun	329	21.6	9	TSP Level higher than original TSP standard of 260 ug/m3
15-Jun	32	15.2	22	Pocatello has higher wind gust over 20 mph
23-Jun	61	8.3	20	Pocatello has higher wind gust at 20 mph
25-Jun	56	10.2	21	Pocatello has higher wind gust over 20 mph
28-Jun	40	22.4	26	Pocatello has higher wind gust over 20 mph
7-Jul	98	18	26	Pocatello has higher wind gust over 20 mph
13-Jul	120	12.4	15	Pocatello has higher wind gust
15-Jul	69	14.9	17	Pocatello has higher wind gust
20-Jul	15	14.3	14	
27-Jul	165	10.1	17	Pocatello has higher wind gust
29-Jul	160	10.7	17	Pocatello has higher wind gust
4-Aug	108	14.3	16	Pocatello has higher wind gust
10-Aug	208	5.9	10	Pocatello has higher wind gust
12-Aug	43	12.9	8	
25-Aug	39	16	28	Pocatello has higher wind gust over 20 mph
31-Aug	84	10.2	9	
2-Sep	95	15.2	25	Pocatello has higher wind gust over 20 mph
8-Sep	90	9.1	14	Pocatello has higher wind gust
14-Sep	11	12	26	Pocatello has higher wind gust over 20 mph
23-Sep	31	6.7	8	Pocatello has higher wind gust
25-Sep	44	7.7	9	Pocatello has higher wind gust
27-Sep	34	14.1	12	
29-Sep	41	9.3	21	Pocatello has higher wind gust over 20 mph

Brigham City had 2 days (7% of days sampled) with wind gusts higher than 20 mph

Pocatello had 11 days (39% of days sampled) with wind gusts at or above 20 mph

Prepared by J.P. Steverson 11/05/2024

Brigham City Sand and Gravel Pits

Health Consultation

Table 2. Total Suspended Particulates (TSP) and Respirable Particulates (PM₁₀) Detected During Sampling Events in Brigham City, Box Elder County, May-Sept. 2004.

Date	Max. 1-hr. wind gust (mph)	Prevailing Wind Direction	Sampling Locations					PM ₁₀ Level Detected (µg/m ³)
			TSP Level Detected (µg/m ³)					
			765 E. Eliason	1118 E. Eliason	20 No. 1250 East	350 So. 738 E.	100 So. 525 E.	
18-May-04	18.8	0	59	74	Not set up	Not set up	Not set up	
20-May-04	17.4	0	58	53	37	38	Not set up	
26-May-04	13.7	3	Void-battery	29	14	Filter torn	16	
02-Jun-04	13.1	1	3	Not accessible	10	12	Void-battery	
04-Jun-04	15.3	0	87	Not accessible	59	215	110	
08-Jun-04	21.6	0	329	114	294	90	Void-battery	
15-Jun-04	15.2	1	32	Not accessible	24	235	176	
23-Jun-04	8.3	0	61	23	46	20	41	
25-Jun-04	10.2	0	56	39	44	139	62	
28-Jun-04	22.4	3	40	39	41	Void-battery	130	
07-Jul-04	18.0	4	98	117	Sampler Removed	63	24	33
13-Jul-04	12.4	3	120	Not accessible		55	136	18
15-Jul-04	14.9	0	69	14		35	116	Void-battery
20-Jul-04	14.3	3	15	18		227	37	20
27-Jul-04	10.1	0	165	33		54	57	68
29-Jul-04	10.7	0	160	51		32	60	42
04-Aug-04	14.3	3	108	18		9	38	27
10-Aug-04	5.9	3	208	22		57	54	58
12-Aug-04	12.9	0	43	28		51	72	Filter torn
25-Aug-04	16.0	3	39	40		95	52	9
31-Aug-04	10.2	3	84	20	31	19	26	
02-Sep-04	15.2	1	95	44	164	37	32	
08-Sep-04	9.1	3	90	55	33	16	40	
14-Sep-04	12.0	3	11	17	29	23	10	
23-Sep-04	6.7	0	31	Not accessible	10	18	5	
25-Sep-04	7.7	0	44	32	11	20	8	
27-Sep-04	14.1	0	34	22	48	73	12	
29-Sep-04	9.3	1	41	29	17	28	17	

Entries in bold indicate levels that exceed the corresponding CV.

Photo v

Done

iMessage
Today 9:08 AM

4:40

5G



Team,

John has asked that any/all employees are invited to attend a public hearing at the Bannock County Court House in Pocatello. We are requesting to open another gravel source (pit) and the more employees that can attend will assist us in our efforts and push out the public's disinterest of opinion and their time allocated. This starts promptly [at 5:15 pm](#). BUT we are asking everyone to be there [at 4pm](#) (or earlier) so that we can fill the room and push the public to congregate in the hallway. There are several flyers floating around the Pocatello neighborhoods requesting to vote and negate our request for this new gravel source. When you arrive and sign in, please mark that you want to share your testimony. This doesn't mean you have to get up and speak, this just allows more time for our comments to be shared by IMC management and our attorney (each person signing in to share testimony = an additional 15 min. accumulative to our total time).



** Angela and Mark – please help me invite all our Pocatello drivers (and family if they want) to attend. Our goal is to flood the courtroom in our favor and keep out the negative public commentary that is not in favor of our new pit.



Cody Smith



























PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

93 mins

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1/16/2024

Agenda Item Number or Name of Applicant: JMC Application

PLEASE PRINT LEGIBLY

Name: Reed W Larsen

Address (city and state): [REDACTED]

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

[Signature]
Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1/16/25

Agenda Item Number or Name of Applicant: Idaho Materials & Construction

PLEASE PRINT LEGIBLY

Name: Paul Jacobs

Address (city and state): [REDACTED]

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No Allocated to Counsel

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1/16/2025

Agenda Item Number or Name of Applicant: Falcho Materials & Construction

PLEASE PRINT LEGIBLY

Name: Brian Hanson

Address (city and state): [REDACTED]

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No Allocate time to counsel

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1/16/2025

Agenda Item Number or Name of Applicant: Idaho Materials & Construction

PLEASE PRINT LEGIBLY

Name: Jaime Elizondo

Address (city and state): [REDACTED]

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No Allocate time to counsel

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Written signature (only if not testifying)



PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

**If you plan to testify, or submit written comments,
you must fill out this form.**

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1/10/25

Agenda Item Number or Name of Applicant: Idaho Materials and Construction

PLEASE PRINT LEGIBLY

Name: Maurseo Vasquez

Address (city and state): [REDACTED]

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No Allocate time to counsel

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Maurseo Vasquez
Written signature (only if not testifying)



BOARD OF BANNOCK COUNTY COMMISSIONERS - MEETING, TUESDAY, MARCH 25, 2025
PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

**PLANNING & DEVELOPMENT COUNCIL
PUBLIC HEARING SIGN-UP SHEET**

**If you plan to testify, or submit written comments,
you must fill out this form.**

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1/16/25

Agenda Item Number or Name of Applicant: John Wilkes

PLEASE PRINT LEGIBLY

Name: Emma Fowler

Address (city and state): 

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No allocate time to council

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Written signature (only if not testifying)



PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1-16-25

Agenda Item Number or Name of Applicant: John Wilks

PLEASE PRINT LEGIBLY

Name: LAVELL Pack

Address (city and state): [REDACTED]
[REDACTED]

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No Please to Council

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1-16-25

Agenda Item Number or Name of Applicant: John Wilkes

PLEASE PRINT LEGIBLY

Name: Angela Henrichsen

Address (city and state): [REDACTED]

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No Allocate time to council

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1-16-25

Agenda Item Number or Name of Applicant: John Wilks

PLEASE PRINT LEGIBLY

Name: Eddie Colis

Address (city and state): 

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No Alligate time to counsel

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Written signature (only if not testifying)



**PLANNING & DEVELOPMENT COUNCIL
PUBLIC HEARING SIGN-UP SHEET**

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1/16/2025

Agenda Item Number or Name of Applicant: JOHN WILKES

PLEASE PRINT LEGIBLY

Name: MITCH LEWIS

Address (city and state): [REDACTED]

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No ALLOCATE TIME TO COUNCIL

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1.16.25

Agenda Item Number or Name of Applicant: John Wilkes

PLEASE PRINT LEGIBLY

Name: Cody Smith

Address (city and state): [REDACTED]

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Allocate time to counsel

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1-16-25

Agenda Item Number or Name of Applicant: JOHN WILKES

PLEASE PRINT LEGIBLY

Name: DAN TAWYEA

Address (city and st): 

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No ALIGATE TIME TO COUNSEL.

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1-16-25

Agenda Item Number or Name of Applicant: JOHN WILKES

PLEASE PRINT LEGIBLY

Name: KELLY MIKKELSON

Address (city and state): [REDACTED]

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No ALLOCATE TIME TO COUNCIL

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1-16-25

Agenda Item Number or Name of Applicant: John Wiltes

PLEASE PRINT LEGIBLY

Name: Wade Steckli

Address (city and state): [REDACTED]

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No elaborate time to counsel

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1-16-25

Agenda Item Number or Name of Applicant: John Wilkes

PLEASE PRINT LEGIBLY

Name: Kurtis Drabbs

Address (city and state): 

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No Allied time to cancel

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1/16/25

Agenda Item Number or Name of Applicant: IMC

PLEASE PRINT LEGIBLY

Name: Kegan Hibbert

Address (city and state): 

Pocatello

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

allocate time to cancel

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1-16-24

Agenda Item Number or Name of Applicant: John Wiks

PLEASE PRINT LEGIBLY

Name: DON BROWN

Address (city and state): [REDACTED]
83202

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Allocate time to council

Don Brown
Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1-16-25

Agenda Item Number or Name of Applicant: JOHN Wilkes

PLEASE PRINT LEGIBLY

Name: Craig Mathison

Address (city and state): [REDACTED]

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No Allocate to Council

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Craig Mathison
Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1-16-2025

Agenda Item Number or Name of Applicant: John Wilkes

PLEASE PRINT LEGIBLY

Name: Voyd Stewart

Address (city and state): 

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No Allocate time to Council

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1/16/2025

Agenda Item Number or Name of Applicant: John Wilkes

PLEASE PRINT LEGIBLY

Name: BEN WOOD

Address (city and state): [REDACTED]

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No Allocate to Council

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1.16.25

Agenda Item Number or Name of Applicant: John Wilkes

PLEASE PRINT LEGIBLY

Name: Nikki Baco

Address (city and state): [REDACTED]

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No Allocate time to Council

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1/16/25

Agenda Item Number or Name of Applicant: IDAHO MATERIALS & CONST

PLEASE PRINT LEGIBLY

Name: DAN PECK

Address (city and state): [REDACTED]
POCATELLO, ID

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

ALLOCATE TIME TO COUNCIL

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1-16-2025

Agenda Item Number or Name of Applicant: John Wilkes

PLEASE PRINT LEGIBLY

Name: John Trapp

Address (city and state): [REDACTED]

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No please give time to Council

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

**If you plan to testify, or submit written comments,
you must fill out this form.**

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1/16/25

Agenda Item Number or Name of Applicant: John Wilkes

PLEASE PRINT LEGIBLY

Name: Gregg Sagers

Address (city and state): [REDACTED]

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No Allocate to Council

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

BOARD OF BANNOCK COUNTY COMMISSIONERS MEETING TUESDAY, MARCH 25, 2025

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1/16/25

Agenda Item Number or Name of Applicant: John Wilkes

PLEASE PRINT LEGIBLY

Name: Brent Dalton

Address (city and state): 

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No Allocate to Council

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Allocate to John Wilkes


Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1/16/25

Agenda Item Number or Name of Applicant: Idaho Materials & Construction

PLEASE PRINT LEGIBLY

Name: Dak Maxfield

Address (city and state): [REDACTED]

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No Allocate time to counsel

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 01 16 2025

Agenda Item Number or Name of Applicant: John Wilkes

PLEASE PRINT LEGIBLY

Name: STEVEN BELL

Address (city and state): Pocatello IDAHO

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Allocate TO Council

Allocate Time TO John Wilkes

Written signature (only if not testifying)



PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1/16/25

Agenda Item Number or Name of Applicant: _____

PLEASE PRINT LEGIBLY

Name: RICHARD ZYMEK

Address (city and state):

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No allocate time to the council

If you do not wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

R. Zymek

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

BOARD OF BANNOCK COUNTY COMMISSIONERS MEETING, TUESDAY, MARCH 25, 2025

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

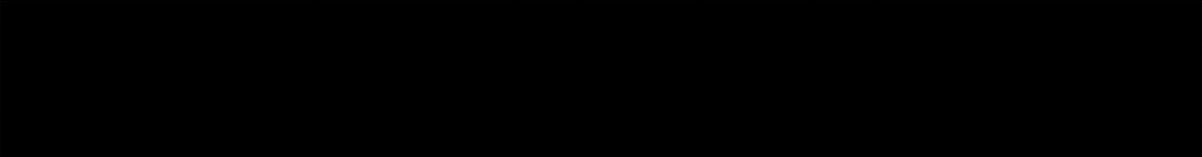
Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1/16/25

Agenda Item Number or Name of Applicant: _____

PLEASE PRINT LEGIBLY

Name: Halina Bulwinkle - Zynke

Address: 

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No allocok time to the council

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.



Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

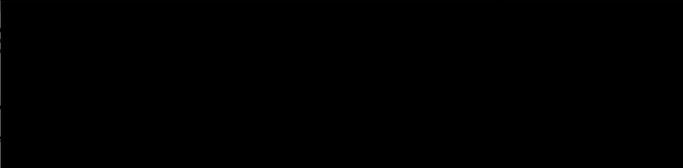
Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1/16/25

Agenda Item Number or Name of Applicant: John Wilkes

PLEASE PRINT LEGIBLY

Name: Jared Rigby

Address (city and state): 

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Allocate Time To Counsel



Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1/16/25

Agenda Item Number or Name of Applicant: John Wilkes

PLEASE PRINT LEGIBLY

Name: Bill Wolf

Address (city and state): [REDACTED]

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Allocate time to council

Bill Wolf
Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1-16-25

Agenda Item Number or Name of Applicant: Gravel Pit

PLEASE PRINT LEGIBLY

Name: Aaron Johnson

Address (city and state): 132 S Johnson Ave

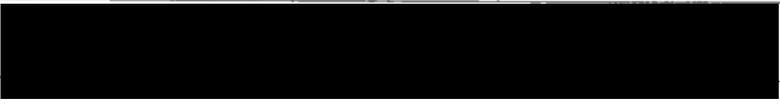
Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Aaron Johnson



Aaron Johnson

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 01/16/2025

Agenda Item Number or Name of Applicant: John Wilkes

PLEASE PRINT LEGIBLY

Name: Felisha Good

Address (city and state): [REDACTED]

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

From a business owner's perspective it is important for contractors to have JMC in the community. We often are limited where we can get building materials - which directly affect the prices to our customers. Keeping a good plant that can produce into the future is good for our local economy.



Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 01/14/25

Agenda Item Number or Name of Applicant: John Wilkes

PLEASE PRINT LEGIBLY

Name: Josh Good

Address (city and state): [REDACTED]

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

The plant would be necessary and an important
avenue for future growth in the chubuck and
pocatello areas.


Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1-16-25

Agenda Item Number or Name of Applicant: John Wilks

PLEASE PRINT LEGIBLY

Name: Mark S Head

Address: 

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1/16/25

Agenda Item Number or Name of Applicant: JOHN WILKES

PLEASE PRINT LEGIBLY

Name: NAVE SUNGER

Address (city and state): 

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

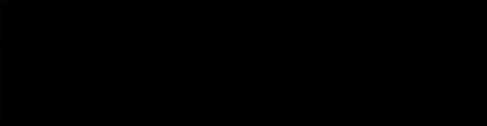
Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1/16/25

Agenda Item Number or Name of Applicant: John Wilkes

PLEASE PRINT LEGIBLY

Name: Kodey Johnson

Address (city and state): 

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No ~~affiliated to applicant~~

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

27
MINS

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1/16/25

Agenda Item Number or Name of Applicant: John Wilkes

PLEASE PRINT LEGIBLY

Name: John Wilkes

Address (city and state): 

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1-16-25

Agenda Item Number or Name of Applicant: John Wilks

PLEASE PRINT LEGIBLY

Name: Juan Zermeño

Address (city and state): [REDACTED]

Choose one:

Support the application ___ Neutral ___ Oppose the application

Do you wish to testify? Yes ___ No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Allocate my time to John Wilks

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

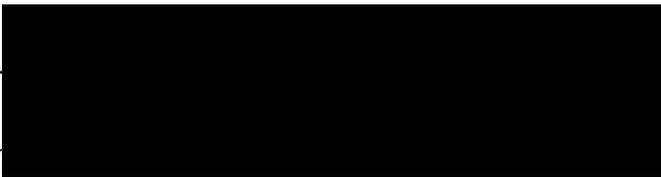
Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1-16-25

Agenda Item Number or Name of Applicant: John Wilks

PLEASE PRINT LEGIBLY

Name: Asya Saucedo

Address (city and state): 

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Allocate the time to John Wilks

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

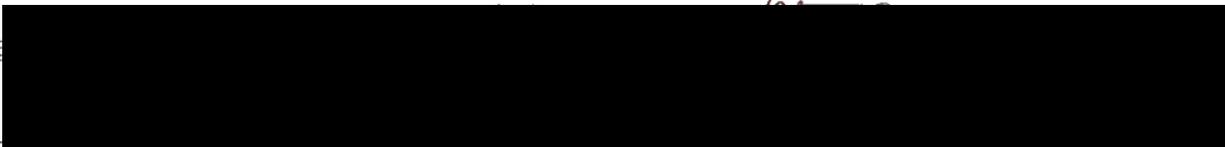
Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1-16-25

Agenda Item Number or Name of Applicant: John Wilks

PLEASE PRINT LEGIBLY

Name: Dan K. Nelson

Address (city and state): 

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes ~~No~~

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Time to John Wilks


Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1-16-25

Agenda Item Number or Name of Applicant: FDAIdo material & const, Sharon Wilkes

PLEASE PRINT LEGIBLY

Name: ADAM WALL

Address (city): 

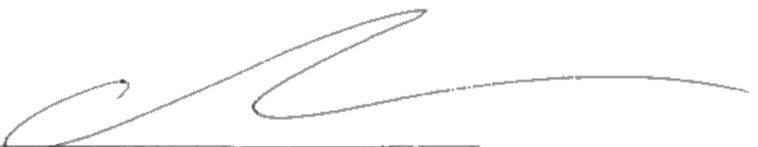
Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Allocate time to Sharon Wilkes


Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1/16/25

Agenda Item Number or Name of Applicant: JOHN WILFES

PLEASE PRINT LEGIBLY

Name: KRISTOPHER TASSMORE

Address (city and st) 

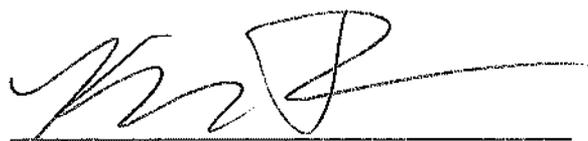
Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

GIVING MY TIME TO JOHN WILFES



Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

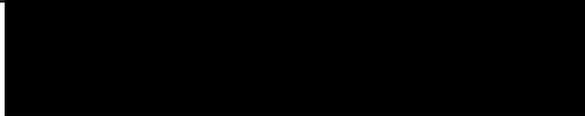
Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1-16-25

Agenda Item Number or Name of Applicant: Johnson Pct

PLEASE PRINT LEGIBLY

Name: Jason Simpson

Address (city and state): 

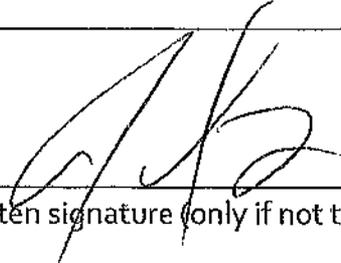
Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Give time to John Wilkes


Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1-16-2025

Agenda Item Number or Name of Applicant: JOHN WILKS

PLEASE PRINT LEGIBLY

Name: MIKE BIEHERT

Address (city and state): 

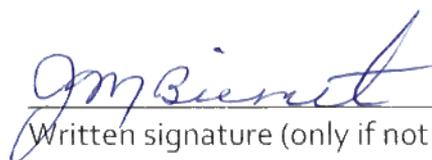
Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

ALLOCATE TIME TO JOHN WILKS


Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 3-16-2025

Agenda Item Number or Name of Applicant: JOHN WILKS

PLEASE PRINT LEGIBLY

Name: MARISA HANSEN

Address (city and state): 

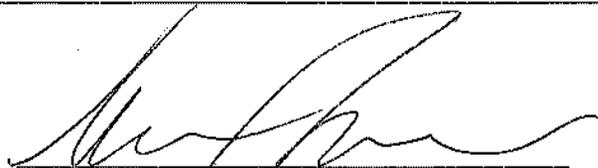
Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

ALLOCATE TIME TO JOHN WILKS


Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 1-16-23

Agenda Item Number or Name of Applicant: Croquet Pit

PLEASE PRINT LEGIBLY

Name: Brady Doves

Address (city and state): [REDACTED]

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Written signature (only if not testifying)

Date: November 6, 2024
To: Planning and Development Council – Bannock County
From: Jerry Hunt



Subject: Conditional Use Permit Application - CUP-24-2

Good evening - my name is Jerry Hunt and I live on West Venus. I wish to sincerely thank you for your volunteer service for this county.

The work you do and decisions you make truly do impact people, my neighbors, your neighbors and friends of this county – again, thank you.

More Housing, More Traffic:

Before us again is an application from Staker-Parsons/IMC, a company of CRH headquartered in Dublin Ireland that wishes to mix industry with a booming residential area here in Bannock County – an area that has a finite amount of land for residential development since it is land locked by the tribe.

However, this is not the case with gravel as you can see in the map provided in the CUP application – Pg 24 of 239, it shows gravel is plentiful in the area as indicated in yellow on the map submitted. It is common knowledge that there is gravel from here to Boise and here to Downey.

You need to look no further than the old FMC property to find quality gravel on industrial use land – and next to an interstate on ramp.

In addressing 'Traffic' concerns, the CUP applicant has provided a Traffic Impact Study (Exhibit "E") as part of this application.

However, the submitted study is not 'on point' with traffic concerns. Instead, the study is an engineering assessment of the roads' ability to support the weight of truck traffic.

No mention of the fact that at the intersection of Siphon & Rio Vista, a 50-Ton gravel truck needs all 4 lanes to make the turn – causing chaos and disruption with vehicles at the intersection required to back up or maneuver around. This we learned all too well as some 30 gravel trucks per hour went down this proposed route a couple weeks before Christmas – highlighting safety concerns, noise pollution and a definite increase to traffic load not to mention the damage to the edges of the pavement. (2:20)

Just in this past year, there is already a noticeable increase in the number of bikers, runners, walkers, horses, and kids waiting for school buses out on these roads – roads w/o shoulders or bike lanes. Now by adding 100+trips per day of 50-ton gravel trucks to the mix, again, one may ask – “what could go wrong”??

Well, in the last few months we have seen what can go wrong:

(I would like to submit 2 pictures that paint a picture of this area and what can go wrong...)

- 1st, this past fall, we have had a gravel truck on Tyhee road run off into the irrigation channel which shut off the irrigation water to farmers and residential areas for the remainder of the year due to concerns of oil contamination.
- 2nd, Mike Powell who is a resident of West Fields Estates came to the corner of Rio Vista and Chubbuck only to find a car that was sitting under a *side dump gravel truck*. Thank goodness everyone was ok.
- 3rd, a car pulled out onto Rio Vista from Venus Street and was hit by a gravel truck who turned over his trailer full of gravel trying to avoid the car. Although the driver of the car was ok as was the truck driver, the car driver was at fault – just another example of what can happen when mixing gravel trucks into a residential area – a truck that take approximately 2 ½ times longer to stop than a car.

As a note, this accident did occur at a bus stop but thankfully the bus and kids had already come and gone or this accident could have been much worse.

It should also be noted that Kelli Dial (transportation supervisor) of the Pocatello District 25 transportation department expressed their safety concerns of having (6) buses making their routes twice a day in this area with as she put it, the most valuable cargo – out there with more roads with these gravel trucks.

Even our mailman also expresses concerns of being hit from behind due to the time she has to be actual on the road.

The simple fact that there would be a disruption of traffic and 'safety' issues are both reasons this application is inconsistent with:

Bannock County Ordinance 530.6

Part 'B', the proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

AND

Part 'C'. The proposed use would not damage the public health, safety, or *general welfare* within its vicinity...

How do you think we "Protect and enhance residents' quality of life;" as called out in the Comprehensive Plan is satisfied by introducing a mining operation that comes with safety concerns along with its noise pollution, dust pollution and smell of an asphalt plant into this residential area?

This is a BAD IDEA and should be rejected.

Common Boundary w/ Residentially Zoned Land:

It should also be noted that this proposed application shares a common boundary with not only residentially zoned land but home owners – some being Brett Hallinan, Berniece Jackson, Larry Labbee, & others, some being residence for 50+ years. EXPAND

County Regulations 374 – *USES CONDITIONALLY PERMITTED:*

- A. Permitted industrial uses as long as the land in question does not share a common boundary with residentially zoned land

Again – this in itself should kill the application.

Home Depreciation:

In the applicant's reports (pg. 52-239), there is a case made that a gravel pit does not devalue a home and property.

I would strongly disagree and say it is a simple question of whether or not a gravel pit would have an influence on a property value by asking 2 questions:

1. If have two homes listed at the same price, that were identical homes in every way – same floor plan, same builder, with very similar properties (in landscaping, size, etc.) and one set next to a *gravel pit* and the other up on *Saterfield Dr.*, which one would you purchase?
(The answer is simple - Saterfield Dr.)
2. The next question is, how much of a discount would the home sitting down wind and next to the gravel pit need to be discounted to get you to buy that home – 30%, 40% or even 50%?

These are people, good people, our neighbors with some being here for more than 50+ years with some are now retired, on fixed incomes and in the event, they will someday need to sell their home and use the proceeds as the primary source of funds to pay for care.

It will be sad if that happens and their home and property is no longer worth what they thought and they are put into financial stress.

Again - these are real people, friends, neighbors that we are talking about –

People You are Tasked to:

“Protect and Enhance Residents’ Quality of Life;”
as stated in the *Comprehensive Plan*.

Under *Section 530.6* states:

A. *The proposed use would not adversely affect surrounding properties*

– *I am here to testify that it will be if this gravel pit application is approved...*

Let’s keep Industry with Industry and Residential Areas Separate.

Again, thank you for your time tonight and your service to each one of us that live in this county.



Jerry Hunt



Presentation to Bannock County Council for Planning and Development

January 16, 2025

Public Hearing for CUP-24-2 - New Commercial Sand and Gravel Mining Operation

My name is Jim Sieverson.

I reside at [REDACTED] My home is about ½ mile downwind of the proposed gravel pit. I have lived in this area for 33 years immediately downwind of the proposed gravel pit.

Thank you for providing the opportunity to speak to you about CUP-24-2

I am a retired Environmental Engineering Manager. I have worked in the mining industry for more than 50 years doing environmental improvements at open pit mines, underground mines, and smelters processing mined materials to produce phosphorus, copper, lead, zinc, cadmium, gold, silver, and even arsenic.

I earned a Masters Degree in Air Pollution Engineering at Pennsylvania State University's Center for Air Environment Studies.

My career started in 1968 – that was 2 years before EPA became a Federal agency.

Initially, I worked in my home state of Montana for County and State regulatory agencies. I inspected sources of air pollution (such as gravel pits) and assisted those sources in controlling air emissions and complying with local, state, and federal requirements.

In 1972, after graduate school, I started to work in the mining industry to control and reduce their air emissions. I primarily worked in the western states along the Rocky Mountains but also in Canada and Mexico.

In 1976, I became an INDUSTRIAL HYGIENIST (while still working on air pollution issues). Most people are not familiar with industrial hygiene. Simply put, an Industrial Hygienist works to protect employee health. I later became a CERTIFIED INDUSTRIAL HYGIENIST in a process similar to becoming a Professional Engineer.

As an Industrial Hygienist, I developed and managed medical monitoring programs and health protection programs for employees at mines and smelters, operated by my employer. I also supervised the nurses and consulting doctors who provided health care to those employees.

I have served as an expert witness in Court for air pollution control and health protection of workers.

Given my career experience, my comments tonight will address the requirements of Section 538.6 (c) of the Zoning Ordinance - *"The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity."* Specifically, I want to provide the Council with comments about air pollution and ground water contamination.

Air pollution from gravel pits is fugitive dust. There is no doubt that the aggregate industry has a problem with fugitive dust emissions – dust from digging, loading, crushing, and transporting aggregates is inevitable. Fugitive dust becomes a bigger problem as wind speeds increase, particularly when wind speeds exceed 20 mph (often termed HIGH WIND events).

In IMC's 2024 CUP Application, IMC has provided the Council with a Health Consultation performed in Brigham City, Utah by the Utah Department of Health in cooperation with a Federal agency – the Agency for Toxic Substance Disease Registry ("ATSDR"), which is part of the Centers for Disease Control.

IMC believes this Brigham City Health Consultation shows *"clear evidence that the proposed use would not damage the public safety or general welfare in the area."*

THIS IS JUST NOT TRUE. I would like to provide you with other information in this Health Consultation that IMC has ignored and which, I believe, shows that their proposed gravel pit would damage the public health, safety and the general welfare of nearby residents.

First, the P&D Council needs to know that ATSDR studies are not done as pure research ... ATSDR studies are typically a Federal Government response to a high level

of outrage from local residents who are concerned about an environmental problem in their community.

In Brigham City, Utah, many residents were outraged about fugitive dust from 3 local sand and gravel pits. The largest of these 3 was the pit operated by Staker-Parsons – an affiliated company with IMC.

The local residents made several complaints in 1997, 1998, and 1999 about air pollution from these 3 gravel operations. In response to these citizen complaints, Utah State initially responded by conducting limited air sampling in each of those years.

Utah reported one sampling day when fugitive dust (TSP) was above the EPA benchmark level of 260 mg/m³ in 1997. However, that initial air sampling did not satisfy local residents, who continued to lodge complaints, culminating with 28 complaints in the Summer of 2003. Their elected representatives then decided to take action.

In September 2003, the Brigham City Council petitioned the State to investigate the dust problem coming from the gravel pits. The Utah Department of Health (UDOH) responded to that City Council petition starting in October 2003.

Residents reported health concerns to the investigators including asthma, allergies, respiratory illness, and eye and nose irritation – all of which are consistent with exposure to fugitive dust.

As I stated earlier, ATSDR Health Consultations are not done unless local residents, their elected representatives, and State health agencies are dealing with very real environmental concerns.

As a professional in this field, it is my opinion that the UDOH/ATSDR investigation and resultant Health Consultation was the result of Staker-Parsons being “tone deaf” about the effect of their fugitive dust emissions on their residential neighbors.

(As a side note ...“tone deaf” seems to be true for the existing IMC gravel pit in Pocatello as well. The local IDEQ office has told me that they have had continuing

complaints about the existing IMC pit located near Philbin Road and Highway 30 for 12 YEARS.)

The Brigham City Health Consultation included additional extensive air sampling conducted in 2004. That air sampling was performed by the State of Utah DEQ during the Summer of 2004. Most of that sampling was around the Staker-Parsons gravel pit because it was the largest operation.

Air samples for airborne dust were collected on 28 days between May and September 2004. Utah DEQ found that the fugitive dust emissions were mostly Total Suspended Particulate ("TSP"). Two of the 28 days had fugitive dust ("TSP") above the EPA benchmark level of 260 mg/m³. These results are found in Table 2 of the Health Consultation.

The Health Consultation states that the potential for high TSP REMAINS due to occasional strong winds in the Brigham City area. The Consultation considered wind speeds of 20 mph or greater as a HIGH WIND event.

Pocatello is pretty well known as being a very windy city... so I wondered how Pocatello wind gusts compared to the Brigham City wind gusts monitored for those same 28 air sampling days in 2004.

I researched National Weather Service data from the Pocatello Airport for the same 2004 dates of airborne dust monitoring in Brigham City.

I have prepared a 2-page handout that shows Table 2 from the Health Consultation and my table showing a comparison of HIGH WIND events in Pocatello to HIGH WIND events in Brigham City for the 28 air sampling days in 2004.

In 2004, Brigham City had 2 HIGH WIND events out of 28 days of sampling, which is 7% of the days sampled.

If that 2004 air sampling had been done in Pocatello, there would have been 11 HIGH WIND days out of 28 days of sampling, which is 39% of the days sampled.

I find that comparison showing 7% HIGH WIND days in Brigham City versus 39% HIGH WIND days in Pocatello to be astounding. There are over 5 TIMES MORE HIGH WIND

days in Pocatello! I believe these data show IMC's fugitive dust emissions will be a MUCH GREATER PROBLEM IN POCATELLO than the fugitive dust problem in Brigham City.

Given IMC'S past history of some 12 years of complaints from residents to our local IDEQ office about IMC's fugitive dust problems - coupled with the higher incidence of HIGH WIND days in Pocatello – leads me to believe that IMC's proposed gravel pit will damage public health and be materially injurious to downwind properties, residents, pets, and livestock.

ATSDR pays particular attention to "*Exposure Pathways*", primarily because air sampling cannot be done everywhere in a neighborhood and cannot be done every day. A complete exposure pathway means that there is

a contamination source (gravel pit) ;

transport of that contaminant (wind) ;

a point of exposure (contact with airborne dust);

a route of human exposure (breathing),

and an exposed population (downwind residents).

ATSDR found 1 completed pathway in Brigham City. That pathway was continuing dust emissions released by the sand and gravel pits being inhaled by Brigham City residents. ATSDR concluded that this dust inhalation pathway existed in the past and, because the site is residential and since the sand and gravel operations will continue operating for the foreseeable future, **DUST INHALATION IS A CURRENT AND FUTURE EXPOSURE PATHWAY OF CONCERN.**

GROUNDWATER CONCERNS:

Another environmental concern is the possible contamination of ground water. Council members here tonight need to know that almost everybody in this area gets their drinking water from individual wells or community / subdivision wells so residents are very concerned about the possibility of contaminating our ground water.

At the Council's August 2023 public hearing on IMC's 2023 CUP Application, the Council members became very concerned about groundwater contamination but IMC's application provided little information about the possible ground water impacts of their proposed gravel pit.

IMC has attempted to address ground water contamination concerns in their current August 26, 2024 CUP Application which now includes a new EXHIBIT "G" – *Evaluation of the Impacts to Groundwater Quality* - a Technical Memorandum done by Rocky Mountain Environmental Associates (RMEA) and dated June 3, 2024.

RMEA was tasked to determine whether groundwater users with wells in the near vicinity of the proposed gravel pit would be significantly impacted by excavation of the pit. RMEA specifically wanted to determine if there was a *"probable hydraulic barrier between the bottom of the pit and lower water containing zones"*.

RMEA used an online database of well driller reports, a groundwater flow model, and an online soil survey study to prepare their Technical Memorandum. In other words, RMEA did a paper study of selected computer databases. RMEA did not do any ACTUAL field work ... no site visits, no test wells, no testing....nothing but computer data.

RMEA reviewed well driller logs for 22 wells within approximately ½ mile of the proposed gravel pit to get information on subsurface conditions. It is important to note that RMEA acknowledges that well drillers are NOT trained hydrogeologists and their drilling logs describing subsurface conditions may OR MAY NOT accurately describe those conditions.

RMEA concludes that *"it appears unlikely that these wells would be significantly affected by proposed gravel pit excavation"* but also states a limitation that *"conclusions of this report are NOT (my emphasis) scientific certainties"* but probabilities.

I think it is important for the Council members to understand that paper studies can be wrong or misleading when compared to the real world.

Here's my specific example - the Lacey Vista Acres Water Corporation provides drinking water to 60 homes in that subdivision from 3 wells - originally. I was the President of the Lacey Vista Acres Water Corporation for almost 15 years.

I had to make the decision to abandon one of those 3 drinking water wells circa 1994 because of contamination with ethylene dibromide (EDB – an organic chemical used in the 1970s to treat soil for nematodes harmful to potatoes).

This drinking water well is around ¼ mile from the proposed gravel pit. The abandoned Lacey well is located on the south side of Lacey street immediately north of 4 other wells that evaluated by RMEA. The abandoned Lacey well was not evaluated. Figure 2 in RMEA's report is entitled "*Figure 2: Well Locations within a Half Mile of the Project Location*" and shows these 4 wells (designated #1, #4, #5, and #6) located along the right side of the aerial photo

So, the real world shows that surface contamination (in this case, EDB – an agricultural chemical applied to topsoil) did in fact migrate from the top most soil surface down to a lower zone used for drinking water. This real world disaster for Lacey residents makes the possibility that a "hydraulic barrier" exists that would prevent ground water contamination of lower drinking water zones to be questionable .

RMEA also states on page 4 of their report that "*RMEA has been informed that IMC is preparing a Plan of Operation and a Reclamation Plan for the proposed aggregate mining operations. These plans will contain Best Management Practices (BMPs) that will include requirements for protection against spills, releases, and flushing of sediments that could reach shallow groundwater. RMEA has not reviewed the Plan of Operations or the Reclamation Plan, or the proposed BMPs, and THEREFORE CANNOT PROVIDE AN OPINION (my emphasis) as to the efficacy of the BMPs in protecting groundwater quality,*"

Given that at least one well in the area has been contaminated by surface contaminants and that IMC did not provide RMEA with any specifics about their Best Management Practices or a Plan of Operation or a Reclamation Plan, I believe the Council should find that this study does NOT satisfy the ground water contamination concerns of nearby residents or the P&D Council.

Thursday, January 16, 2025

To: Bannock County Planning and Zoning Commission

From: Marc Farnworth, MD – Bannock County resident

Regarding: Conditional use permit for open pit mine (gravel pit) operations by John Wilkes (Idaho Materials and Construction) located at the Northeast corner of Siphon and Laughran Road in Bannock County, Idaho

Dear Commissioners:

My name is Marc Farnworth. I live on the [REDACTED] only a short distance from the proposed open pit mine operation. As you may imagine, this proposal brings with it a significant amount of anxiety and emotional turmoil on the part of residents who will likely be affected. As this process of application for an open pit mine has gone on, for more than a year now, with repeated appeals, and new applications, it seems to many residents that our ability to have a voice in this process is diminishing and that eventually the gargantuan corporation that owns Idaho Materials and Construction will eventually have their way – regardless of the county ordinances broken or the residents who are hurt along the way. I also realize that as planning and zoning commissioners, you must base decisions on facts and existing ordinances, not emotions. Though, I think it is important that you understand the degree of angst which this process is causing among many residents of the county. I have attempted to summarize my concerns in a factual way below as they relate to Bannock County Ordinances. This proposal, in my estimation, is in direct opposition to the comprehensive plan the county produced several years ago, and is not in keeping with the spirit or letter of many of the associated ordinances.

530 – Conditional Uses

Please note that this ordinance clearly states that a conditional use permit may be provided when **“it is not in conflict with the comprehensive plan”** and **“may be granted only in the best interests of the general public.”** It also reminds us that **“the applicant for a conditional use permit shall carry the burden of proof in showing that the proposed use does not conflict with the spirit or purpose of the comprehensive plan.”**

The proposed open pit mine would operate in a suburban residential zoned area, bordering a subdivision to the East, rural homes to the North, and Native Lands with homes to the West. The comprehensive plan does not support the idea of the development of industrial projects in this area. Developing and operating an open pit mine surrounded by families with young children as well as elderly people with health issues is not only a bad idea, but also irresponsible. It would be hard to imagine a plan that is more in conflict with the comprehensive plan of the county. How is this in the best interest of the public?

530.6 – Standards for Approving a Conditional Use Permit

Let's delve into this plan in more detail by examining the standards that have been set forth for approving such a conditional use permit. The ordinance reminds us that a conditional use permit may be granted if affirmative findings of fact are found on each of the following standards – not only a few – but all of them.

A. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district

Several studies have shown that open pit mine (gravel pit) operations decrease home values based on the proximity of the homes to the mining operation. One graph shows that within 0.25 miles of a gravel pit operation, residential property values decrease by as much as 30%. At 0.5 miles, a reduction of approximately 20% is noted, and even at 1 miles away, a reduction of about 15% is noted (Erickcek, et al, 2006). Let's put this into real terms that impact real people. My home is listed on Zillow as being worth \$515,000.00 as on Jan 15, 2025. I live within 0.25 miles of the proposed mining operation. So, for me and my family, we can expect a drop in property value of 30% - or in dollar terms, I would expect to lose about \$154,500 in property value. Additionally, homes closer to an open pit mine are harder to sell and may stay on the market longer, making it harder for current homeowners to realize any equity they may have in their existing homes. In an industrial zoned area, homes are typically not common and the proximity of a home to the mine is distant. Because this proposal attempts to place a mine in the midst of a neighborhood and other homes, the proximity is much closer and therefore the affect on property values is much greater. How is this any different than Idaho Materials and Construction stealing \$154,000.00 from my bank account? Will I be reimbursed for this loss in property value?

B. The proposed use would not cause an undue disruption in travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

It's hard to say that this gravel pit proposal will operate with only 50 one-way gravel truck trips per day – as is currently stated in the proposal. The original proposal of 150 trips per day is probably still not an accurate estimate but is closer (by the way – who will monitor this proposal?). On a recent trip to a currently operating gravel pit by Idaho Materials and Construction located in Bannock County, gravel trucks were noted to be moving out of the mine every 2 minutes on average. That's probably a lot closer estimate to the reality of the current proposal. Can this cause an undue disruption in travel? Perhaps I can share my own experience, which is not unique to me or other residents. Recently, I approached the intersection of Rio Vista and Siphon Road in the Southbound Lane of Rio Vista. I approached the stop sign at the intersection and stopped. A fully loaded gravel truck with a pup trailer in the Eastbound Lane of Siphon approached the same intersection. I noted this truck as I stopped at the intersection and my plan was to proceed through the intersection as I had stopped first. Gratefully, I hesitated, and watched as the gravel truck slowed, but did not stop at the intersection then turned first into the opposing lane of travel on Siphon, then into my lane on Rio Vista, into the Northbound Lane of Rio Vista, and proceeded to use the entire intersection to eventually turn into the Southbound Lane of Rio Vista. This truck did not have the right of way – but no matter – continued through the intersection anyway. If I had proceeded into the intersection as I had the right of way I would likely have been impacted by this massive vehicle. My chances of injury or death even at low speeds in such a situation are significant. Would this have caused an “undue disruption” in my travel? Does an increase from 0 gravel truck trips traveling the road a day to 50, or more reasonably 300 – 400 constitute an extraordinary increase in volume? I think it is pretty obvious that this proposal is a significant change from the status que in this regard.

C. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

As a Physician I know that folks who have respiratory diseases are very sensitive to increased particulates in the air. We already live in an area where air quality can be poor due to local manufacturing, dust, the windy

environment, etc. Now, add to that fine particulate created from a gravel mining operation. This is a recipe for folks with chronic lung issues to have increased periods of difficulty breathing and worsened quality of life. These folks didn't choose to live in an industrial area, but this proposal aims to bring an industrial operation to these residents' homes. This could very well impact children who suffer from asthma as well as adults and the elderly who suffer from COPD and other chronic lung diseases. I am aware of at least a dozen residents who either have a chronic lung disease and/or use oxygen who live within 1 mile of this proposed operation. It is obvious that this proposal will damage their health.

Let's think a little about what happens when an accident occurs between a gravel truck and a passenger vehicle. Unfortunately, we have had several such accidents over the past few years in our area. One, at the intersection of Reservation and Rio Vista several years ago involved a farm truck and a passenger car – the resulting fiery crash led to the deaths of all 4 occupants of the car. Another, at the intersection of Venus and Rio Vista just this past year involved a gravel truck and a passenger car and led to only minor injuries but was capable of causing much greater harm. How does this relate to the current proposal? Regardless of who is at fault for these accidents, collisions between large vehicles and small ones often lead to much greater injuries, with the potential for fatal events being much higher. Simply increasing the number of large vehicle trips on a road used by nearby residents will increase the number of accidents and likely lead to serious and fatal events.

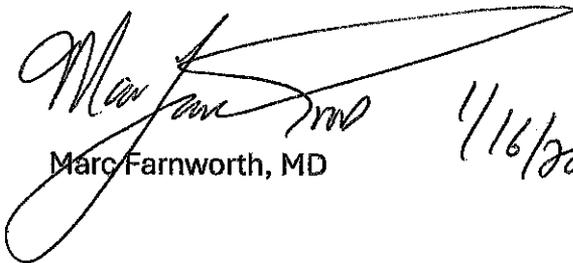
How do emergency services respond to motor vehicle collisions in the area around the proposed mine? As a volunteer firefighter in this same area for the past 6 years, I can report from experience that the first responders to a 911 call for a motor vehicle collision are law enforcement. If there are suspected injuries, a Bannock County Ambulance is dispatched – with the closest such ambulance being located at the Pocatello Fire Station off Pocatello Creek Road near Sizzler, if of course that assumes it's not already on a call. If a fire or entrapment have occurred, North Bannock Fire Department and/or Bannock County Search and Rescue are dispatched. These two agencies are both volunteer based and it may take 8-10 minutes for a response vehicle to roll out the doors of the station. Give these responders another 10 minutes to arrive on scene and we are looking at 20 minutes before a fire or rescue unit arrives on scene. Now consider that the

chances of such serious accidents is increased significantly – the risk to the public and the drain on already stretched first responders is increased. Does this sound like a great infrastructure within which to build a mine in the middle of residential homes?

Sections D and E of ordinance 530.6 deal with the proposal being consistent with the goals and policies of the comprehensive plan – which we have already shown it's not – simply given the fact that the comprehensive plan did not zone the current proposed area as industrial. E deals with ways to mitigate the proposal to make it fit the area – there is no way to mitigate the issues raised above and still operate a mine.

In short, this proposal is wrong on so many levels. To force residents who live in a suburban residential area to suddenly deal with the realities of an industrial mining operation makes no sense. This proposal will, no doubt, net Idaho Materials and Construction a massive amount of money – but this will be on the backs of the county residents who will be harmed physically, financially, and psychologically by its existence. There will be no remuneration for the residents affected. Please uphold the rights of the residents of the county and disallow this ridiculous proposal.

Respectfully Submitted


Marc Farnworth, MD

4/16/2025

**An Assessment of the Economic Impact of the
Proposed Stoneco Gravel Mine Operation on
Richland Township**

August 15, 2006

George A. Erickcek
Senior Regional Analyst
W.E. Upjohn Institute for Employment Research

An Activity of the W.E. Upjohn Unemployment Trustee Corporation

W.E. Upjohn Institute for Employment Research

**300 South Westnedge Avenue • Kalamazoo, Michigan 49007-4686 • U.S.A.
Telephone (269) 343-5541 • FAX (269) 342-0672**

An Assessment of the Economic Impact of the Proposed Stoneco Gravel Mine Operation on Richland Township

George A. Erickcek
Senior Regional Analyst
W.E. Upjohn Institute for Employment Research

Executive Summary/Introduction

This report, which was completed at the request of the Richland Township Planning Commission, provides an estimation of the economic impact of the proposed Stoneco Gravel Mine Operation on Richland Township.¹ The following impacts are assessed in this study:

1. The potential impact on residential property values in Richland Township.
2. The potential employment impact of the proposed gravel mine on the area's economy.

In addition, we carefully reviewed the economic impact reports provided by Stoneco for consideration.

In the preparation of this impact analysis we used nationally-recognized modeling techniques that are the standard for academic research.

We estimate that the proposed gravel mine will have a significant negative impact on housing values in Richland Township. Once in full operation, the gravel mine will reduce residential property values in Richland and Richland Township by \$31.5 million dollars, adversely impacting the values of over 1,400 homes, which represent over 60 percent of the Richland residences.

In addition, the mining operation will have an insignificant impact on area employment and personal income. At most, we estimate that only 2 additional jobs will be created in Kalamazoo County due to the mining operation. The mining operation serves the local

¹ The report was completed without charge as part of the W.E. Upjohn Institute's community service commitment. The Institute has prepared requested reports and analyses for the City of Kalamazoo, the City of Hastings, the City of Battle Creek, the City of Grand Rapids as well as other local governmental units and school districts.

market, and analysis based on the Institute's econometric regional model for the Kalamazoo region shows that it will bring in an insignificant amount of new income into the area's economy, \$58,000. Although the mine will employ an estimated 5 to 10 workers and require drivers to haul an estimated 115 to 120 truck loads of gravel per day, most all of these jobs would simply "displace" any employment growth in the county's 15 existing gravel pits.

Stoneco has not established a need for new aggregate capacity. Kalamazoo County is currently serviced by 15 gravel operations, and in recent years, employment in the county has been shrinking and the population has been stagnant. Consequently, there is no *prima facie* case that new capacity is needed. To definitively determine whether such a need exists, we would need to have information on projected demand for aggregated material in the county and capacity of the gravel pits currently servicing the county.

Finally, a careful evaluation of the five impact studies presented by the Stoneco finds that their methodologies are seriously flawed, and thus conclusions drawn from the analyses are invalid.

Qualifications

The W.E. Upjohn Institute for Employment Research is an internationally-recognized independent, non-profit economic research organization established in 1945 for the sole purpose of conducting research into the causes and effects of unemployment and measures for the alleviation of unemployment. The Institute currently has a staff of 60 including 10 senior-level economists, and its research agenda includes issues on the international, national, state, and local levels.

For the past 20 years the W.E. Upjohn Institute has maintained a strong research focus on west Michigan which includes

- The publication of its quarterly economic report: *Business Outlook for West Michigan*.
- The preparation of short- and long-term employment forecasts for all of the metropolitan areas in west Michigan including Kalamazoo, Battle Creek, Grand Rapids, Muskegon, and Holland.
- The completion of numerous economic impact reports and economic development strategies for communities in Michigan.

George Erickcek, the Institute's Senior Regional Analyst, was the lead researcher for this study. He received his Masters of Economics at the University of Pittsburgh and has been with the Institute since 1987. George has prepared numerous economic impact, benchmarking, and forecasting studies for the west Michigan region, and has conducted research on the national and international level.

Methodological Approach to Estimating the Impact on Housing Values of the Proposed Gravel Mine

Many factors influence housing prices. These include, of course, the characteristics of the house or dwelling unit, such as size, age, lot size, number of bedrooms and bathrooms, as well as its upkeep. In addition, the house's proximity to amenities such as a lake or pleasing neighborhood or "disamenities" (e.g. landfills, pollution sites) can have a substantial impact on its price.²

Economists have found that "hedonic pricing models" are extremely useful in isolating the contribution of specific factors on the price of housing, as well as other goods. First developed by University of Chicago economist Sherwin Rosen in 1974, hedonic pricing models use a statistical regression technique that allows the researcher to estimate the impact of one factor, e.g. the proximity of a neighborhood park, on the value of a house while holding all of the other factors impacting the house's value constant. There is an extensive literature applying hedonic pricing models to study the effects of environmental disamenities on residential property values. These studies generally show that proximity to landfills, hazardous waste sites, and the like has a significant negative effect on the price of a residential property.³

Professor Diane Hite, an economist who has published widely in the area of property value impact analysis, has recently applied hedonic pricing methodology to study the effects of a gravel mine on nearby residential values. This appears to be the only rigorous study to date of gravel mine impacts on property values.⁴ Her study is based on detailed data from Delaware County, Ohio that were collected by the Ohio State University for the purposes of studying land use planning.

Hite examines the effects of distance from a 250-acre gravel mine on the sale price of 2,552 residential properties from 1996 to 1998. Her model controls for a large set of other factors that determine a house's sale price, including number of rooms, number of bathrooms, square footage, lot size, age of home, sale date, and other factors specific to the locality, so that she can focus solely on the effect of proximity to the gravel mine on house values. She finds a large, statistically significant effect of distance from a gravel mine on home sale price: controlling for other determinants of residential value, proximity to a gravel mine reduces sale price. Specifically, Hite reports that the elasticity of house price with respect to distance from a gravel mine is .097, implying that a 10 percent increase in distance from the gravel mine is associated with slightly less than a 1

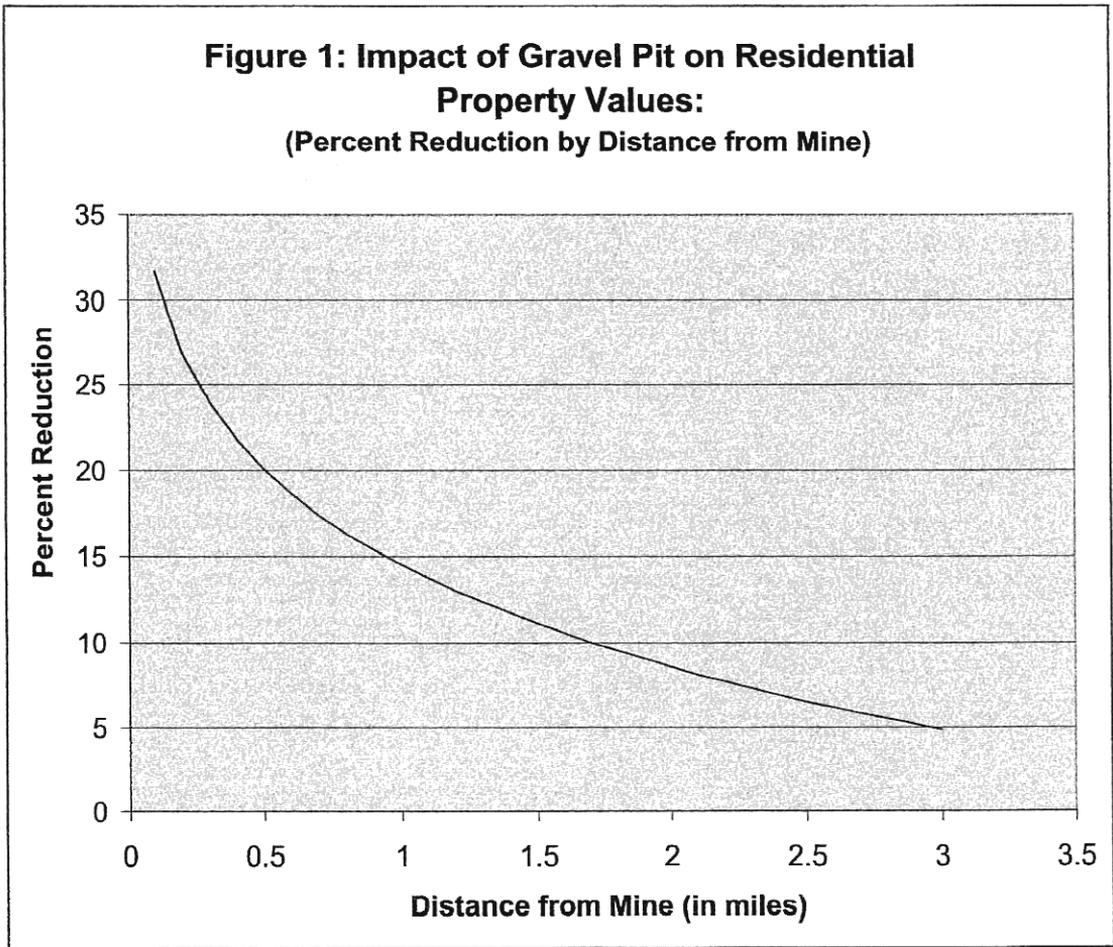
² In a recent study of the impact of housing programs in the City of Kalamazoo, we found that moving a house from one neighborhood to another can add or subtract as much as \$20,000 from its value.

³ For reviews of some of this literature, see Arthur C. Nelson, John Gencreux, and Michelle Gencreux, "Price Effects of Landfills on House Values," *Land Economics*, 1992 68(4): 359-365 and Diane Hite, Wen Chern, Fred Hitzhusen, and Alan Randall, "Property-Value Impacts of an Environmental Disamenity: The Case of Landfills," *The Journal of Real Estate Finance and Economics* 22, no. 2/3 (2001): 185-202

⁴ Diane Hite, 2006. "Summary Analysis: Impact of Operational Gravel Pit on House Values, Delaware County, Ohio," Auburn University.

percent increase in home value, all else the same.⁵ Conversely, the closer the house to the proximity to the mine, the greater the loss in house value.

Figure 1 displays the estimated effects of distance from the gravel pit on house price. A residential property located a half mile from the gravel mine would experience an estimated 20 percent reduction in value; one mile from the mine, a 14.5 percent reduction; 2 miles from the mine, an 8.9 percent reduction; and 3 miles from the mine, a 4.9 percent reduction. These estimates are similar to estimates published in academic journals on the effects of landfills on nearby property values.



⁵ This estimate is based on a constant elasticity model specification. At the Upjohn Institute’s request, Professor Hite tested the sensitivity of these findings to model specification, and in all specifications finds a large, statistically significant negative effect of proximity to gravel pit on house prices. The simulations for Richland Township reported below are based on the estimates from the constant elasticity specification and yield slightly lower estimated negative property value impacts than those based on models using other functional forms. We consider this number to be a conservative estimate.

The loss in property value results from the negative consequences of the mining operation and reflects the deterioration in the area's quality of life due solely to the operation of the gravel mine. In other words, the loss in house value is a way to quantify in dollars the deterioration in quality of life, as capitalized in the price of the house. It captures the price reduction the homeowner would have to offer to induce a new buyer to purchase the property. Even if homeowners do not move as a result of the gravel mine, they will lose homeowner equity as the potential sale price of their house is less.⁶ Therefore, regardless of whether or not a person actually sells their property, it measures the adverse effects in their quality of life in being subjected to the disamenities introduced into the area by the gravel mine.

The policy implications of Hite's study are clear: because property value losses are higher the closer to the gravel mine, all else the same, new sites should be located far from existing residences so as to minimize adverse consequences for homeowners.

Simulation of Gravel Mine on Residential Property Values in Richland

Utilizing the estimates from the Hite study and data on 2006 assessed values provided by Richland Township, the Upjohn Institute simulated the effects of the proposed gravel mine on residential property values in Richland Village and Richland Township. Our analysis is based on 2005 assessed values of single-family homes in Richland Township and Richland Village obtained from the Township's assessor office in June and July. In total 2,319 single-family homes, 88.7 percent of all single-family residences in the township and village, were geo-coded using the ArcView© mapping program, manually matched using Yahoo© maps and, finally, through drive-by inspection of addresses. Once all of the homes were mapped, the distance between each of the residences and the closest boundary of proposal Stoneco gravel mine was determined.

As shown in Table 1, more than 1,400 homes will be negatively impacted by the proposed gravel mine with the total cost reaching \$31.5 million dollars.

⁶ Only those owning property at the time of the establishment of the gravel mine would experience a loss in equity. Those purchasing property near an established mine would not experience an equity loss because any negative effects from the mine's operation would have been incorporated into the purchase price. By implication, few property owners near long-established mines could claim loss of property value from the mine because few would have owned the properties at the time the mine went into operation.

Distance (miles from Stoneco Site)	Number of Houses Affected	Estimated Loss in Value	Distance (miles from Stoneco Site)	Number of Houses Affected	Estimated Loss in Value
0.1	2	\$211,703	1.6	73	\$1,207,011
0.2	3	\$106,428	1.7	128	\$2,500,456
0.3	2	\$134,894	1.8	99	\$1,630,149
0.4	9	\$522,981	1.9	70	\$1,146,761
0.5	3	\$389,319	2	34	\$633,720
0.6	8	\$598,518	2.1	105	\$952,068
0.7	24	\$831,338	2.2	98	\$1,311,040
0.8	25	\$798,108	2.3	99	\$2,843,845
0.9	27	\$1,085,190	2.4	72	\$2,699,584
1	22	\$918,374	2.5	34	\$912,133
1.1	75	\$2,428,602	2.6	12	\$377,548
1.2	62	\$1,688,031	2.7	23	\$373,873
1.3	45	\$1,146,920	2.8	80	\$939,861
1.4	32	\$824,928	2.9	55	\$944,061
1.5	30	\$712,731	3	70	\$655,846
Total				1,421	\$31,526,020

While Hite's original study covered a 5-mile radius from the gravel mine in Ohio, we chose to examine only a 3-mile area from the boundaries of the proposed Stoneco site.⁷ Only properties located in Richland and Richland Township are included. Property values in other townships, notably Prairieville Township, also could be adversely affected by the location of a gravel mine near its border with Richland Township but were not included in the study. In addition, the analysis does not consider possible effects on commercial property. Our estimates do not factor in the likely negative impact on property values along the truck routes used for the mine. Finally, although Stoneco has proposed to reclaim some of the land for a lake and residential development, its proposed timeframe for this development would occur too far into the future to mitigate adverse property value impacts for current Richland area residents.

⁷Hite's statistical analysis intentionally includes homes at a distance deemed unaffected by the gravel operation. Our choice to study the impacts up to 3 miles is based on Nelson, et al. (1992) and the fact that estimated impacts for individual homeowners are still relatively large out to three miles in all of Hite's models.

Employment and Personal Income Impact

Stoneco estimates that 5 to 10 permanent jobs will be created at the proposed mine. In addition, truck drivers will be required for the 115 to 120 truck loads of gravel that will be hauled from the mine daily.

To measure the potential employment and income impact of the gravel mine, we used the Institute's econometric regional model of the Kalamazoo area.⁸ Because of its weight and low-value, gravel is hauled for only short distances. It is not a part of the area's economic base that brings new monies into the area. Therefore, it is an activity that does not generate any significant new income or employment opportunities. We estimate that only 2 additional new jobs will be created in Kalamazoo County due to the gravel mine and personal income in the county will increase by only \$58,000. In short, the jobs created at the gravel mine will displace jobs elsewhere in Kalamazoo County or the immediate region. The proposed mine would not result in any significant net benefit to the area from job or income creation.

Need for the Proposed Mine

Adverse economic effects of the proposed gravel mine to the Richland community must be balanced against the county's broader needs for aggregate material for road construction. Currently, 15 gravel mines operate in Kalamazoo County according to the Kalamazoo County Planning Department (Table 2). Stoneco's application materials do not provide any evidence for the need for additional capacity. Statistics were cited on projected needs, but no evidence was presented as to whether existing capacity could cover anticipated needs.

The need for additional capacity of gravel production is not supported by current and projected population or employment trends in Kalamazoo County. Population growth in Kalamazoo County has been modest during the past five years, and well below the national rate. From 2000 to 2005, population in the county increased annually at a rate of below 0.2 percent, compared to 0.9 percent nationwide.⁹ An analysis of the individual components of population change—births, deaths, net migration—shows that individuals and households, on net, are leaving the county. From 2000 to 2005, the county's population increased by 6,342 individuals due to number of births surpassing the number of deaths. However, on net, 4,150 individuals moved out of the county.¹⁰

⁸ The Upjohn Institute maintains a regional economic impact and forecasting model for the Kalamazoo metropolitan area which was built by Regional Economic Models Incorporated (REMI) especially for the Upjohn Institute. The REMI modeling approach, which incorporates an input-output model with a forecasting model and a relative cost of production model, has been repeatedly reviewed and upheld as the industry standard.

⁹ U.S. Census Bureau.

¹⁰ U.S. Census Bureau. Furthermore, Internal Revenue Service (IRS) data from 2000 to 2004 shows that the majority of the individuals leaving the county are moving outside the greater Kalamazoo region.

Table 2

Kalamazoo County Gravel Pits		
Owner Name	Site Address	Site Township
Aggregate Industries	C Ave. Near 6th St	Alamo
Art Austin	6287 K Avenue	Comstock
Triple B Aggregates	2702 Ravine Rd.	Kalamazoo
Thompson McCully Co	3800 Ravine Rd.	Kalamazoo
Byholt, Inc.	1600 Sprinkle Rd.	Brady
Byholt, Inc.	4th St	Prairie Ronde
Fulton Brothers Gravel	4th St	Prairie Ronde
Balkema Excavating	8964 Paw Paw Lk.	Prairie Ronde
Balkema Excavating	6581 E. K Ave	Comstock
Balkema Excavating	4274 Ravine Rd	Kalamazoo
Balkema Excavating	40th St. & I-94	Charleston
Balkema Excavating	14500 E. Michigan	Charleston
Balkema Excavating	15600 E. Michigan	Charleston
Consumer Concrete	10328 East M-89	Richland
Consumer Concrete	700 Nazareth Rd	Kalamazoo

Source: Kalamazoo County Planning Department July 2006

During the same time period, employment declined by 3.4 percent, a loss of 5,000 jobs. The Michigan Department of Labor and Economic Growth estimates that from 2002 to 2012, total employment in Kalamazoo and St. Joseph counties will increase at a rate of 0.8 percent—substantially below the 1.3 percent rate of growth projected for the nation as a whole. If this rate of employment growth holds true for the future, it will be not until 2010 that the county will reach its 2000 employment level.

Thus, economic projections do not, in and of themselves, indicate a need for expanded aggregate capacity. However, we emphasize that any definitive determination of need would require information on the capacity and life expectancy of existing area gravel pits, to which the Institute does not have access.¹¹

Review of Stoneco's Property Value Impact Analysis

The Environmental Study submitted by Stoneco in connection with its special use permit application concludes that gravel mining operations have no adverse impact on the value of nearby properties. This conclusion is based on five reports included in Appendix J of Stoneco's Environment Study:

¹¹ Note that whether there is a public need for additional capacity and whether it is in Stoneco's interest to develop a new mine are distinctly different issues. Stoneco has indicated that it would reduce its transportation costs by operating at the proposed Richland location. The degree to which any lower transportation costs translate into lower prices of aggregate material—and hence broadly benefit the public—versus increased company profits will depend on the competitive structure of the industry in this region.

1. "Impacts of Aggregate Mine Operations: Perception or Reality?" Anthony Bauer, 2001.¹²
2. "Social, Economic, and Legal Consequences of Blasting in Strip Mines and Quarries," Bureau of Mines, 1981.
3. "Impact of Rock Quarry Operations on Value of Nearby Housing," Joseph Rabianski and Neil Carn, 1987.
4. "Impacts of Rock Quarries on Residential Property Values, Jefferson County, Colorado," Banks and Gesso, 1998.
5. "Proposed Fuquay-Varina Quarry: Analysis of Effect on Real Estate Values," Shlaes & Co., 1998.

These reports, in fact, fail to show that mining operations have no adverse impact on property values. None uses the standard methodology (the hedonic pricing model, described above) for evaluating property value impacts. Four of the five reports are based on flawed logic (as explained below) and hence cannot be used to draw any conclusions about property value effects. Only one report, commissioned by the U.S. Bureau of Mines, used a defensible methodology, although this report also suffers from serious limitations. Notably, this study found some evidence of adverse impacts of gravel mining operations on property values in six out of the seven sites examined.

The Bauer, Rabianski and Carn, Banks and Gesso, and Shlaes & Co. reports rely on one or both of the following types of observations to argue that gravel mining operations have minimal adverse impact on nearby property values:

- Over time, housing and commercial developments have moved closer to and sometimes adjacent to aggregate mine operations.
- For property values in the vicinity of mining operations that have existed for many decades, the rate of growth in property values does not increase with distance from the mining site.

In neither case do such observations have any bearing on the impact of aggregate mine operations on nearby property values.

1. Residential and commercial developments have located closer to and sometimes adjacent to mines over time.

Economic or real estate analysis does not predict that properties near mines have no value or no development potential. Rather, one would expect that nearby property values would be lower to compensate for any costs (e.g. noise, pollution, unsightly landscapes, and traffic congestion) associated with the mine. This reflects the

¹²Bauer (2001) is a two-page statement that in large part summarizes the results of a 1984 study by a Michigan State University student.

common sense observation that property that is near sources of noise, pollution, traffic congestion, and blight will (all other things being equal) be less valuable. Of course, these lower property values, in turn, will help lure development, especially over time, but the development more than likely will include non-residential activities, which are not affected by the disamenities generated by the mine.

Two studies (Bauer 2001; Banks and Gesso 1998) examined aerial photographs taken over the course of several decades that showed housing and commercial developments moving closer to mining operations. As the population has expanded, land values near central cities have increased, and transportation infrastructures have improved, development has fanned out all across the country. Any study would inevitably find that over the course of the last 20, 30, or 40 years, housing developments have moved closer to mines (and any other less desirable location), and such observations have no relevance to the question posed by Stoneco's application—whether the establishment of mining operations will lower nearby property values.

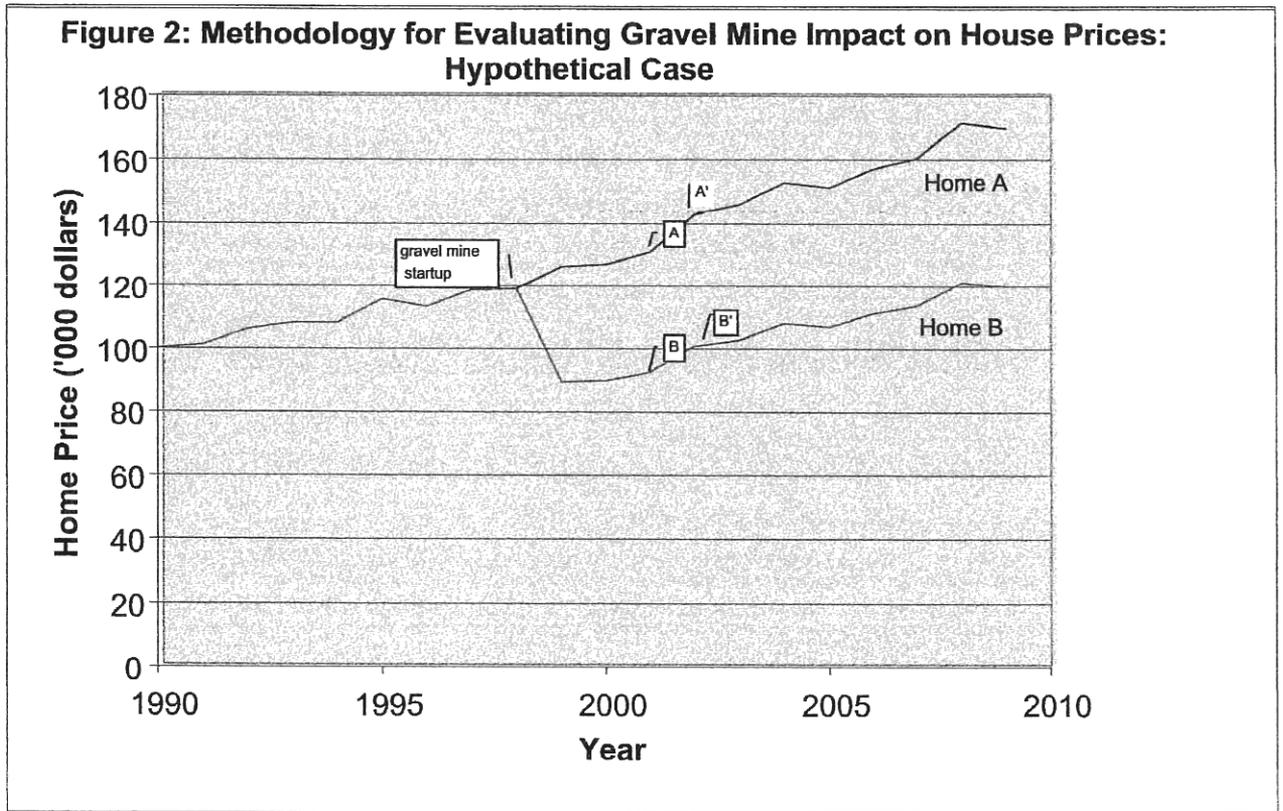
2. Near well-established mines, the year-to-year change of property values is no less for properties located close to mines than for those located somewhat farther away from mines.

The adverse impact that a mine will have on nearby property values will occur within a short period of time following the establishment or announcement of the mine. After the adverse effects of being located near a mine have been capitalized into the property value—that is, after the negative effects of being close to a mine operation has resulted in a decrease in property values—we would not expect the future rate of change of nearby properties to be different from those of other properties, all else the same.

The analyses in Rabianski and Carn (1987), Shlaes & Co. (1988), and Banks and Gesso (1998) look at whether the relative difference in property values between properties close to and farther from a mine continue to widen 30, 50, even 100 or more years after the mine was established. All of these studies conclude that because we do not see continued widening of these differentials many decades after the establishment of mines, mines have no adverse effect on property values. This argument makes no sense: the adverse impact on property values would have occurred decades before. These studies shed no light on possible adverse impacts of mining operations on property values.

Figure 2 illustrates this point. This figure depicts the prices of two hypothetical homes over a 20-year period. Home B is affected by the opening of a gravel mine in the middle of the time period; otherwise the homes are identical. Except in the year when the gravel mine is introduced, the annual *percentage changes* in the prices of the two homes are the same. The methodology used in the reports cited in the Stoneco environmental study compared the percentage change of homes near the gravel mine (percent change from B to B' in Figure 2) to the percentage change in home prices farther from the gravel pit (percent change from A to A' in Figure 2).

But even with adverse property value effects, these percentage differences should be approximately equal. To capture any adverse impact, one must measure the difference in values of otherwise comparable properties close to and farther from the gravel mine at a point in time. In Figure 2, the difference between points A and B or between A' and B' measure the true property value impact, which conceptually is what is measured in the hedonic pricing model used in the analysis reported above.



Only the study commissioned by the U.S. Bureau of Mines attempted to assess how the value of comparable homes varied with distance from the mine. However, the Bureau of Mines study suffered from several serious shortcomings:

- The sample size at each of seven sites was very small, and hence no statistically valid conclusions could be drawn.
- Homes were classified into rough typologies, and hence controls for other factors affecting home prices were crude.
- The study was based on assessed values rather than on more accurate sale price data.
- The study only examined potential property value impacts within approximately a half mile of the mine site. More recent research shows that property value effects

may be significant up to two or three miles from such sites.¹³ Limiting analysis to properties within a half mile of the mine site could lead to a significant understatement of any property value impacts.

- Researchers used subjective assessments to discount findings of adverse impacts on property values.

With these shortcomings in mind, the Bureau of Mines study found some evidence that the value of comparable homes increased with distance from the mine site in six of the report's seven case-study sites. In some cases, the differences in values were described as large.

¹³ See, for example, Arthur C. Nelson, John Genereux, and Michelle Genereux, "Price Effects of Landfills on House Values," *Land Economics*, 1992 68(4): 359-365.

The SHOSHONE-BANNOCK TRIBES



FORT HALL RESERVATION
PHONE (208) 478-3822
(208) 478-3829
FAX (208) 237-9736

OFFICE OF GENERAL COUNSEL
P.O. BOX 306
FORT HALL, IDAHO 83203

November 1, 2024

Planning and Development Council
Bannock County
624 East Center
Pocatello, ID 83201

Re: Objection to Proposed Gravel Pit Conditional Use Permit – Application by John Wilkes

Property: RPR3803048300 /Application No.: CUP-24-2

Dear Members of the Planning and Development Council,

The Shoshone-Bannock Tribes (Tribes) as a federally recognized Indian tribe and the largest landowner near the proposed project submit this objection regarding CUP-24-2, the proposed mining operation filed by John Wilkes. Please make this a part of your record. This objection highlights significant deficiencies in the application, lack of compliance with Bannock County zoning ordinances including Bannock County Municipal Code 17.56.350, and procedural shortcomings under Idaho Code §67-6512. Procedural issues combined with substantial adverse impacts on traffic, safety, environmental quality, and community welfare underscore why this application is incompatible with Bannock County's land use policies.

1. Deficient Public Notice and Access to Application Materials

The Tribes received notification on October 22, 2024, only seven days before the submission deadline, and critical documents were initially missing. Key references to the "attached report" left the public without essential information, limiting the opportunity for informed response. Only a 5 page cover portion of the application was online available to the public until October 30, 2024, after the written submission deadline of October 29, 2024 had passed.

2. Procedural Burden: Requirement for Public Records Request

When the Tribes brought the lack of complete application to the attention of the Planning and Zoning Services, we were informed we could submit a formal request for public information to get the information. Requiring the public to submit a formal request for complete application documents subject to a public hearing placed an undue burden on the community. This restricted public access within a short timeline, violating principles of procedural due process. Legal precedent underscores the public's right to straightforward access in zoning matters.

3. Inconsistency with Bannock County Ordinance §530.6 Standards

The proposed mining operation does not meet Bannock County's standards under Ordinance §530.6, which require that conditional uses avoid adverse impacts on surrounding properties, prevent travel disruptions, and protect public health.

a. Adverse Impact on Surrounding Properties

The increased noise, dust, and truck traffic will severely impact nearby residential and agricultural properties. Ordinance §530.6(A) stipulates that conditional uses must not exceed the impact level of permitted uses, but the anticipated maximum of 400 daily truck trips generate disturbances far beyond typical residential traffic levels.

b. Traffic and Safety Disruptions

The CUP-24-2 application, as noted in Exhibit E, indicates that **all gravel pit traffic will be directed onto Siphon Road**. This results in significant implications for road safety, road wear, and community disruption.

1. Current ADT Capacity and Impact:

- Rio Vista Road and Siphon Road currently handle average daily traffic (ADT) volumes of approximately **400 and 500 vehicles**, respectively. With 100-150 additional one-way trips under normal operations and up to 400 trips on peak days, the expected mining traffic could double current ADT, particularly on lighter days.
- According to Bannock County's ADT standards, this traffic increase directly challenges the designed capacity, with peak operations bringing Siphon Road close to its maximum ADT threshold, with heavy vehicles accounting for a substantial percentage of total traffic.

2. Discrepancies in Traffic Impact and Capacity:

- Exhibit E of the application ambiguously describes the road infrastructure as "nearly adequate" for the projected traffic (Page 4, Exhibit E)(Packet-11.06.2024), suggesting that even the applicant recognizes potential inadequacies.
- The CUP's peak operation, with **200 fully loaded trucks arriving and 200 departing empty each day**, results in **400 daily trips**—a significant strain on Siphon Road, potentially maxing the ADT limit. This increase disproportionately consists of heavy semi-trucks, presenting heightened risks and intensifying road wear. This is not only an 80% increase in traffic, but it replaced normal traffic with constant large semi trucks. Car traffic and semi traffic are nothing close to the same.

3. Safety and Environmental Risks of Increased Semi-Truck Traffic:

- **Size and Noise Impact:** Fully loaded gravel trucks weigh up to **80,000 pounds**, far exceeding the weight of typical passenger vehicles which average 2,500 pounds to 5,500 pounds. This increase accelerates road wear, poses safety risks, and disrupts community peace, especially with noise levels reaching **85-90 decibels**—well above residential noise levels.
- **Road Safety Hazards:** The influx of heavy trucks, especially on Siphon Road, challenges the safety of regular passenger vehicles and increases accident risks due to larger stopping distances and limited maneuverability of semi-trucks.

c. Public Health and Environmental Risks

The mining operation introduces dust, emissions, and potential road pollution, impacting local air quality and creating health risks for nearby residents and wildlife. Ordinance §530.6(C) mandates that CUP operations avoid materially injurious effects, yet the increased dust and noise contradict this requirement.

4. Incompatibility with Comprehensive Plan and Lack of Discretion to Grant Conditional Use Permit

The proposed mining operation outlined in CUP-24-2 directly conflicts with Bannock County's Comprehensive Plan, which designates this area for **Residential Suburban** development. This future land use designation emphasizes residential growth and low-impact community uses, prioritizing quality of life, infrastructure suited for residential needs, and environmental protection. The proposed mining operation, with its high volume of industrial truck traffic, noise, and environmental impacts, is fundamentally incompatible with the Residential Suburban vision for this area.

a. Comprehensive Plan and Future Use Designation

The Bannock County Comprehensive Plan outlines clear goals for areas designated as Residential Suburban, promoting uses that support sustainable residential growth and community well-being. These goals exclude high-impact industrial activities, such as mining, that would degrade the quality of life for residents and place unsustainable burdens on infrastructure designed for lower-impact use. Under these standards, the Planning and Development Council has **no discretion to grant a conditional use permit** for a use that is fundamentally at odds with the Residential Suburban designation.

b. Bannock County Municipal Code 17.56.350: No Discretion to Approve Conflicting Conditional Uses

Bannock County Municipal Code 17.56.350 reinforces this lack of discretion by stating:

"A conditional use may be granted to an applicant if the proposed use is otherwise prohibited by the terms of the ordinance, but may be allowed with conditions under specific provisions of the ordinance and when it is not in conflict with the comprehensive plan."

Id. (Emphasis added). This language is unequivocal: a conditional use permit cannot be approved if it conflicts with the Comprehensive Plan's vision for future land use. The Planning and Development Council is bound by this provision and cannot authorize a use that contradicts the Residential Suburban designation. The ordinance makes it clear that any conditional use must align with the Comprehensive Plan, meaning CUP-24-2 cannot lawfully be granted given its industrial nature and the substantial adverse impacts it would impose on a residentially designated area. Bannock County indicates that one of its goals is to cooperate with the Shoshone-Bannock Tribes of the Fort Hall Reservation. The Tribes object to the construction of a gravel pit on the border of its lands. The Tribes have several tribal member homesites just across the road from the location and had granted 3 more just last year for development. The Tribes thought it was a good location since the future use designation by Bannock County was Residential Suburban.

c. Requirement for Compliance with Comprehensive Plan Goals

Bannock County's Code further requires that applicants bear the **burden of proof** to demonstrate that the proposed use does not conflict with the "spirit or purpose of the comprehensive plan." Given the intensity of the proposed mining operation, including significant semi-truck traffic, noise pollution, and environmental concerns, the applicant has not met, and indeed cannot meet, this burden. Approval of CUP-24-2 would not only disregard the Residential Suburban future use designation but would also contravene the Comprehensive Plan's core goals of maintaining safe, sustainable, and community-oriented development.

d. Comprehensive Plan Policies are not Furthered.

(1) The following Population, Growth, and Land Use Goals and Policies are not furthered:

- a. Policy 1.1: Future Land Use Plan to Define Growth Patterns. The Future Land Use Plan will guide future growth and development by defining appropriate land use types, densities, and character in different locations including cities and towns' Area of City Impact (ACI) areas, farm and ranch land, hillsides, and public lands.
- b. Policy 2.1: Land Use Patterns In Rural Areas to be Consistent with Future Land Use Plan. New development in rural areas must be consistent with the Future Land Use Plan which establishes areas for agriculture and low density residential development outside of cities and towns and their ACIs.
- c. Policy 2.3 Regional Cooperation. Cooperate regionally with cities and towns, businesses, and citizens to continue planning for orderly growth in the county and region.
- d. Policy 8.5.4 Forestry and Mining with Minimal Impacts - Allow forestry and mining in rural areas so long as these activities occur with minimal impact to water bodies, sensitive natural areas and to adjacent properties, and without adverse impacts on surrounding areas.

(2) The following Economic Development Goals and Policies are not furthered:

- e. Policy 1.1 Commercial and Industrial Uses in Appropriate Locations - The Future Land Use Plan identifies appropriate locations for commercial and industrial uses, generally within cities and town ACIs and consistent with pre-existing non-residential zoning districts.

Conclusion

The language of Bannock County Municipal Code 17.56.350 eliminates any discretion for the Planning and Development Council to grant a conditional use permit for a mining operation in a Residential Suburban area. To preserve the integrity of the Comprehensive Plan and the county's commitment to future residential growth, CUP-24-2 must be denied. The Shoshone-Bannock Tribes respectfully request that the Planning and Development Council reject the application in accordance with the limitations set by the Comprehensive Plan and Bannock County's own ordinance.

Given the potential harm to quiet enjoyment of the neighboring housing, the environment, cultural heritage, and the broader community, we urge the Planning and Development Council to exercise prudence and discretion in evaluating the proposed hot asphalt plant as part of the Conditional Use Permit application. It is our strong belief that the applicant has not adequately met the burden of proof in

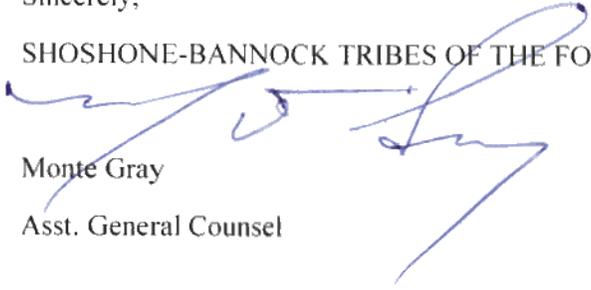
demonstrating that the proposed gravel pit aligns with the comprehensive plan and the standards set forth in Bannock County Ordinance Section 17.56.350.

We respectfully request that the Planning and Development Council reject the Conditional Use Permit for the gravel pit, in accordance with the well-being of the general public and the preservation of our community's values and future.

Thank you for your consideration. We remain available to provide further information or clarification as needed.

Sincerely,

SHOSHONE-BANNOCK TRIBES OF THE FORT HALL RESERVATION

A handwritten signature in blue ink, appearing to read 'Monte Gray', is written over the typed name and title.

Monte Gray

Asst. General Counsel

**BANNOCK COUNTY PLANNING & DEVELOPMENT COUNCIL
FINDINGS AND ORDER**

CONDITIONAL USE PERMIT – JOHN WILKES

MEETING DATE: January 16, 2025

FILE #: CUP-24-2
LOCATION: RPR3803048300, currently unaddressed

APPLICANT:
John Wilkes
1000 North Batista Road
[Redacted]

OWNER:
Russell O. Johnson
[Redacted]

REQUEST & BACKGROUND: John Wilkes petitions for a conditional use permit to construct a new commercial sand and gravel mining operation. The facility proposes hours of operation from 7 a.m. to 7 p.m., Monday through Saturday, with possible DOT variation. The facility proposes fifteen employees, as well as the use of heavy equipment in conjunction with the mining operation. The affected property is known as parcel RPR3803048300 and is currently unaddressed. At the hearing, the Council shall evaluate the proposed use against criteria established in §530 of the Zoning Ordinance. Type of action: Decision.

FINDINGS:

JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON

SITE CHARACTERISTICS AND ZONING:

ZONING: Agricultural / Residential Suburban

PROPERTY SIZE: ~ 158.46 acres

VIEWES: The property is visible from West Siphon Road and N. Laughran Road

EXISTING STRUCTURES: None

REQUIRED FINDINGS FOR CONDITIONAL USE PERMIT, §530:

- A. The proposed use **would** adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.
Permitted uses in the agricultural zone include home businesses, outdoor for pay recreation, home day cares up to six children, agricultural support, commercial stables, and kennels. Gravel trucks driving by the neighborhood would adversely affect surrounding properties to a materially greater extent than these permitted uses. There will be an increase in traffic in the adjacent area and will disrupt travel with school buses and other daily traffic. This will change the amount of dust in the area, whether mitigation measures are in place or not. Noise and dirt and gravel track out will also increase as part of the proposed use.
- B. The proposed use **would** cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
150-200 additional trucks per day with one trip, which would calculate to 300-400 daily trips, as stated by the applicant, would cause an undue disruption of travel in the vicinity and an extraordinary increase in volume. This could be up to 100% increase in volume of traffic.
- C. The proposed use **would** damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
The proposed use would damage the public health safety, or general welfare based on the increase of traffic and the current uses of Siphon and Philbin Roads for bus stops, daily commuters, bikers, joggers, runners, and walkers. This is based on the applicant's cited number of truck traffic increase.
- D. The proposed use **would not** be consistent with the goals and policies of the Comprehensive Plan of the county.
In table 1.2 of the Comprehensive Plan, it states to protect and enhance resident's quality of life. The residents in and around this property have a specific quality of life in the vicinity of the proposed use. The use of the gravel pit would not enhance the neighbor's quality of life. The Future Land Use Map has designated this area as Residential Suburban. In order to adhere to Policy 1.5.2, which states: Ensure land use actions, decisions and regulations align with the County's responsibility to protect public health, safety and welfare, this parcel would maintain an agriculture or residential suburban use.
- E. The proposed use **would** be designed to be as compatible in terms of building height, bulk, scale, setbacks, open spaces, and landscaping with adjacent uses as is practical.
With the maintenance of berms, setbacks, and other items outlined in the proposal, this application would be compatible with setbacks, open spaces, and landscaping.

ORDER: CONCLUSION AND DECISION

The Planning and Development Council, pursuant to the aforementioned, finds that the request by John Wilkes for a Conditional Use Permit to construct a new commercial sand and gravel mining operation shall be **denied**.

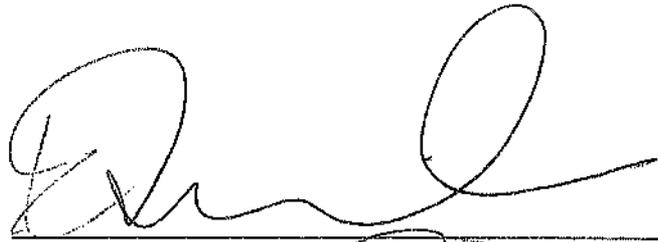
Motion by Krystal Madsen, seconded by Chad Selleneit to adopt the foregoing Findings and Order.

ROLL CALL:

Councilperson Dimick	Voted Yes
Councilperson Madsen	Voted Yes
Councilperson Selleneit	Voted Yes
Councilperson Ulrich	Voted Yes
Councilperson Ward	Voted Absent

Motion carried by a 4 to 0 vote.

Dated this 16th day of January, 2025.



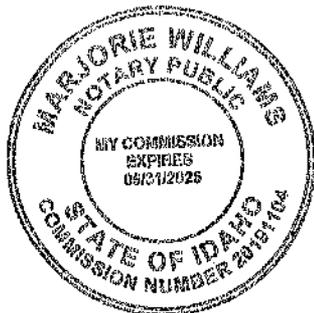
Signed by (Chairperson) (Vice Chair)

ACKNOWLEDGEMENT CERTIFICATE

State of Idaho)
S.S.
County of Bannock)

On this 16th day of January, in the year of 2025, before me Marjorie Williams ^(M), a notary public, personally appeared Edward Ulrich, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that (she) (he) executed the same.

S
E
A
L



Marjorie Williams
Notary Public
My Commission Expires on 5/31 20 25

**January 16, 2025 Council Meeting
AudioClerk Transcription**

Tristan Bourquin: Okay, you're good.

Chair Ulrich: We call to order our Planning and Development Council meeting.

Council Member Selleneit: I'd like to make a motion to open the public hearing.

Council Member Dimick: Second.

Chair Ulrich: Motion's been opened, seconded. Roll call and disclosures of conflicts of interest, again.

Tristan Bourquin: Molly Dimick.

Council Member Dimick: Present with no conflicts.

Tristan Bourquin: Chad Selleneit.

Council Member Selleneit: Present, no conflict.

Tristan Bourquin: Ed Ulrich.

Chair Ulrich: Present, no conflict.

Tristan Bourquin: Crystal Madsen.

Council Member Madsen: Present, no conflict.

Chair Ulrich: Hal, do you want to cover small preliminary business?

Hal Jensen: Real quickly, Hal Jensen, Planning Director with Bannock County. In relation to your agenda, there are no items of clarification and there are no changes. The recommendation is to accept the agenda as approved.

Chair Ulrich: Thank you. And again, thank you for your patience as we move through this. I'll read the introduction once again. I read things typically better the second time than the first, so hopefully I do better. This is a scheduled meeting with the Bannock County Planning and Development Council. The Planning Council serves in both a decision making capacity and an advisory committee to the Board of County Commissioners. Any decision made by the council this evening may be appealed to the county commissioners within 10 days of the decision. Please call the Office of Planning and Development Services at 236-7230 prior to the 10-day deadline for details and instructions for filing that appeal.

The hearing process is as follows. The presentation will be given by the applicant with a six-minute time limit. The staff

**January 16, 2025 Council Meeting
AudioClerk Transcription**

report is presented by Planning and Development staff. Then we'll move to public testimony which will be given in favor, neutral – I'm, I'm sorry, favor of the proposal, neutral of the proposal, and against the proposal, with time limits at three minutes each, unless you cede the time to those folks who will be representing you.

The Planning and Development Council discusses the hearing subjects that – you know, while we discuss it, we may direct questions to the staff, to the applicant, or the audience during that state of the process. At that point, the hearing will be closed to oral testimony from the applicant and the audience, and the hearing process is concluded and deliberations will begin amongst us. Just to note, we're going to break this up and take a short recess every 90 minutes just in case we need restroom breaks or water or whatever.

So rules for the process. Again, I'm trying to keep this hearing as cordial as we possibly can. We understand that some people will leave here angry tonight, some will leave here happy. But either way we're trying to make sure that everybody's heard and their voice is heard. This hearing is for public comment and it's not a question and answer session. Everyone will exhibit respectful behavior and there shall be no booing, hissing, or cheering. Anyone deemed unruly will be escorted out of the building.

We've had lots of discussion about the signup sheets. I'll just mention it one more time that if you did not have that opportunity, then – right. If – is it still out there? They're still outside. So if you have it and you want to, they're still there. And we'll try to make sure the ladies here get a copy of your sign-up sheet.

Only one person will speak at a time and must be – and will be recognized by myself before speaking. When you come to the podium, we want to have a name and an address so we can record who's saying what and when. And we are charged with – by law to keep a clear record of the proceedings. And so that's why we're starting this over and – for the recording so that we have this documented. So we do thank you for your courtesy. We very much thank you for your patience this evening. And is there anybody who does not understand the procedures I just went through? All right.

So this hearing this evening is for a conditional use permit for

**January 16, 2025 Council Meeting
AudioClerk Transcription**

a mining operation. John Wilkes petitions for the conditional use permit to construct a new commercial sand and gravel mining operation. The facility's proposed hours of operation will be 7:00 AM to 7:00 PM Monday through Saturday with possible DOT variations. The facility proposes 15 employees as well as the use of heavy equipment in conjunction with the mining operation. The effective property is known as parcel PR – I'm sorry, RPR3803048300, and is currently unaddressed. At the hearing, this Council will evaluate the proposed use criteria established by – in section 530 of the Zoning Ordinance. This will be a decision action. So I will first invite – where'd I put it? The applicant.

Tristan Bourquin: Ed, before we do that, will you make a motion to open the public hearing?

Chair Ulrich: Oh yeah.

Hal Jensen: We already did.

Chair Ulrich: We already did, right at the beginning.

Tristan Bourquin: You did? Okay.

Chair Ulrich: We can do it again.

Tristan Bourquin: Nope, you're good.

Chair Ulrich: Okay. All right. Go ahead.

John Wilkes: Good evening, and hello. My name is John Wilkes. I am the applicant for this proposal and I'm the general manager of Idaho Materials and Construction. We employ nearly 450 employees in this vicinity, many of whom are here tonight. I'm going to turn the time over to our counsel, Mr. Larsen.

Reed Larsen: Good evening. My name is Reed Larsen. Excuse me, I haven't talked for a minute and I have a little bit of a frog. My address is 151 3rd Avenue North, Suite 200 Pocatello, Idaho, with the firm Cooper and Larsen. My partner Tony Budge is here with me. It is our privilege to represent Idaho Materials and Construction. This application is for a conditional use permit. It's for a conditional use that is allowed in the current zoning, that's zoned agricultural under rural-residential. And a conditional use permit for mining is conditioned to this – within the zoning ordinance and it's in our rights to be here.

There are five basic standards for a conditional use permit –

I'll just go through those very briefly – that are contained in our application's supporting documents. The first is, "the proposed use not adversely affect the surrounding area," and that is one of those things that is addressed primarily by studies we've submitted to you, Exhibit A, which is the Fugitive Dust Prevention Study.

Dust is certainly a process of farming. It's also a process of mining. The advantage in this operation is we have certain standards that we have to meet as a mining operation that wouldn't be present with an agricultural farming operation. Those are monitored by the EPA. They're also monitored by the Idaho Department of Air Quality. So we have to meet those standards. They're listed for you in Exhibit A and we believe that those are safeguards that warrant one of the elements for the conditional use permit.

Exhibit B is the mitigation buffer. So, one of the concerns that people have is – with mining of gravel in the neighborhood is that it be appropriately addressed. That's a reasonable request. That's a reasonable thing that we have attempted to address. Exhibit B shows that there will be a significant buffer, a 12-foot barrier with vegetation that'll have an effect on the ability to see any of the operation. It would be limited to look more like a natural wild area, open area rather than looking into a gravel pit.

It also has the effect of mitigating the noise that comes from the gravel, from the activities that take place there. Another part of that mitigation buffer is the corridor that's closest to the rural residential area is going to be designated as undeveloped. So that will be an additional, I think it's 24 acres that will not be addressed by the mining operation, which is an additional buffer.

Exhibit C is the final concept plan, which means at some point this operation is over and as it's turned over for other additional uses there are many issues and examples of good uses of reclaimed land after gravel pits. We don't have to go too far to see Russell Freeman Park in Idaho Falls, other areas where there's a myriad of uses that can be used for this as open space or even amusement parks, golf courses, residential, and other types of housing.

Finally, on this first element is the real estate comparison, that's Exhibit D. The real estate comparison is one of those

**January 16, 2025 Council Meeting
AudioClerk Transcription**

things that's going to be difficult to make a determination, and it's discretionary within your ability based on the evidence. But what we've provided to you is showing that the real estate values currently are not any different than surrounding areas for similarly made homes. That's important because there's already existing gravel pits, gravel mining operations in this area now. Gravel is one of those things that isn't everywhere as we have to look to where it is to be able to use it.

The second element is the proposed use would not cause undue disruption to traffic. We provided you with a traffic study done by Paul Ashton, and he has concluded that this wouldn't be a disruption into the traffic that already exists, and part of that is because we already have existing gravel operations going on in this area. At maximum, it would increase, at maximum production, by about 150 loads per day, and that's the maximum production, not a significant effect. The county roads are built to withstand that load with proper base and proper asphalt layers, that was all – that's already been established.

The third element is the proposed use would not damage public health, safety, or welfare. This is an interesting aspect and we provided you with a study that came from Brigham City. The operation in Brigham City was done as a request of concerned citizens about the effects of respiratory or cancer issues. It was done by a third party.

Council Member Selleneit: That's your time, sir.

Reed Larsen: Okay.

Chair Ulrich: Thank you.

Reed Larsen: My pleasure.

Chair Ulrich: You will have 93 minutes when we get to that point. Thank you. All right, staff report.

Annie Hughes: Annie Hughes, Bannock County Zoning Planner. You've had that report, the staff report in your possession for a week now. Do you have any questions for us?

Council Member Dimick: I'll give one. On "Standards for Approving Conditional Use Permit Part E," staff findings on the increased traffic lists, "traffic is proposed to increase by 50 to 100 trips per day,"

**January 16, 2025 Council Meeting
AudioClerk Transcription**

but I believe the number was higher than that in their application. I don't know if we needed to call that out.

Tristan Bourquin: Tristan Bourquin, Assistant Planning Director. So that's a question that you would probably want to address with the applicant. In the actual application submitted through the portal, the number was 50 to 100. The higher number is what you found in the exhibits that they submitted, correct? Yeah. So that would be something that you would want to address with the applicant.

Council Member Dimick: Thank you.

Chair Ulrich: Anything else on the staff report?

Council Member Selleneit: No, I don't have any questions.

Chair Ulrich: All right. All right. We will move on to public testimony. So I will call your name for those who are in support and wish to testify. Let's start with Felicia Good.

Tristan Bourquin: And Ed, really quick too, you might queue up the next two just in case they're in the multipurpose room and then they know to get ready.

Chair Ulrich: All right, Felicia, we're going to start with you, then we'll go to Josh Good, the second, and Mark S. Head will be third. Felicia. Did Felicia leave, maybe? Josh Good? How about Mark S. Head?

Mark Head: Present.

Chair Ulrich: Thanks, Mark. After Mark, we'll go to Nate Stinger and Cody Johnson.

Mark Head: My name's Mark S. Head. My residence is at – or my address I put on there is [REDACTED] That's where I work. I live in Inkom, 485 Commercial Street, if you need to know that. I've worked at IMC for 22 years. I moved my family here to work for them. I work in the Transportation Department, the ones that tackle with all the gravel from place to place.

I just wanted to address you guys and kind of give you an idea of what I think this pit means to our community. I see it as a necessary thing. There are other pits in the area, but our company excels on the work that we do. We do work for Bannock County. We do work for Pocatello, Chubbuck, the State. We work all over.

*January 16, 2025 Council Meeting
AudioClerk Transcription*

This pit provides for buildings, for foundations for buildings. The aggregates that come out of here make our concrete not only for homes, but for our businesses that we build. This building alone took a lot of concrete to build it. So, the aggregates that come out of this go through our hot plant when they build roads. And they repair our roads to keep our roads smooth and running the way they should.

The products that come out of this pit are landscaping products, aggregates, rocks that we use for gravel driveways, decorative rock, things of that nature. Some other things that people don't think of is we provide railroad ballast, for the railroad, to elevate them off of the ground so they're not running their trains through the water. As far as I see, this is a necessary thing for the growth of all of our cities in Bannock County and for Bannock County itself, so with that, I thank you.

Chair Ulrich: Thank you, Mark. Nate Stinger.

Nate Stinger: Nate Stinger, I [REDACTED]. Thank you and good evening. I come before you as an employee of this company, but I also come before you as a resident to this community. Sixteen seasons, I've worked for this company and my entire life I've lived in this community. My family raised me here and I have now begun to raise my own family here. It's the means and the methods for me to be able to feed my family and to carry and so forth.

I believe in responsible growth and development and this CUP is necessary to support responsible growth and development. We are all standing before you with personal opinions, both for and against. It is my opinion and I believe if the applicant has met the requirements of the County zoning and is agreeable to do so responsibly, this is a good thing. My vote is in favor of, thank you.

Chair Ulrich: Okay, hold on for a second. I have a question. Do we need his physical address or are we – because we got a number of these that are using the business address as their address.

Tristan Bourquin: Whatever address they want to claim. There's no stipulations on which address.

Chair Ulrich: Okay. Thank you. Thank you very much. Next will be Cody Johnson. After Cody will be Reed, just so you know, you'll be after him.

**January 16, 2025 Council Meeting
AudioClerk Transcription**

Reed Larsen: Okay, thank you.

Cody Johnson: Good evening. My name is Cody Johnson, [REDACTED] Pocatello. I am also an employee of Idaho Materials and Construction. I've worked there for the last six years and I'm very proud, excuse me, I'm very proud of the work that Idaho Materials and Construction performs.

Idaho Materials and Construction has been a great employer for me and is a way for me to provide for my family. I got four young children, seven and under, and they rely on my employment to be able to grow up, and for me to put food on the table, and give them whatever they need. And for that I am in favor of this pit, this gravel source going through so that we can continue as a company to provide the necessary building components, to continue to build roadways, infrastructure and other things that continue to develop the land here in Southeast Idaho and for that I'm in favor of this source. Thank you.

Chair Ulrich: Thanks Cody. So I'm not going to read the names, but we've had a lot of people cede their time to Mr. Reed, so you're next. Thank you. It says 93 minutes, if you need 93 minutes.

Reed Larsen: If I don't take it, will anybody punish me?

Tristan Bourquin: No.

Reed Larsen: I would hope not. And I may have John actually address a couple things as well. [Inaudible 00:22:09].

Chair Ulrich: Okay. And then as you know, when we get done through all the testimony, we will have time for rebuttal.

Reed Larsen: I appreciate that. As I was stating –

Chair Ulrich: Name and address again, thanks.

Reed Larsen: Reed W. Larsen, Cooper & Larsen, [REDACTED], [REDACTED] Pocatello, Idaho. As I was going through the factors, before we got to the third issue, which is that “the proposed use would not damage public health, safety, or general welfare within the vicinity,” I had started to explain Exhibit F.

Exhibit F is a study that was done in Brigham City. The Brigham City facility is substantially larger than this facility. And the questions that were being addressed was the impact on respiratory issues and cancer. That was what was being

claimed by the complainants in that issue. And the study, which is part of the record, goes through and demonstrates that there is no increase in respiratory issues and there is no increase of cancer issues.

This is important because we want to make sure that the community is safe not only for this facility, but our people work here and they live here as well. And it provides good evidence that we can put in a safe gravel mine, operate it correctly and safely without having any harmful impact to the public or any harmful impact to our employees.

And once again, that's an issue that is monitored. If there is a complaint, there's areas where the people in the neighborhood could complain to appropriate regulatory agencies to make sure that we're doing our job. Our commitment is to do our job, but there's also, in place, people to safeguard the public for that as well.

The next issue on that is the groundwater. We've had the groundwater tested, that's Exhibit G. The testing came back to say that there is no effect from this particular facility and this location on any subject groundwater that would be an issue.

The fourth element is the proposed use would be consistent with the goals and policies of the Comprehensive Plan. This is one where I'm going to address some of the issues, but I'm going to turn a few minutes over to John so he can actually help me with some of the other gravel issues.

When we talk about gravel, it is really the bedrock of what we do to build anything in our community. I recently built a garage and the amount of gravel from the foundation, the amount of gravel from the walls, the amount of gravel that's used in the cement, it's a necessary thing in every aspect of the building process. So, our community needs readily-available and affordable gravel to be a part of growth for our community.

The Comprehensive Plan anticipates a 33% growth in the near future over that period of time. That's an amazing amount of growth and if we're not prepared for it, we're going to have problems. And one of the things to have to be prepared is to have a source of readily-available material.

**January 16, 2025 Council Meeting
AudioClerk Transcription**

With gravel, unfortunately, it's not something we can go get just anywhere. It's geologically deposited where it ended up as a result of flood plains and those issues. Once you build over the top of it, it's pretty tough to get the gravel out from underneath it. So the fact that we have this particular parcel of ground that's in the vicinity of already existing gravel mines is significant. The fact that it's currently existing as farm property is significant because it's still part of what we would consider to be an appropriate use in that area.

We can't overstate it enough the need for gravel and the need for it to be relatively affordable. The further you transport it, the more the cost goes up. And that cost makes it so that it's not affordable to build in Pocatello, Chubbuck, or within the county. If you have to ship the gravel from someplace outside of the county, it becomes cost prohibitive to do business in the county. It becomes cost prohibitive to do business in Chubbuck or Pocatello. So that's another reason that this is an important asset for the community. It's important for development. It's consistent with the Comprehensive Plan.

I'll turn just a few minutes over to John because I know he wants to address some of those issues as well because that's their product.

Tristan Bourquin: So Reed, John actually has his own time that's been ceded to him as well. So unless you're –

Reed Larsen: We'll just let him do some and then I'll come back.

Tristan Bourquin: Okay.

John Wilkes: Thank you. I just wanted to address a couple things. The first is the mining of the aggregate. Aggregate is rock and sand. Sand is so inert that we go and lay on the beach and bathe in sunlight.

The type of customers that we have: the Federal Aviation Administration; Department of Transportation; Idaho Department of Public Works; Western Federal Highways, all have specifications of durability, soundness and hardness. And so in short, to say that all aggregate is the same is a lie.

So some might say, "Well, why do you mine it there? Why don't you go over to that empty field out of town?" It's kind of like saying, "Why don't you go to that empty field and start mining for gold?" You only get it where Mother Nature

**January 16, 2025 Council Meeting
AudioClerk Transcription**

has deposited it. And the aggregates through this area were deposited by the Lake Bonneville flooding that happened hundreds of years ago. So our research shows that there's a very finite deposit in our area of quality aggregates that could be recovered.

I also just want to talk, if you notice, just by – it'll probably be redundant to have all of our employees come up here and offer testimony. A few of them came up. If you notice the time – the years of service with the company, 20 years, 16 years. Personally, I've been with the company for 21 going on 22 years. Our company's been a proud part of this community since 1973. And that kind of longevity and staying power only exists when you play by the rules and you do things the right way.

Regardless of what people think, we're encouraged to take care of our employees. In fact, we pay a very good wage for our employees. We also make them a full complement of benefits, health, vision, dental, so that they can truly raise their families here, live here and exist here. And we do this because when you boil us down, we're really just a company of people that work each and every day.

So our continuously-improving safety culture means that everybody goes home at the end of every shift. We do not operate if it's not safe. I'm going to say that one more time, we do not operate if it's not safe. Everybody on our crew, from the foreman down to the newest laborer is completely in power to shut any project down if it's not safe. And we invest in training, training, training.

I just – in conclusion to that thought, I just wanted to share with you a line from our company mission statement, which says, “We champion sustainability, empowerment, and employee development.” So a lot of the people that are here tonight have started as laborers, as pipe fitters, and they have worked their way up to roles as general managers, chief estimators, vice presidents, project managers. They've truly come from the ground up and have been given an opportunity. And I appreciate the company that I represent because they give us that type of experience and opportunity for all of this. Thank you for letting me share.

Chair Ulrich: Thank you, John.

Reed Larsen: Thank you. Reed Larsen again.

**January 16, 2025 Council Meeting
AudioClerk Transcription**

Tristan Bourquin: Reed, the laptop disconnected. If you want to push the cord back in. There we go. We got it.

Reed Larsen: That fourth element with this project would be, “This use would be consistent with the comprehensive policies and plans. I think we've provided you with a good basis to see, that one, this is a need for the community. Two, that we have the materials, we have the resources, we have the ability to do it. And three, that we're committed to do it right, do it safely, and to be a good neighbor.

The fifth element is, “The proposed design would not – would be compatible in the terms of building height, scale, setbacks, and open space.” We talked about this briefly at the start. There's going to be a buffer around the outside perimeter of the mine. That buffer will be 12-feet high, 12 feet from the road height. It would mean that you wouldn't be able to look in and see it. The operation's inside. It also has effects for providing a nice open space look with the trees and vegetation that will be planted on that and, you know, provide a home for wildlife and birds and other aspects of it that makes it pleasing to drive past.

Another benefit that it has is, as it relates to complaints, could be made, would be noise. That buffer helps absorb the noise and sound that comes from the mine. The operation hours also help make sure that that's not during times that wouldn't be appropriate to be operating equipment.

Those setbacks may – I talked about them briefly as well; the berm, the landscaping and the open space in the residential area I think are important because on three sides of this – or excuse me, two sides of this – are already uses, either mining or agriculture and so those are really not much different. It's the residential side and again, it's on the east side that that residential use is, and that's why we're proposing that additional buffers, you know, with the canal in between it, which also provides another natural barrier.

All of those things being said, we are committed to do this project right. We're committed to do it according to any concerns that you may have or any conditions you may have. We're committed that this will be a good project and a good resource for the county, a good resource for the people of Bannock County.

January 16, 2025 Council Meeting
AudioClerk Transcription

We looked, and I know that there's people who are not going to be as happy about having another gravel pit near their homes. Why – that's always the complaint, not in my neighborhood. I have to tell you, I live right next to the Bannock County landfill. And when I first moved there I thought, “Man, this is going to be an interesting adventure.”

But the landfill, the County should be proud, it's done right. And it is actually really quite nice to be that close to the landfill, to see how well it's done, which is exactly the commitment that this company's making is to do it right and it can be done right in the conditions and provisions that we provided, and the materials we provided. We intend to do it right. I wish I could take more time but I can't. Thank you.

Chair Ulrich:

Thank you. Did we miss anybody who wanted to testify in favor? [inaudible 00:36:40]? Thank you. We've got Brody – I'm sorry, I don't know if it's Jones or not. He did not want to testify, but he did say he's neutral on this. Just like with the folks that were in favor of the gravel pit, we'll move through those who are against it in the same manner. I'm reading these ones that do not want to testify. Correct?

Tristan Bourquin:

Correct.

Chair Ulrich:

Okay. So you're going to have to bear with me because I am reading somebody else's handwriting, and as you can tell, I'm not a great reader in public, right? So, first one opposed is Darrell Shay. He's in opposition to the gravel pit. He says he serves on the Shoshone-Bannock Tribes Land Use Commission: “We are generally concerned with any development that has a negative impact on our tribal lands, which are adjacent to this property.” Thank you, Darrell.

Next one is J.P. Sample. He's opposed to this application and does not wish to testify, but he says he lives right on Siphon Road: “We see the walkers, joggers, bikers all day, and these trucks pose a huge hazard to them. There is livestock all along the back that could also be in danger. The trucks, in December 2024, were extremely loud and disruptive to our comfort.” Thank you, J.P.

Next one is Sophia Swanson. She's opposed also to this application: “We moved out to Rio Vista recently to be enjoying the quiet of the country. This is where we will retire, and hope to enjoy this country living, and avoid the business of the city.”

*January 16, 2025 Council Meeting
AudioClerk Transcription*

Next, we move on to Mike Powell. He's in opposition to this: "We are a community with bus stops and children, not a commercial truck route."

I'm going to stop thanking everybody individually, so thank you all for putting in your testimonies.

Terry Whitney – I think that's right – he opposes it and does not wish to testify. Tyler Johnson, he opposes this. He says, "Truck safety, transportation of gravel and asphalt, and ecology concerns."

I'm apologizing again for slaughtering names, but Rebecca Falcone, she's in opposition, does not wish to testify. "It has become ridiculous that citizens must repeat themselves on this matter. The public doesn't want this; the area is not zoned for it. Just say, 'no.'"

Chris Robinson would like to oppose the application and does not wish to testify. Annmarie Russell also opposes the application and does not wish to testify. Stan Cole. He opposes the application, does not wish to testify, but, "Do not support noise, dust, and heavy traffic on this road."

D. Hanson opposes it, does not wish to testify, "There is no need to re-address this. The community does not want – they should not have to keep fighting the same issue." Lonnie Kagans is in opposition, does not wish to testify, "We have too many pits around." Janet Triple, opposition, does not wish to testify. K.T. Anderson, hope I got that right, is in opposition. He did not check whether he wants to testify or not. Do I just read his statement or is K.T. still here?

Male: K.T.'s here, but how come you ain't given the addresses of the people that you – you've made everybody else state their addresses.

Chair Ulrich: These will be part of the public record.

Tristan Bourquin: Yeah. So since they're part of the record as written testimony, we have the addresses on file for public record.

K.T. Anderson: Well, okay.

Chair Ulrich: K.T.?

K.T. Anderson: Yep. I've been here before.

**January 16, 2025 Council Meeting
AudioClerk Transcription**

Chair Ulrich: Thank you, sir.

K.T. Anderson: What's that?

Chair Ulrich: Name and address, sir.

K.T. Anderson: Yeah. So anyway, the proposal, and the things, and the bullet points in my statement that were brought up by the company are all BS. I can go pinpoint by pinpoint and take you guys around, and I challenged you before to go up these gravel pits. There's seven of them within a three-mile radius there. Parsons has the berm on Philbin Road. I challenge you to drive by that and just see how pretty that weed patch is. They finally put another sprinkler system in. They do not keep that part of the bargain. We do not need another gravel pit. Like I said, there's seven gravel pits within a three-mile radius of that property. It's already zoned for 25 homes out there. There's 25 acre zoned commercial.

Now, from a County standpoint, how much money are you going to make on the permit to mine this? I bet you can't tell me. How much money will the County make in 10 years on 25 homes? Most of the homes that are out there in that neighborhood are \$600,000 to \$850,000, so the County is making \$6,000, \$7,000, \$8,000, \$10,000 a year in taxes. So when you look at the revenue stream, wouldn't the County rather have a revenue stream constant to the County of homes? Because that's where all the growth is going, ladies and gentlemen. Look at a build out from Chubbuck and Pocatello, it all goes north.

Now, the reason they want to open that up is because their gravel pit's about played out. And I understand that, they're going to have to find gravel. As far as jobs go, these big trucks and those side dumps, these guys, there's plenty of jobs out there, folks. I can get a job tomorrow driving one of those side dump trucks. There's plenty of them out there.

One morning, I counted, out of the pit on Rio Vista Road, I counted 15 trucks one morning, coming out of there. Now, it's a safety concern because you've got a two-lane road out there and you don't have room to turn, especially with those big side dumps.

And in the spring, I don't care what our people say in Road and Bridge, in the spring, you think those trucks aren't going to damage that road? Guaranteed that'll ruin our road out

*January 16, 2025 Council Meeting
AudioClerk Transcription*

there and it's going to cost the County more money to repair it. So, when you think about this, you need to think about the tax revenue that can be generated from this property because it is already zoned to have houses in it.

Council Member Selleneit: That's past your time, sir. Thank you.

K.T. Anderson: That's all I got to say.

Chair Ulrich: And I went a little bit out of order, that was my fault, but – all right. We've got James and Annette Mowrey, they're in opposition. I'm just reading this. It says, "Complete BS." Thanks for not making me swear.

Jason Christensen is in opposition and does not wish to testify. David Decato is in opposition: "Too much truck traffic, gravel on the road, safety concerns for bike riding." James, I think it might say, "Smart?" I apologize if it's not. In opposition, does not wish to testify, "My choice to purchase property by the pig farm on [inaudible 00:46:10] gravel pit would be my problem, doesn't cause my choice after the purchase, 18-wheel side dumps are already causing grief. With gravel pit and hot plant, don't tell me things will stay the same in the neighborhood, especially the smell from a hot plant."

Tadraschell Murray is in opposition. The grav – she did not check whether she wanted to testify or not. Is she still here? Would you like to testify?

Tadraschell Murray: No sir.

Chair Ulrich: I'll read it. Thank you. And again, if I messed up your name, I apologize.

Tadraschell Murray: Oh, you got it right. Thank you.

Chair Ulrich: "This gravel pit will have a negative impact on the land, traffic, water, and the air. The animals will – and will damage the earth. I live across the street and do not support this. There is a bald eagle's nest on the property across the road. And as a Shoshone-Bannock tribal member, the tribe should have been properly notified. We were not notified."

Brandon White is in opposition, does not wish to testify: "We just moved out of the city to enjoy the quiet not-so-busy on this road. I'm worried about all the traffic, more accidents, getting chipped windshields."

**January 16, 2025 Council Meeting
AudioClerk Transcription**

Shayna Martin opposes this and does not wish to testify. Arlene Christman opposes it, does not wish to testify. “We oppose because we live – we believe we need to retain some good farm ground for free purposes.”

Heather Jones is in opposition and does not wish to testify. Julia Palmer is in opposition, does not wish to testify. Julie states, “I’m opposed based on the lower property values, not in-line with county zoning, compromised air quality, traffic impact, road not prepared for heavy equipment. This type of industry is not conducive with this residential zoning.”

Justin Kline, he opposes the application and does not wish to testify. Justin Jones, opposes the application and does wish to testify. So we’ll get you in just a second when we get to this next group. Keith Davies opposes it, does not wish to testify. “Please follow the long-term comprehensive plan for that area of Bannock County.” Preston Buckskin opposes the application, does not wish to testify.

All right, we’ve got a number of folks that do wish to testify, so I will call up first Justin Jones. And then right after Justin, we’ll have Wes Johnson, if you could be ready, and then Toni O’Brien. So first Justin Jones.

Justin Jones: So my name is Justin Jones. I am born and raised here in Poky. I did not want to testify, but since I put it down, I guess I will.

Council Member Selleneit: Address please.

Justin Jones: What’s that?

Council Member Selleneit: Your address.

Justin Jones: Address is [REDACTED].

Chair Ulrich: Thank you.

Justin Jones: A couple of things that I’ve seen tonight or heard tonight are like, they want to say how great the company is and their goals and everything else like that, which is phenomenal. I think that’s great. But anybody in here that works for anybody or owns their own business has those exact same goals. Everybody strives for perfection. Everybody sets goals for their employees to achieve, and excel, and move up in the company, and everything else.

January 16, 2025 Council Meeting
AudioClerk Transcription

Being a business owner, I'm a builder here in Pocatello, some of those houses out there that we're building – we've built quite a few out there – they're million-dollar houses. And I promise you it's going to impact the sale of these houses when you have to tell homeowners that are moving from out-of-town or whatever they're at that there's going to be another hot plant coming in.

Being part of Pocatello, one thing that draws people is like, you can get out. You don't have to sit in front of, you know, hundreds and hundreds of people to enjoy the community. You can go for a bike ride. You can go for a run. What's going to happen when one of these big trucks runs over, we'll say, my wife, because she's a bike rider out there? Or, because there's no room, like they want to say that the streets are built for these big trucks. They're not. There's no room for bikes. There's no room for runners. And so when they get gravel on the road, then the bike people have to move further into the road. So what's going to happen when one of these people gets killed? It's going to be a huge, huge, huge mess.

The gravel on the road, I'm sure there's going to be gravel all over the road. There has to be. They're not going to clean the roads off every single day. So what happens when these guy's driving out there? You get rock chips. I mean, they say that they're set up for stuff like this, but are they really set up for this, like when they kill someone? So I'd just say, let's think about it before we do something. I don't see how this will positively affect our community, especially when people enjoy it so much. Thank you for your time.

Chair Ulrich:

Thanks, Justin. I'm sorry. Yep.

Wes Johnson:

Good evening. Everybody hear me okay? Wes Johnson, [REDACTED]. I'd like to applaud the aggregate mining community that's here in Pocatello. They're a big part of this community, and I appreciate them, and I appreciate all the folks who work in that industry.

To preface my testimony, I worked for the large – at one point in my life, I worked for the largest aggregate producer in the United States. I've overseen several pits and overseen several crushing operations. One of our largest concerns was dust abatement and noise abatement. The industry has a great standard for their employees. You know, they make sure that they all have the correct PPE. They go through hours and

*January 16, 2025 Council Meeting
AudioClerk Transcription*

tons of training to make sure that their safety is utmost and forefront. They have a great process.

However, those of us that live in that area, we do not have a safety program. There's no one there to make sure that our safety is going to be forefront, so the dust and the noise abatement is a large concern for us. There's homes right on the edge of this proposed pit. Who's going to make sure that those folks are fitted with a respirator if they need, maybe because the dust is too high?

When I worked in the industry, we fit-tested our employees if the dust was an issue. They had to be fit-tested and wear a respirator. They have to wear hearing protection. That's a standard industry – I mean, an industry standard. They have to do those things daily. There's no one out there going to make sure that any of us in that area are fitted with respirators or that we need to be fitted with respirators. There's nobody there that's going to make sure that our hearing protection – I wear hearing aids today, because I worked in that industry without them. At the time I worked in them, it wasn't a big deal. We didn't have to wear them. So those are large concerns.

Again, I applaud those people. Everybody needs a job. I know they're trying to do the best that they can, but for those of us who live in that area, I just feel that those needs are not going to be addressed. And if they're – I realize there are pressing needs, they're going to put up berms, they're going to do everything they can. I get that. I appreciate that. However, in the future if you drive around gravel pits anywhere, you'll see that the vegetation out there are affected by the dust. So all of those residences are going to be affected. Their yards are going to be affected. Their trees are going to be affected. Our prevailing winds, our right front winds come off of the west, northwest, southwest, and we have signs out on the interstate that declare high-wind areas. We get a lot of wind out there. So, working in that industry, as I said, that's the big one, a huge issue for us.

Chair Ulrich: Thanks, Wes.

Wes Johnson: Thank you.

Chair Ulrich: Toni. While she's coming up, I need to apologize to Darrell Shay. I did not turn over the paper, so you got a second, I'm going to read this and then – Darrell. I'll read this one first.

**January 16, 2025 Council Meeting
AudioClerk Transcription**

Esther Carlson is in opposition and does not wish to testify.

So Darrell Shay serves on the Bannock-Shoshone Tribal Land Use Commission: "We are generally concerned with any development that has a negative impact on our tribal lands, which are adjacent to this property." I failed to turn it over.

"To most folks, this area may feel like it is out of town, but to our tribal people, this is our home. We have recently started development of affordable homes within two miles from this area. Also, we planned some housing units across the Laughran Road, about 150 to 200 yards away. We will have families with kids living across the street. This is a safety concern. We have a long-standing dispute with FMC and JR Simplot about their air pollutants. This facility will only add to it.

"It is in an area of impact in the Bannock County Comp Plan. The SB, Shoshone-Bannock Tribe would have to be notified and have a comment. There are other jurisdictional issues that will come up. That is my concern and my opposition to this project, and I live within five miles downwind, so I am doubly concerned. Thank you, Darrell Shay."

Thanks, Darrell. Toni, thank you.

Toni O'Brien:

Hi, I'm Toni O'Brien. I live at [REDACTED] I'm right across from where they're going to try and put this. And I'm going to tell you right here and now, that's not going to work very well out there. If any of you are familiar with Siphon Hill, down in the bottoms, river bottoms, going down through that river bottom. If somebody is down in that river bottom, coming up that hill, that truck pulling out cannot see them.

I can't tell you how many times I've pulled from Laughran Road onto Siphon and almost got rear-ended because somebody coming up Siphon Hill didn't see me in time. So that's a huge issue, I mean, there's no way a truck trailer and tug are going to get out there faster than my little car does. I might speed a little.

And then the other thing that I have is if you look at Siphon Road, I drive every morning over on Tank Farm Road where the gravel pits are. And I can tell you what happens a lot in the morning. The trucks are waiting to get into those different

*January 16, 2025 Council Meeting
AudioClerk Transcription*

gravel pits, they pull over to the right-hand shoulder of the road blocking almost the entire right-hand road, and it's going to happen on here.

So, if you envision this – and you are missing a house on the map here, just so you know, there's more houses than what it's showing across from this proposed site – but if you line up those trucks on the right-hand side of that road, then when the school buses come in the morning, in the dark – because these kids have to catch the bus early, they're out there in the dark – here comes the school bus, they're having to go down the center of the road because the trucks are taking the right-hand side.

Now, somebody coming to work from the opposite direction, they're going to have to be over on the shoulder of the road. Where do you think the kids are waiting for the bus? On the shoulder of that road. About the time some kid gets hit and killed out there, because we have to line up every morning, that's a big issue. We have little kids that ride their bikes out there. They ride their horses out there. They walk their dogs out there. There's kids that live there and play there. I don't want to see those kids ran over. They deserve the environment that they chose to live in. They chose to live in a place where they could go and play. They can't do that with those trucks going all day.

The other thing is they said that it's not going to affect our groundwater. My well is at 80-foot deep. They're proposing digging down at least 50-feet. That's going to have an impact on my well water. And it's going to – they're right by the canal so anything that gets into the canal goes down. And all the horses, all the cattle, dogs, cats, people, anything, kids playing in the ditches, all of that's going to be contaminated if they have any sort of a spill. There's things that, you know, I don't want to find out a year later, “Oh, we contaminated your well, we'll have to fix it.” That does me no good after a year. And then the other thing I'd like to bring up is they said, “Oh, look at how –.”

Council Member Selleneit: I'm sorry, ma'am, but that's your time.

Toni O' Brien: Okay. But their pits don't look like Freeman Park when they're done.

Chair Ulrich: Berta Hadley, then we'll have Jay Douglas Zitterkopf, and then Cassandra Wadsworth.

*January 16, 2025 Council Meeting
AudioClerk Transcription*

Berta Hadley: Hi, I'm Berta Hadley and I'm a resident of Laughran Road. I'm also a member of Sho-Ban Tribes and a landowner right there on the corner of Tyhee and Laughran Road. And I've been watching for the past six months, the development that's going on out there, and all these people have a very valid concern.

I'm concerned about my private land and trust. We're losing a lot of wildlife. We're concerned about non-regulated things like sand blasting, that they come when you start to industrialize these areas. Our roads are not made for such heavy travel. Some of the infrastructure's a hundred years old out there, bridges and stuff like that. You can't make a Cadillac out of a Volkswagen. They have to go in and redo this stuff or the County and everybody else is just going to end up doing this, you know?

And as far as what we're reading, we would like to see some data from the EPA and some data from Region 5, which this is for health and safety. I've been an employee for the State of Idaho. I've worked for the district and I realize there are a lot of service providers from nurses, doctors, teachers, Head Start all traveling, these roads in small unmarked cars, delivering services to these people.

And some of our families have been there over 200 years. I just retired. I'm home. I put \$50,000 into my property on Laughran Road. If this goes through, it's going to impact health. We already have health issues in that area: thyroid, breathing – and you can look this data up, it's there. And all I would like to say is, please consider the wildlife and the people that have been there for generations.

And we also have treaty rights and we also have the Indian Right Act, and have any of these things been brought forward or discussed with us? And there's my two minutes, so please. And now I speak for a lot of people. I speak for animals and everything that lives out there, our water's important. I have a well, I'd like to be sure I can use it, that it doesn't run dry. Thank you. I appreciate your time and I think all these people have valid concerns and we'd like to see some real data. Thank you.

Chair Ulrich: Thank you, Berta. Thank you, Berta. Douglas.

Douglas Zitterkopf: Yes, sir. Second long night for you, gentlemen.

**January 16, 2025 Council Meeting
AudioClerk Transcription**

Chair Ulrich: Yes.

Douglas Zitterkopf: My name is Douglas Zitterkopf. I live at [REDACTED]. The Comprehensive Zoning Plan shows a rural and residential zone through this area planned for housing, rural-residential housing. Mining is not rural-residential. Mining is a heavy industrial zone. It is this way because it infringes on everybody around it.

There is no buffer between this land and the houses that are already there. A 12-foot berm of dirt is not a buffer. Taxes paid for this would not compare to taxes already being paid by the people that live out there, and it would not compare to the taxes that will be paid by the people that build out there in the future. A single entity or a landowner's profit does not override the rights of thousands of people who already live out there or will live out there in the future. You guys have a golden rule that says, "Will this negatively or positively impact the people around this area?" This is a negative impact.

I've worked in a mine in Questa, New Mexico. Chevron bought the mine and was given the choice of doing a cleanup or having a superfund cleanup on this. The people that own the mine treat the people quite well. They had high, high expectations of quality of life. Questa is now a ghost town, houses are rotting to the ground because people closed that mine down and left. Chevron bought it, hoping they would come back.

Danger to the people in the area from health hazards and increased heavy traffic from the trucking. A hundred fifty trucks is a lot more than what we originally told last year and is way more than what we could handle in this area for safety. There are a lot of bicyclers and a lot of joggers, a lot of people. This is not a good place to have that kind of heavy trucking in one place where all these people are trying to live and explore, have recreation out in the area. It says, "The danger to the people and the health hazards is increased with heavy trucking."

And this is not just farming dust. It's dust from gravel and silica. Silica gravel and dust is a lot different than just dirt blowing across the road. Jobs from this will be nowhere equal to the value of the life of people and their houses and their property that will be affected.

**January 16, 2025 Council Meeting
AudioClerk Transcription**

Council Member Selleneit: Thank you sir. That's your time.

Chair Ulrich: Thanks Douglas. Cassandra Wadsworth. After Cassandra we'll have John Crowder.

Cassandra Wadsworth: Hi, I actually didn't [inaudible 01:07:19] check the form box, but [inaudible 01:07:23].

Chair Ulrich: Name and address.

Cassandra Wadsworth: Oh, sorry. My name is Cassandra Wadsworth.

Chair Ulrich: [inaudible 01:07:25] these are sensitive.

Walworth: And I live at [REDACTED] So I'm the house closest to the border of Siphon and Laughran. We moved out there with our kids, and actually my sister-in-law is leasing the land, living next door to us, so she'll be even closer to that road even. So, you know, everyone's talking about their family, they want to do what's best for their families with their jobs. But we're trying to do what's best for our family living right there. And thinking about, you know, we're starting a garden, we're starting all these things with our kids and I'm worried about, you know, what everyone else is worried about, the water, the land, everything.

But also we weren't even notified about anything and we live right across the street. The only reason why we found out is from Facebook and all of our nice new neighbors we've met that have come over to our door and told us about all this. But myself, our neighbors, all the tribal neighbors never got the letters in the mail to say, "Hey, write this letter to the City or anything." We weren't even notified. So I find it interesting that we're the ones closest right there to that intersection we didn't even know, and the sign on the corner, I guess.

But anyway, that's our biggest concern. I wrote a little paragraph of things like, you know, everyone's talking about the dust and how the farm also produces a lot of dust and stuff. But we've lived there now for a couple years and I don't feel like the farms have put off that much in comparison to – our in-laws who live next door have a place in Blackfoot and theirs was far worse than anything we've experienced with farming. So it's just my two cents, but I just would like to say more and more, too, I feel like the tribe is kind of not notified as much, so.

January 16, 2025 Council Meeting
AudioClerk Transcription

- Chair Ulrich: Thank you, Cassandra.
- Cassandra Wadsworth: Thank you.
- Chair Ulrich: John.
- John Crowder: Good evening. My name is John Crowder. I'm a former Bannock County Commissioner and one of the main jobs of commissioners is to protect the health and welfare of our citizens.
- Council Member Selleneit: Address, John. Address.
- John Crowder: I'm sorry?
- Council Member Selleneit: Address.
- John Crowder: Yes, sir. My address is [REDACTED], Pocatello, Idaho 83201. I'm opposed to this application. I want to walk through the criteria by which you need to make a decision. Regarding surrounding land use: owns, exist, or plans right up to the proposed area for this gravel pit, such an industrial use, such as proposed, is not compatible with land in agriculture and residential use. Traffic: an increase in traffic of 150 truckloads per day is a dramatic traffic increase.
- Health: I have personally visited with families that cannot keep their windows open during the summer due to the extreme dust conditions from existing gravel pits. You have residences here right up to the proposed pit. Those homeowners will absolutely suffer adverse health conditions. I would also like to add my agreement to the lady that just spoke about the concerns with the kids waiting for buses, riding horses, riding for bicycles in the area. That's also a very dangerous health risk.
- Comprehensive Plan: The Comprehensive Plan has residences right up to the area of the proposed gravel pit. Factoring in wind conditions, you will absolutely, the homeowner in this area, suffer adverse health consequences. For all of these reasons, and for the fact that it will infringe upon our tribal neighbors, I urge you to reject this proposal. Thank you.
- Chair Ulrich: Thanks, John. Are we at 90 minutes yet? I just want to make sure somebody's – okay. We're good. All right. We will now hear from David Packer. We've got a number of folks that have given their time to David. You got 18 minutes. After

**January 16, 2025 Council Meeting
AudioClerk Transcription**

David we will have Mark Farnworth and he's also going to have some minutes from some other folks.

David Packer:

I think that's probably too close. I thank you for your time. My name is Dave Packer. I live at [REDACTED] I've been a real estate broker for 30 years. I've been a builder and contractor for 35 years, and I also was the Bannock County Assessor for four years. I want to make a little comparison here with my area. Where we live is called Lacey Acres. We have 175 acres roughly in that subdivision. Each one of the lots are approximately two and a half acres. It gives you enough room for a house and two acres left over for either a horse, or cows, or whatever else you'd like to have.

When you look at this, you have to wonder what's going to change next door or who's going to change it. But when you look at it, I got to tell you, this acreage is a fun place to live. Our water bill is \$300 a year for domestic water, \$300. I buy pasture water for \$365 a year, and I pay to Fort Hall \$165. How you can have two and a half acres with an incredible water bill, and it's good water, and that water just feeds all 70 homes. You get [inaudible 01:13:49] put a big generator out there and that's fine, you know, but when the power goes off, we still have water.

So let's take that as a comparison and move over to the other area here. The other area that we're talking about that they want to make into the gravel pit is approximately 158 acres. As a builder and contractor, you can put about 63 homes with two-and-a-half-acre lots in that same area. When it comes to zoning, you always want to make sure that zoning matches the zoning that's already in the neighborhood. I don't think putting a gravel pit next to a residential subdivision is exactly apples and apples, if you know what I mean.

This is prime ground for development: it's flat, it has water. It's about a quarter mile from the sewer line. It's already got irrigation water going right in the middle of it, as you can see, and this is what it should be. You should be going ahead and developing into another subdivision, which is equal to the one that's next-door to it.

Having 200 trucks a day running down your driveway is not a good thing. We have school buses, walkers, bikers. The neighborhood is always growing anyway. I believe they'll be putting in something like almost 50 homes out in that area on

*January 16, 2025 Council Meeting
AudioClerk Transcription*

the roads from Siphon and from Rio Vista. This thing is turning into a residential area. It doesn't need another gravel pit. And all the gravel pit is going to do is devalue home prices. As a realtor, I'll tell you, you know, we've got 70 homes on our street, and they're all valued probably about \$650,000 on average. But when they come up for sale, they're sold in about 30 to 35 days, you know, because a lot of people want to have a house with a little acreage, so this is a very important sales factor.

Putting a gravel pit somewhere where another subdivision should go is not economically-enhanced for anybody up and down that road. And when they have a gravel pit like that and you're running those trucks in and out, none of them have coverage. They all have these little signs on the back that says, "Stay back 500 feet. We don't buy windows." You know, that ought to be a clue to you that there's an issue. And even if it's not your car that is getting the broken the window, that gravel is still going onto the road and the next car that goes by could [inaudible 01:16:58] that up. It'd be like walking through a warzone. So I'm opposed to this. This is just a bad, bad, bad idea. I appreciate your time. Thank you.

Chair Ulrich: Thank you, Mr. Packer.

Mark Farnworth: I think I'm next, sir. Mark Farnworth, is that right?

Chair Ulrich: Yep. We'll do Mark and then we'll take a quick break.

Mark Farnworth: I understood that if I referred to a study I needed to provide you a copy. Do you want those now, sir?

Chair Ulrich: Yes, please.

Male: Four copies.

Mark Farnworth: With respect, I hope [REDACTED]. So on the map there we're about three in from this proposed operation. May I ask how much time I have, sir? I'm sorry.

Chair Ulrich: You've got 15.

Council Member Selleneit: Fifteen minutes.

Farnworth: Fifteen minutes. Thank you very much. One of the things I wanted to bring up – as you say, I realize this is not a question and answer session but this is me, I guess, musing – but we have a gentleman behind me, the applicant, who said

*January 16, 2025 Council Meeting
AudioClerk Transcription*

that they work for a company that has a massive amount of integrity and I think that's great. The question arises with this integrity, why they continue to bring this question up over and over again.

I believe that there have been some strategic positions played in order to be able to make this situation arise as it has again. Some of us have sat in hallways for hours waiting for commissions to be convened, and a lot of these folks who were paid to be here tonight didn't. They knew somehow the meetings weren't going to happen. And I believe that there were some strategic plans that were made by counsel behind us to ensure that those folks didn't have their time wasted, but we did.

We're all working for a living. Some of our folks, as you can tell, don't have a very easy time physically getting out to these meetings, but they try. The more and more you get us out here, the more and more you try to get us to stop coming. And that's not okay. The emails that we've received from within your company that indicate that you wanted to silence us are not okay.

Now, I realize as a Council, you cannot make decisions based on emotion. There is a lot of emotion tonight, as you understand. If I could, let's talk about Ordinance 530, Conditional Uses. In the Bannock County Ordinances, it indicates that "a conditional use permit may be granted when it is not in conflict with the comprehensive plan. It may be granted only in the best interest of the general public," as you know.

The applicant, may I point out please, carries the burden, not the public, approving this. Counsel has presented to us a very rudimentary list of ideas, mostly referring to exhibits that you all have. Some of these exhibits, I would submit to you, are very airy. The so-called traffic study is not – it is an indication of what – in my estimation of whether or not the road can hold up to these vehicles – but it's not a true traffic study.

Let me talk a little bit about something that's dear to my heart. So we have some young gentlemen who have talked about the fact that if we don't do this, their families are going to starve, which is kind of the underlying idea they presented. I don't want anybody to go hungry. But I want to tell you

**January 16, 2025 Council Meeting
AudioClerk Transcription**

something, I have worked very hard throughout my life to have a home and a lot of my savings has been put into my home. So if I need to, which in my life, I'll share something personally because I'm going to need to realize the equity in my home soon; this is going to impact me directly.

So why is it okay for me to give up what I've worked for so that I can make sure your family's okay when mine's not? This is a tough decision for you guys, but in order for us to say that 530.6 is, if you will, affirmed, that it's not going to adversely affect the surrounding properties to a materially – not metrically on your slide, sir – greater extent will be permitted in the district, we need to be clear about what's going to happen.

Now, our counsel said that it's discretionary – I believe the word you used, sir – as to whether or not values would change in real estate. It's not discretionary. I presented to you a meta analysis, if you will. It is a compilation of three different studies that show that there's an absolute direct correlation between a reduction in real estate value and the distance between this kind of open pit mining operation.

So a home that's worth \$500,000 on Lacey Road, within one quarter mile, could expect to lose \$154,500 in value as soon as these folks put their operation into play. Is that okay? Is Mr. Wilkes going to pay me for that? Is he going to help me? Or is he going to go to the bank and take it from me which is exactly what's going to –

Council Member Selleneit: Sir, sir, can you address us? If you will, please. Thank you.

Mark Farnworth: You bet. You bet. I think it's important that we understand that though. What is the difference in my mind between the applicant going to my bank and taking that out? There's not, in my mind. I work very, very hard to be able to support my family. If I need to realize this equity, I believe that it's my privilege and my opportunity to do so.

Let's talk a little bit about this whole idea of Section B, "Proposed use will not cause undue disruption in travel." So several years ago, you all may recall that we had a horrible accident at the intersection of Reservation Road and Rio Vista. It was fiery. Four people died. And I responded to it as a volunteer firefighter. That's one of the things that I deal with to this day.

**January 16, 2025 Council Meeting
AudioClerk Transcription**

So we've had another accident and each of these were not the fault of the truck drivers, but my point is not who's at fault, my point is as this traffic increases – and I would submit to you that this stretch of road with zero to 10 maybe big trucks a day to up to 50 in the last proposal or higher is an absolutely significant increase in volume of this kind of truck. Whoever's at fault it is, whether it's mine as the driver of a car or the truck, the accident is going to happen. When it does, the person in the smaller vehicle is going to be the one who has the injury likely.

I had an experience recently at an intersection close to where I live, where I stopped and gratefully I hesitated, when a gravel truck owned by IMC blew a stop sign, turned into my lane and went past me. Now, we all make mistakes, so I'm not saying that, but we are experiencing – as some of my friends and neighbors have told you – this kind of thing going on more and more, as this truck traffic is increasing. This is a huge concern for us. Can I ask how much time I have, sir, please?

Council Member Selleneit: Eight-and-a-half minutes.

Mark Farnworth: Okay. Let me share with you something: I've been a volunteer firefighter in our area for about six years. We have a Volunteer Fire Department that covers our area. We have a Volunteer Search and Rescue Department through the County Sheriff that covers extrication and heavy rescue. So let's just imagine for a moment thinking about is this going to cause undue harm? Is it going to be good for the general public? What happens when there's an accident and someone is trapped?

Let me talk to you a little bit about how this works from a first responder perspective. A 911 call goes out, okay? Say there's an accident, heaven forbid it's a gravel truck operator that's trapped or someone else. There is an immediate law enforcement response and an ambulance is dispatched if there's any concern about an injury from Bannock County Ambulance. The closest ambulance is at Pocatello Fire Department Station on Pocatello Creek Road across from Sizzler, if that ambulance isn't out already. So you can imagine for us how long it takes for an ambulance to come out to us. At that point, there is no automatic fire response. There is no automatic search and rescue response. If law enforcement sees a fire, they see an entrapment, then they can call.

So we're volunteers, right? Fire department is volunteering, so is search and rescue. We try to do everything we can to be as fast as possible. Right now it is eight to nine minutes before we can get a truck on the road. So now you're talking about a delay from when the police department and the sheriff in this case has said, "Hey, we need this other service," to us getting there, getting on the road. Then you're looking at another 10 minutes to get out. We're talking about 20, 25 minutes.

Why do I bring this up? Maybe it sounds like this doesn't have anything to do with what we're talking about tonight. One of my points is, the infrastructure that we're dealing with, which has been brought up tonight, is not adequate for this kind of operation. We have gravel pits throughout this area adding more to an even thinly-stretched first responder network is not going to help us. It makes it much harder for us to respond. People are going to get hurt, people are going to be injured. Is that what we want?

So I'd like to comment about something as well that I think is very important. I have found it a blessing in my life to have some of my best friends be Native American people and people of our current tribal neighbors. I think that it is important that we understand that they base their housing plans in some part on the County's Comprehensive Plan.

If we turn our backs on them, as I see it, and ignore the fact that they're planning for housing – like has been said here, this map is not up-to-date. We have tribal friends and neighbors who live right across from where this is proposed and they're not on this plot map. How will the tribe even trust the County's plan even more? They already, I believe, have some difficulty trusting the plans because of experiences they've had in the past. I don't think it's okay for us to be able to not honor the relationship that we have, that we're trying to grow with our tribal friends and neighbors.

So let me just end with this, please. In short, this proposal is wrong on so many levels. I have no problem with any of the issues that are brought up about how important aggregates are, how foundationally important they are to building – absolutely 100% agree. This is the wrong place. We have young children, we have people with COPD, asthma, on oxygen. We have elderly folks. Putting a mining operation in

**January 16, 2025 Council Meeting
AudioClerk Transcription**

the middle of this is not okay. The landowner has every, every right to sell this land, but we also have every right to be able to maintain the lands that we have and our way of life. Thank you very much.

Chair Ulrich: Thank you, Mark. We'll take a quick five-minute recess and then we'll come back with Wade. You'll start.

[Break 01:28:19 – 01:42:19]

Wade Egan: Are we recording? We're good?

Tristan Bourquin: Yes.

Chair Ulrich: Yes, we're good.

Wade Egan: Wade Egan, I [REDACTED] Pocatello, Idaho. Board members, thank you so much for your service. This is not an easy thing to do. By the way, what do I have as time?
[Inaudible 01:42:46]. I have something like 12 minutes. I won't need 12 minutes.

I know how hard it is. This is a difficult position you're in. For everybody's information, I was appointed to this council a number of years ago. I did a couple years as chairman of the council and so I understand what this is like. So thank you so much for what you're doing. You do it for free. You've been doing this sometimes with abuse, but most of the time good people really appreciate it. So thank you for taking the time to listen to us. So, appreciate that very much.

I'm also very appreciative of those who have – who are promoting this. I'm appreciative of the way they've done it. I appreciate that they put together a really nice proposal. I mean, it's as thorough as I've ever seen. I've read almost all of them. I've read almost every single letter in opposition – there's a lot of them in this – and I'm sure you have as well because you had to prepare for tonight. Mr. Larsen is a good man who represents them, who I've been friends with for a long time. And he could make 15 minutes – make 90 minutes feel like 15 or 15 feel like 90, so we appreciate you tonight that you didn't take your full 93.

But all that being said, I want to give a little bit of background as to where we are with this comprehensive plan. The last comprehensive plan was developed when I was on the board, when I was on this board. The comprehensive plan takes a long time to build. Mr. Jensen knows this. This

planning staff knows. There are hearings, there are meetings, there are community outreach and activities. We hire a consultant. We pay good money for this as a county. We have to redo this every certain number of years. Well, right now I think we're redoing this again, right? Preparing for the next one.

And so what was done in the comprehensive plan and the future land use maps that were developed were there not just by some half-a-chance thing. So what we have here is these maps and these documents that will guide County growth for the X number of years until the State mandates that we redo them again and so that's why we're here tonight, because we've got some things in regard to the ordinance and with regards to those plans.

As you look at this application tonight, there's a number of places that just don't seem to fit. This doesn't seem to fit. It doesn't fit in the future land use map designation. It doesn't fit well in what we've decided, what was in the comprehensive plan. The way we are to drive county growth. As a county, I really believe as a property owner, the property rights are right up there along with free speech, that people should have the right to buy and enjoy property as best they can, to the whole extent of it. But from time-to-time we have to guide the growth. And we have – we live as a community. We have to live together and figure out a way to guide growth. And I think we've done a better job of that in the last several years than we had years previous, so the growth has been better. So it has to be engineered-growth.

This area was designated as the place for the overflow of all the growth that's going on in the north-end of the county. Now, we've got a lot of growth out here. This is where it's going to begin, [inaudible 01:46:10]. We're probably going to invite a lot of people into our state over the next number of years. These numbers of forecasted growth may be low, and we're going to need a place for them to live and be.

I also understand a little bit about gravel. I have a brother who has a construction company and a set of gravel trucks in Northern Utah. And I understand that people have to make a living doing what they do with this. And buildings have to be built. But in this specific spot, this is a perfect place to build homes. It's level. It fits right along with the existing housing. It's already there. It'd be one thing if we were trying to build

*January 16, 2025 Council Meeting
AudioClerk Transcription*

houses next to a gravel pit that was already existing. They were already there first, in that case it would be that situation. But this isn't the case with this; we're putting a gravel pit right there in a mining operation.

I've spent two different times – I've went out and sat at the corner out there of this piece of property and there's a piece of property right there by – and it's owned by Castle Concrete, where they've had a mining operation there before. And there's a berm around that. But I think probably when they put that in, they thought that's going to be a really great, great thing. They're going to build trees, they're going to kind of hide this. There's a big chain-link fence around it.

But the truth is right now it's a mess. It is completely covered with bull thistle from one end of the other. It's probably spreading that stuff all over the County. They probably need to be cited for it and that parcel ought to be cleaned up. It is just a mess. And because we don't know, I don't know how many years ago that was done, but in these situations it's very hard to regulate from today what will happen 40 years from now.

Maybe the only way to do that with this kind of a situation, if you decide to pass or approve this CUP, was to invite the company – is to require them to have a bond for reclamation, and park install, and all those other things to be a part of this project because it's really hard to enforce it. It's very difficult to, in the sense of – for analogy, to get the money for the hay after it's been run through the cow. Okay? And so it's really hard. And good and honorable people are here today, but who knows who's going to be in-charge of this 10 or 15 or 20 years from now when the mining operation finally concludes.

So, I think you want to consider that as we do this here. Again, if we follow the Comprehensive Plan, this does not clearly fit and it does not fit to the intent of what it was, at least as I understood it, as a member of this council, when it was approved, passed, ratified by the county commissioners – that very long, extensive, laborious process that we went through to get to this point.

So with that in mind, I would just like to make one last little point – and they've already made it, but it's not – it's probably not the best use for that piece of property. You have 60 houses that were built there. Jay Christensen tells me he'll

**January 16, 2025 Council Meeting
AudioClerk Transcription**

probably testify on this later, that [inaudible 01:49:01] closer to 100 homes on that if it were zoned correctly and [inaudible 01:49:04] suggest it.

But at \$500,000, that's 60 homes, that's \$30 million in home construction. That's a lot of jobs, that's a lot of construction materials. Gravel is a little part of that. It's not a huge part, it's just a small part of that. Gravel might have to be trucked in if we don't have it. We'll have to pay those costs. As a community, we'll have to pay them. These workers will have to probably move to other places. It won't be as convenient for them to work at. But as we look at it as a community – and that's what we're trying to do here – we probably got to consider those things.

And last but not least, I was just inside that little Castle Concrete lot, which is not little, it's 39 acres. Property taxes on that currently, according to the parcel viewer is \$673. If you take a home, \$500,000-, \$600,000-, \$700,000-homes, that would be built there, you're looking at \$2,000 to \$4,000 plus. I'm not an expert in that, but I just know homes and the taxes can be raised on that and go to the schools, goes to the roads, spread out the tax burdens throughout the County, and be a real blessing to the whole community.

So anyway, that's what I have to say. Thank you so much for your service and all that you're doing. And I know this is a hard job. It takes a long time to find applicants to fill it and be part of it, but on behalf of us who are watching you serve, thank you very much. We're grateful to you. Thank you.

Chair Ulrich: Thanks, Wade. Nathan, you're next.

Nathan Cuoio: Thank you. I'm last [inaudible 01:50:37].

Chair Ulrich: You're last? Okay. Before Monte gets up here, and not sending anybody out, but I just want to remind those who are coming up, make sure you address the Council and not the audience or the applicant. Next one then will be Monte Gray. You got 24 minutes, Monte.

Monte Gray: How many minutes do I have?

Chair Ulrich: Twenty-four.

Monte Gray: Twenty-four.

Chair Ulrich: If you need it all.

*January 16, 2025 Council Meeting
AudioClerk Transcription*

Monte Gray: All right, I'll only need 23 and a half. Monte Gray, Assistant General Counsel for the Shoshone-Bannock Tribes. Thank you for being here today. Yes, we do have –

Council Member Selleneit: Address, please.

Monte Gray: Oh, and my address is [REDACTED], Fort Hall, Idaho 83203.

Council Member Selleneit: Thank you.

Monte Gray: And just want to say I appreciate everybody staying awake this time of night, and holding in there, and keeping your attention so well. Really do appreciate the service you guys do for us. I'm mostly going to read heavily from a letter that I prepared. You're welcome to have a copy if you choose to, but I understand that's your discretion to choose to.

The Shoshone Bannock Tribes, as a federally-recognized tribe and the largest landowner near the proposed project, submits this objection regarding CUP 242: proposed mining operation filed by John Wilkes. This objection highlights significant deficiencies in the application: lack of compliance with Bannock County zoning ordinances, including Bannock County Municipal Code 17.56.350, and procedural shortcomings under Idaho Code Section 67-6512. Procedural issues combined with substantial adverse impacts on traffic, safety, environmental quality, and community welfare underscore why this application is incompatible with Bannock County's land use policies.

First is an efficient public notice and access to application material. Tribes received notification on October 22nd, 2024, only seven days before the submission deadline, and critical documents were initially missing. Key references to attached report left the public without essential information, limiting the opportunity for informed response. Only a five-page cover portion of the application was online available to the public until October 30th of 2024. After the written submission deadline of October 29th, 2024 passed.

Second, procedural burden requirement for public records request. When the tribes brought up the lack of complete application to the attention of the planning and zoning services, we were informed we could submit a formal request for public information to get the information. Requiring the public to submit a formal request for complete application

documents, subject to a public hearing, placed an undue burden on the community, it's restricted public access within a short timeline, violated principles of procedural due process, legal precedent, underscores the public's right to straightforward access in zoning matters.

Three, inconsistency with Bannock County Ordinances Section 530.6 Standards. The proposed mining operation does not meet Bannock County Standards under Ordinance Section 530.6, which require that conditional uses avoid adverse impacts on surrounding properties, prevent travel disruptions, and protect public health. Adverse impacts on the surrounding properties: they increase noise, dust, and traffic. And truck traffic will severely impact nearby residential and agricultural properties. Ordinance 530.6 A stipulates that, "Conditional uses must not exceed the impact level of permitted uses. But the anticipated maximum, and this is the anticipated maximum, of 400 daily truck trips, generate disturbances far beyond typical residential traffic levels.

The traffic and safety disruptions. The CUP 24-2 application noted in Exhibit E indicates that all gravel pit traffic will be directed onto Siphon Road. This results in significant implications for road safety, road wear, and community disruption. The current ADT capacity and impact. Rio Vista Road and Siphon Road currently handle average daily traffic ADT volumes of approximately 400 to 500 vehicles respectively. With 100 to 150 additional one-way trips under normal operations and up to 400 trips on peak days, the expected mining traffic could double current ADT particularly on lighter days. According to Bannock County ADT Standards, this traffic increase directly challenges the design capacity with peak operations bringing Siphon Road close to its maximum ADT threshold, with heavy vehicles accounting for substantial percentage of the total traffic.

Discrepancies in the traffic impact and capacity. In their exhibit, in the applicant's Exhibit E of the application, they ambiguously describe the road infrastructure as "nearly adequate." That's important. It did not say it was adequate. In their report it said, "nearly adequate for projected traffic." That's on page four of Exhibit E of their packet that is dated November 6th of 2024. The CUP's peak operation with 200 fully-loaded trucks, arriving at 200, departing empty each day results in 400 daily trips, a significant strain on Siphon

Road potentially maximizing the ADT limit. This increase disproportionately consists of heavy semi trucks presenting heightened risks and intensifying road wear. This is not only an 80% increase in traffic, but it replaced normal traffic with constant large semi trucks. Our traffic and semi traffic are nothing close to the same.

Safety and environmental risks of increased semi traffic: size and noise impact. Fully-loaded gravel trucks weigh up to 80,000 pounds, far exceeding the weight of a typical passenger vehicle, which averages 2,500 pounds to 5,500 pounds. This increase accelerates road wear, poses safety risks, and disrupts community peace, especially with noise levels reaching 85 to 90 decibels, well above residential noise levels.

Road safety hazards: the influx of heavy traffic especially on Siphon Road challenges the safety of regular passenger vehicles and increases accident risks due to larger stopping distances and limited maneuverability of the semi trucks.

Public health and environmentalists: the mining operation introduces dust. It mentions potential road pollution impacting the air quality and creating health risks for nearby residents and wildlife. Ordinance 530.6-C mandates the CUP operations avoid materially injurious effects, yet the increased dust and noise contradict this requirement.

Four, incompatibility with a comprehensive plan and lack of discretion by this council to grant a conditional use permit. The proposed mining operation outlined in CUP 24-2 directly conflicts with Bannock County's Comprehensive Plan, which designates this area for residential suburban development. This future land use designation emphasizes residential growth and low-impact community [inaudible 01:58:54], prioritizing quality of life, infrastructure suited for residential needs, and environmental protection. The proposed mining operation with this high volume of industrial truck traffic, noise, and environmental impacts is fundamentally incompatible with residential-suburban [inaudible 01:59:10].

Comprehensive plan and future use designations: the Bannock County Comprehensive Plan outlines clear goals for areas designated as residential-suburban, promoting the uses that support substantial residential growth and community well-being. These goals exclude high impact industrial

activities such as mining, which will degrade the quality of life for residents and place unsustainable burdens on infrastructure designed for lower impact use.

Under these Standards, the Planning Development Council has no discretion to grant a conditional use permit for a use that is fundamentally at odds with residential-suburban designation. Bannock County Municipal Code 17.56.350 addresses the no discretion to approve conflicting conditional uses. It reinforced portions of this lack of discretion by stating, “a conditional use may be granted to an applicant if the proposed use is otherwise prohibited by the terms of the ordinance, but may be allowed with conditions under specific provisions of the ordinance, and when it is not in conflict with the comprehensive plan.”

This language is unequivocal. The conditional use permit will not be approved if it conflicts with the comprehensive plan's vision for future land use. The Planning and Development Council is bound by this provision and cannot authorize a use that contradicts the residential suburban designation. The Ordinance makes it clear that any conditional use must align with the comprehensive plan, meaning that the CUP 24-2 cannot lawfully be granted given its industrial nature and substantial adverse impacts it would impose on a residentially designated area.

Bannock County indicates that one of the goals is to cooperate with the Shoshone-Bannock tribes, with the Fort Haul Reservation. The tribes object to the construction of the gravel pit on the border of its land. Tribes have several member home sites just across the road from the location and granted three more last year for development. The tribes thought it was a good location since the future use designation by Bannock County was residential suburban.

The requirement for compliance with comprehensive plan rules. Bannock County codes further requires that applicants bear the burden of proof to demonstrate that the proposed use does not conflict with the spirit or purpose of the comprehensive plan. Given the intensity of the proposed mining operations, including significant semi truck traffic, noise pollution, and environmental concerns, the applicant has not met and indeed cannot meet this burden. Approval of CP 24-2 would not only disregard the residential suburban future use designation, but would also contravene the

comprehensive plans or goals of maintaining safe, sustainable, and community-oriented development.

Comprehensive plan policies are not followed. One, the following population growth and land use goals and policies are not furthered: Policy 1.1. Future land use to define growth paths. Future land use plan will guide future growth and development by defining appropriate land uses, densities, and characters in different locations, including cities and towns, area of the city impact, ACI areas, farm and ranch, land, hill size, and public land.

Policy 2.1. Land use patterns in rural areas to be consistent with future land use plan. New development in rural areas must be consistent with the future land use plan which establishes areas for agriculture and low-density residential development outside of cities and towns near the ACIs.

Policy 2.3. Regional cooperation. Cooperate regionally with cities and towns, businesses, and citizens to continue planning for orderly growth in the county and region.

Policy 8.5. Forestry and mining with minimal impacts. Allow forestry mining in rural areas so long as these activities occur with minimal impacts to water bodies, sensitive natural areas, and to the adjacent properties without an adverse impact on surrounding areas.

The following economic goals and policies are not furthered: Policy 1.1 Commercial and industrial uses in appropriate locations. The future land use plan identifies appropriate locations for commercial industrial uses generally within the cities and towns, ACIs, and consistent with the pre-existing non-residential zoning districts.

In conclusion, the language of Bannock County Municipal Code 17.56.350 eliminates any discretion for the Planning and Development Council to grant a conditional use permit for a mining operation in a residential suburban area. To preserve the integrity of the comprehensive plan, the County's commitment to future residential growth, CUP 24-2 must be denied.

The Shoshone-Bannock tribes respectfully request that the Planning and Development Council reject the application in accordance with the limitations set by the comprehensive

**January 16, 2025 Council Meeting
AudioClerk Transcription**

plan and Bannock County's own ordinance. Given the potential harm to quiet enjoyment of the neighboring housing, the environment, culture, heritage, and broader community, we urge Planning and Development Council to exercise prudence and discretion in evaluating the proposed hot asphalt plant as part of the conditional use permit application. It is our strong belief the applicant has not adequately met their burden of proof in demonstrating that the proposed gravel pit aligns with the comprehensive plan and standards set forth in the Bannock County Ordinance Section 17.56.350.

Just to wrap up, in sum, we often say out at the tribes that we have no other place to go. In other words, if this area is damaged, if this area is destroyed, if this area is contaminated or polluted, unlike a lot of other people, the tribes cannot just pick up and move their reservation somewhere else. And so these things have particular impact to us and we hope that you'll just keep that in mind.

Just an outside observation that I see is that the parties mentioned the distance of other gravel pits, and there's other gravel pits in the area. It would appear to me that this is largely a question of trying to get a competitive advantage over the other gravel pits by building your gravel pit closer to where the gravel's going to go. And while I very much respect all the hard workers that do this type of work for our community, it really comes down to whether or not you favor this company to get the competitive advantage of the gravel pit over the other companies that have gravel pits further away, because all of them also have their own employees and families that are all affected by that as well. And that's all I have to say. Thank you for your time.

With that said, I would like to surrender the remaining amount of my time, if I could, to Dennis Hansen, who was kind and gracious when he thought I wouldn't have any time to speak and gave me his time.

Council Member Selleneit: Thanks Mark.

Chair Ulrich: Can you make sure, because we're recording, we have a copy of that letter? Thank you.

Dennis Halder: Dennis Halder, [REDACTED]. My wife and I, and our family, we have the property 600-feet adjacent to the planned gravel pit, maybe I shouldn't say "planned." The

gravel pit there. We have enjoyed that piece of property. The potato fields and wheat fields, when we first bought the property, our realtor made a comment about how windy it was out here and I said, "Yeah." Just like South Dakota.

But anyway, Wes Johnson at one time made a comment to us that that was our playground and I was – my daughter rode horses out there all the time. We helped him maintain the ditch. Gail's – and I probably need to go on to some other things that – I never know where these [inaudible 02:07:41] when I talk, but one of the things I need to say is I have – the majority of my cousins have become wealthy because of gravel pits.

I was on the Perry City Planning Commission. I helped bring Geneva Gravel to Perry City and developed part of their plan. And when I look at, and I also taught construction, I have a degree in construction, one credit short of a construction management program. And my big hobby for a long time was development. And I made a comment over and over again with the first presentation or the first application that I would've never accepted that from my students, what was proposed.

And actually the night that we got our first letter originally, I called John Wilkes – and I did not receive an answer back from him – because I wanted to know at that time, I thought, well, it's okay if there's a gravel pit there if they follow stand – regular regulations. And in Utah, they're quite restricted because if you don't – and again, the one in Brigham City, which I'm very familiar with first of all, that's a different type of material. It is not what we have out here at all. The Geneva Plant has more of the other type of rock.

But anyway, I need to get into some of this other stuff. I've been involved in development most of my life. One of the things that I was trained in is conditional use permits are exceptional use, and that's generally the definition of them. But I want to say that it says, "exceptional use." There is nothing exceptional about that particular piece of property to become a gravel pit – or why – or there's reasons that it should be. One of the things that I would like to state is – and a lot of it's really been covered quite well by Mr. Johnson, who's run gravel pits, Mr. Egan, Farnsworth, Packer, all professionals in this and given you basically – and telling us that it doesn't meet any of the standards and regulations and

the five main conditions, it's not meeting any of those.

I look at – we are in an area that is really quite unique. At one time we had eight superfund sites and the EPA had their big meetings here in Pocatello because we do such a lousy job of maintaining and mining. And I don't know if [inaudible 02:10:40] we know, but a lot of the mining regulations have changed substantially over the last 30 years because it was just kind of a wild card.

I'm from Minnesota and I had a neighbor guy, a trucker that came out here and made his fortune trucking ore because they didn't have to follow any of the regulations at that time of – when I say “regulations,” of course they follow the speed limit, but it's just wild country. And one of the things I want to suggest is, if you could probably zoom into that picture, I'm guessing that picture is two years old, looking at the wheat fields. But if you notice the trees along the very south border that is at the very bottom, they are green there. Right now, if you drive past that now, they're all dead. Why? From what I understand it's been a change in who's been managing the property.

And that's one of the things that we see. That pit when it was originally given that location, I talked to the fellow that owned and was owning that at that time, and he was really disappointed with a lot of the conditions that were put on there. And we haven't even heard of what the conditional use was of any of that property to the south. And if you look, you can see where only half of that frontage is developed.

And he was quite upset because he wanted to build on the whole thing and at that time we know that spot planning and peninsula planning was a bad idea and that's what we're creating here, which will it stop? Would it stop at this piece of property? Would it go into Simplot's property? Would it go into the LDS Church's property? And that is just an example of peninsula development.

And you look at all of the other conditions that are set forth and what isn't being met, what they're meeting basically is regulations that they have to meet. There's nothing special about berm. What is special is they're supposed to be maintained. And all you got to do is look down – I've been driving down the highway freeway and seeing from Fort Hall, the dust coming off of the cement plant and their

*January 16, 2025 Council Meeting
AudioClerk Transcription*

property when there's a wind event.

Well, so the neighbor, who I visited with down there, who was in the city, made the comment, "We call on that all the time and nothing happens." Well, you have a wind event, you have this front come in, the wind blows tremendous amounts, literally tons of particulate into the air and it travels and that gets blown off and dissipates. Water does not handle that. I mean, these guys are experts. They know that there are other methods that need to be used and they haven't even suggested using any of those basically because they do cost a substantial amount of money.

I've also seen wind events. I took a picture and I thought I wasn't going to need it so I deleted it probably three months ago. I was on Government Road four and a half miles away, and, again, saw the dust come out of the pit that is on the corner of Chubbuck and Rio Vista. And that was just the dust that came out of that pit. I wasn't paying attention. And those are just substantial, small, small individual wind events. I mean, we got signage all over on the freeway that – we had that accident on the freeway with the fog where that person got killed last year because of Simplot's fog. This area is not an industrial area, and again, that's what industrial mining is. And to meet their DOT, which they know, to meet the DOT regulations, it becomes instantly an industrial use area, and this is not a place to be putting something like that.

And again, going back to the peninsula development, like I said – I'm jumping around here but – one other thing about the wind; farming is – I've worked on farms most of my life. Farming, soil movement is not the same as what happens at a gravel pit. We live right next to it. Our big thing is when we moved there, north, it was a wheat field 27 years ago. And I told my wife, I said, "Get the windows closed, it looks like they're going to cut wheat." And she goes, "Huh? Why?" And I said, "We're going to be inundated and our yard is going to be covered with wheat."

That's what we did for living next to it and that's something that I expected. We closed our windows and that was that. But as far as other wind days, we don't get the dust from there. Now, we do get dust that comes up from Arbon Valley that will blow up here and we'll get some sand storms.

Council Member Selleneit: Thank you, sir. That's your time.

**January 16, 2025 Council Meeting
AudioClerk Transcription**

- Dennis Halder: Okay.
- Chair Ulrich: Thank you. Next we'll have Jim Sieverson. After Jim, we will have Jerry Hunt. Jim, you've got 30 minutes.
- Jim Sieverson: Thank you.
- Chair Ulrich: If you need it.
- Jim Sieverson: I won't need that much, so. Let me get this set correctly. My name is Jim Sieverson. I live at 1 [REDACTED]. My home is about a quarter mile downwind of the proposed gravel pit. I've lived in that area for about 33 years. Thank you very much for giving me the opportunity to talk to you about CUP 24-2 here tonight.
- I'm a retired environmental engineering manager. I've worked in the mining industry for more than 50 years doing environmental improvements to open pit mines, underground mines, smelters etc. Processing minerals and mining materials: phosphorus, copper, lead, zinc, cadmium, gold, silver, and even arsenic. I earned a Master's Degree in Air Pollution Engineering at Pennsylvania State University Center for Environment Studies and my career started in 1968, which was two years before EPA even became a federal agency.
- The reason I'm giving you this is, my talk is more technical and more engineering-oriented, so I wanted to make sure that you understand my qualifications for what I'm about to discuss with you. Initially, I worked in my home state of Montana, for county and state agencies, inspecting sources of air pollution, such as gravel pits; and assisting them in working and controlling their emissions and complying with local, state, and federal requirements.
- In 1972, after graduate school, I started working in the mining industry to control and reduce their emissions. I primarily worked in the western states along the Rocky Mountains, but I also worked in Canada and Mexico. In 1976, I became an industrial hygienist while still working on air pollution issues. Most people are not familiar –
- Chair Ulrich: Jim, can we hold you for just a second?
- Jim Sieverson: Yes.
- Chair Ulrich: It sounds like we might be having technical problems.

**January 16, 2025 Council Meeting
AudioClerk Transcription**

Hal Jensen: Jim, move that mic closer, please.

Jim Sieverson: To me?

Hal Jensen: Yes.

Jim Sieverson: Okay. Does that work? Testing.

Tristan Bourquin: Yeah. Keep talking for a minute –

Hal Jensen: The feed was cut to the other room.

Chair Ulrich: It was?

Hal Jensen: Yes.

Chair Ulrich: Oh, okay.

Jim Sieverson: I don't think I touched anything. As I was saying, I became an industrial hygienist in 1976. People are not familiar with that term, I assume you aren't either, but a industrial hygienist simply put, works to protect employee health. I later became a certified industrial hygienist; it's a process similar to becoming a professional engineer.

As an industrial hygienist, I developed and managed medical monitoring programs and health protection programs for employees and mines, and smelters operated by my employer. I also supervised the nurses and doctors that provided healthcare to those employees. I've served as an expert witness in court for air pollution control and health protection of workers.

Given my career experience, my comments tonight will address the requirements of Section 538.6 Paragraph C of the Zoning Ordinance which addresses the proposed use would not damage the public health, safety, or general welfare within its vicinity or be materially injurious to properties or improvements in that vicinity.

Specifically, I wanted to talk to you about my comments about air pollution and groundwater contamination. Air pollution in gravel pits is fugitive dust. There is no doubt that the aggregate industry has a problem with fugitive dust emissions. Dust from digging, loading, crushing and transporting aggregates is inevitable. Fugitive dust becomes a bigger problem as wind speeds increase, particularly when wind speeds reach in excess of 20 miles an hour, which in the trade is often termed "a high wind event."

In the 2024 CUP application, IMC has provided the Council with a health consultation performed in Brigham City, Utah, by the Utah Department of Health in cooperation with the federal agency which is the Agency for Toxic Substances and Seizure Registry, or commonly known by initials ATSDR. IMC believes this Brigham City health consultation showed that there's clear evidence that the proposed use would not damage the public safety or general welfare in the area. This is just not true. I would like to provide you with other information in that health consultation that IMC ignored, which I believe shows that the proposed gravel pit would damage the public health, safety and general welfare by nearby – excuse me, for nearby residents.

First, I guess the Planning and Development Council needs to know that ATSDR studies are not done as pure research. ATSDR studies are typically a federal government response to a high level of outrage from local residents that are concerned about an environmental problem in their community. Brigham City, Utah residents were outraged about the fugitive of dust coming from three local sand and gravel pits. The largest of these three was the operation by Staker Parsons, an affiliated company with IMC.

The local residents made several complaints at '97, '98, '99 about air pollution coming from those three gravel operations. In response to these citizen complaints, Utah State initially responded by conducting a limited air sample in each of those years. Utah reported one sampling a day with fugitive dust, commonly called by initials TSP, "Total Suspended Particulate," are above a benchmark a few 160 milligrams per cubic meter in 1997. However, that initial sampling did not satisfy the local residents who continued to lodge complaints, culminating with 28 complaints in the summer of 2003. Their elected representatives then decided to take action.

In September, 2003, the Brigham County Council petitioned the State to investigate the dust problem coming from these gravel pits. The Utah Department of Health responded to that city council petition starting in October 2003. Residents reported health concerns to the investigators including asthma, allergies, respiratory illness, and eye and nose irritation, all of which are consistent with exposure to fugitive dust.

As I stated earlier, ATSDR health consultations are not done unless local residents, and their elected representatives, and the city health agencies are dealing with a very real environmental concern. As a professional in this field, my opinion is that the UDOH ATSDR's investigation and resulting health consultation was a result of Staker Parsons essentially being stone deaf, or excuse me, tone deaf about the effect of their fugitive emissions on their residential neighbors.

As a side note, tone deaf seems to be true of the existing gravel pit here in Pocatello as well. The local IDQ Office has told me that they have had continuing complaints about the existing IMC pit located near Feldman Road at Highway 30 now for 12 years.

The Brigham City Health consultation included additional extensive air sampling conducted in 2004. That air sampling was performed by the State of Utah in the summer of 2004, and most of that sampling was around the Staker Parsons' gravel pit because it was the largest operation. Air samples of airborne dust were collected at 28 days between May and September, 2004. Utah EEQ found that the fugitive dust emissions were mostly total suspended particulate. Few of the 28 days had fugitive dust levels above the EPA benchmark level of 250 milligrams per cubic meter. These results are found in table two of the health consultation. I've got that here and I will give you a copy.

The health consultation states that the potential for high PSP remains due to the occasional strong winds in the Brigham City area. The consultation considered wind speeds of 20 miles an hour or higher as being a high wind event. Pocatello is pretty well-known, I think, by all the people in the room here, as being a pretty windy city.

So I kind of wondered how Pocatello wind gusts would compare to Brigham City wind gusts on those monitoring days back in 2004. I researched the National Weather Service data from the Pocatello Airport for the same days in 2004 and what the wind speeds were in Pocatello on those particular days. I prepared a two-page handout that shows table two that was referenced from the health consultation, and a table that I have prepared, showing a comparison of high wind events in Pocatello to high wind events in Brigham City for those 28

sampling days.

In 2004, Brigham City had two high wind events out of 28 days of sampling, which is 7% of the days sampled. If that 2004 air sampling had been done in Pocatello, there would've been 11 high wind days out of 28, which is 39% of the days sampled. I find that comparison of 7% high wind days versus 39% high wind days in Pocatello to be astounding. Now, there are over five times more high wind days in Pocatello than occurred in Brigham City. I believe this data shows how IMC's fugitive dust emissions would probably present a much greater problem in Pocatello than the fugitive dust in Brigham City.

Given IMC's past history of some 12 years of complaints from residents to our local IDEQ Office about their fugitive dust emissions, coupled with a higher incidence as high wind events in Pocatello, leads me to believe that IMC's proposed gravel pit will damage public health and be materially injurious to downwind properties, residents, pets, and livestock.

ATSDR pays particular attention to what are called "exposure pathways," primarily because air sampling cannot be done everywhere in a neighborhood and cannot be done every day. A complete exposure pathway by ATSDR means that there's a contaminant source, in this case a gravel pit, transported that contaminant by wind; a point of exposure, contact with the airborne dust; a route of human exposure, which is breathing; and finally, an exposed population, which is downwind residents.

The ATSDR found one completed pathway in Brigham City. That pathway was continuing dust emissions released by the sand and gravel pits that's being inhaled by Brigham City residents. ATSDR concluded that this dust simulation pathway existed in the past and will continue into the future because the site is residential; and since the gravel operations will continue operating for the foreseeable future – at least at that time. Dust inhalation and I think the leak – I guess the big reveal here is that ATSDR found that dust inhalation is a current and future exposure pathway of concern. That is directly out of their report.

Let me go on to that and now talk about groundwater concerns. Another environmental concern is the possible

contamination of groundwater. Council members here tonight need to know that almost everybody in this area gets their drinking water from individual wells or community/subdivision wells so residents are very concerned about the possibility of contamination of our groundwater. At the Council's August 2023 public hearing on the 2023 CUP application, council members became very concerned about groundwater contamination, but IMCs application provided little information about the possible groundwater impacts of their proposed gravel pit.

IMC has attempted to address groundwater contamination concerns in their current August 26, 2024 application, which now includes a new Exhibit G entitled "Evaluation of Impacts on to Groundwater Quality," a technical memorandum that was prepared by Rocky Mountain Environmental Associates and dated June 3, 2024.

RMEA was tasked to determine whether groundwater users with wells in the near vicinity of the proposed gravel pit would be significantly impacted by excavation of the pit. RMEA specifically wanted to determine if there was a probable hydraulic barrier between the bottom of the pit and lower water bearing zones. RMEA used an online database of well to river reports, a groundwater flow model, and an online soil survey to prepare their technical memorandum. In other words, RMEA did a paper study.

Now, you know, the RMEA did not do any actual field work. There was no site visits, no test wells, no testing – nothing but computer data. RMEA reviewed well drill logs for 22 wells within approximately one-quarter mile of those gravel pits. The information on subsequent conditions – it's important to note that RMEA acknowledges that well drillers are not trained hydrologists and their drilling logs describing subsequent conditions that, "may or may not," that's a quote, "actively describe those conditions."

RMEA then concludes that it appears unlikely that these wells would be significantly affected by proposed gravel pit excavation, but also state's limitation that, quote, "conclusions of this report are NOT," my emphasis, "scientific certainties, but probabilities." I think it is important for the council members to understand that paper studies can be wrong or misleading when compared to the real world.

Here's my specific example. I used to live on Lacey and I now live on, just the next street over. Anyway, the Lacey Vista Acres Water Corporation provided drinking water to 60 homes in that subdivision from three wells originally. I was the president of Lacey Vista Acres Water Corporation for almost 15 years. I had to make the decision to ban one of those three drinking wells circa 1994 because of contamination with Ethylene Dibromide, known by the initials "EDB." That was an organic chemical used in the 1970s to treat soil for nematodes that were harmful to potatoes.

The drinking water well is around one-quarter mile from the proposed gravel pit. The abandoned Lacey well is located on the south side of Lacey Street immediately north of four other wells that were evaluated by RMEA. The abandoned well was not evaluated. Figure 2 in RMEA's report entitled, "Well location within a half mile of the project location," and shows these four wells designated number one, number four, number five, and number six, located along the right side of that aerial photo.

So my point is, the real world in this case shows that surface contamination, in this case EDB, an agricultural [inaudible 02:31:39] that was applied to the top soil, did in fact migrate from the top soil down to a lower zone that was being used for drinking water. This real world disaster for Lacey residents makes a possibility that a "hydraulic barrier," quote, unquote, exists that would prevent groundwater contamination of lower drink water levels to be very, very questionable.

RMEA also states on page four of their report that RMEA has been in – this is a quote, "RMEA has been informed that IMC is preparing a plan of operation and a reclamation plan for the proposed aggregate mining operations. These plans will contain best management practices that will include requirements for protection against spills, releases, and flushing of sediments that could reach shallow groundwater. RMEA has not reviewed the plan of operations, the reclamation plan or the proposed BMPs and therefore CANNOT PROVIDE AN OPINION," my emphasis, "as to the efficacy of the BMPs protecting groundwater in this area."

not to mention damage to the edges of the road.

Just in the past year, living out there, there was already a noticeable increase in the number of bikers, runners, walkers, horses and kids where you put school buses out on these roads, roads without shoulder or bike lane. Now, by adding a hundred trips per day of gravel trucks to this mix, again, when we ask, what could go wrong? Well, let me tell you what could go wrong. There were a few things that happened in the last three or four months out in our area. First, in the fall we had a gravel truck run off the road on Tyhee Road, off into the irrigation canal, which shut down the irrigation canal for two farmers and residential areas for the remainder of the year. That included me.

Second, we got a call from Mike Powell, who is president of Westfield Estate, came to the corner of Rio Vista and Shelby only to find a car that was sitting under a side dump gravel trailer. Thank goodness everyone was okay. And third, a car pulled out onto Rio Vista from Venus Street and was hit by a gravel truck – who turned over his trailer fully-loaded with gravel, trying to avoid the car – although the driver of the car was okay, as was the truck driver. The car driver was at fault, yes, but just another example of what can happen when you're starting to mix gravel trucks in residential area. A truck, a gravel truck takes just two and a half times longer to stop than your car or my car.

As a side note, this incident did occur at a bus stop, but thankfully the bus and the kids had already come and gone or this accident could have been worse. It should be also noted that Kelly Dial, a transportation supervisor of the Pocatello District 25 Transportation Department, expressed their safety concerns of having six buses making routes in this area twice a day, as she put it, “with the most valuable cargo [inaudible 02:38:08] there with more [inaudible 02:38:08] roads opening up to development trucks is a problem.”

Even our mailman has expressed concern over those two-weeks period when the gravel trucks were back and forth, that she was going to be hit from behind since she spends a lot of time out in the street delivering her route. The simple fact that this will be disruptive to the traffic and safety issues are both reasons for this application to be inconsistent with the Bannock Planning Ordinance 530.6 Part B that states, “The proposed use would not cause undue disruption of

traffic or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.” And Part C, “The proposed use would not damage the public health, safety, and general welfare within the vicinity.”

How do you think protecting and enhancing residential life, as is stated in the comprehensive plan, applies to keeping us safe when we're introducing a mining operation that comes with safety concerns, along with its noise pollution, dust pollution and smell of the asphalt plant to the residential area? This is a bad idea and needs to go [inaudible 02:39:25].

It should also be noted that this proposal has common boundaries with not only residential zoned land and that homeowners, some – Brett Colman, Bernice Jackson, [inaudible 02:39:42], and others, some that have been there for more than 50 years in this area. They worked their lives. They went every day to school, and to work, have raised their kids, and now thinking that they're going to have right next door a gravel pit. It states in the County Regulations 374 use conditional permit, “Permitted industrial use as long as the land in question does not share common boundary with residential zoned land.” Again, this itself should kill the application.

Also listed in the application, in the application's report on page 52 of 239, there is a case study that says – that makes the point that gravel pits do not devalue a home or property. I strongly disagree with the study. This is some question we have to ask whether the gravel pit would have an influence on property value by asking two questions. One, if we have two homes priced the same price, that were identical homes in every way – same floor plan, same builder with very similar properties in the landscaping and size – and one sat next to a gravel pit and the other up on Satterfield Drive, which one would you buy?

The second question to be asked is, how much of a discount provided would influence you to buy this home down in the gravel pit if needed? Would it be 30%, 40%, maybe even 50%? These are real people, good people, our neighbors, [inaudible 02:41:22]. And some are now retired and on fixed income, and in the event that they will someday need to sell their homes and use the proceeds as a preliminary resource of funding to pay for care, it would be a sad day that happens if

**January 16, 2025 Council Meeting
AudioClerk Transcription**

their homes or their property is no longer worth what they thought it was when they were financially [inaudible 02:41:48].

Again, this area, these are real people, friends, neighbors we're talking about, people you are tasked to protect and enhance residents' quality of life as stated in the comprehensive plan. In Section 530.6, this states, letter A, Part A, "The proposed use would adversely impact the surrounding properties." I'm here to say that [inaudible 02:42:16] gravel hot pit application [inaudible 02:42:20]. Let's keep industry with industry. Let's keep residential areas separate. Again, I want to thank each of you for your time.

Chair Ulrich: Thank you, Jerry.

Council Member Selleneit: Thanks.

Trinette Davis: Thank you for allowing me to speak to you tonight on the reasons that I believe you should deny this [CRP 02:42:54] for a gravel pit. My name is Trinette Davis. I live at 15501 West Tyhee Road. I have lived there for 45 years with my husband. He's lived there his entire life, 68 years. We live in our family farm that we've had for over a hundred years. We've just now welcomed the sixth generation to our family farm. We're now the old people in Tyhee. We love the flats. We care about it and we want to see it maintained as the haven it has always been for escape, for rural life.

The comprehensive plan directs our area to grow as rural residential because that was the direction it was taking naturally. 321 designation of rural residential is to maintain a semi-rural setting. People who buy and build and live in rural-residential certainly enjoy the quiet country life. They do not expect to deal with noise, large equipment, beeping, backup noises, blowing dust, hundreds of large daily dumps with pumps running down across our homes.

We, my neighbors and I, are seeing entire [inaudible 02:44:06] properties in Tyhee, trusting that the County will follow their plan. People's property in our area represents for some people a hundred percent of their wealth, but the majority of people probably half of their wealth. A gravel pit bordering our property, threatens our investment. It's hard to say how much an impact the value of our property would be reduced, but most people would probably buy something not next to a gravel pit.

It's been written that the pit will not change the area. But when I look out my back window right now from our farm, this is what that property looks like. See, nice swans, geese. We have ducks. We have fox, coyotes, deer, occasional moose wanders through. It's nice. It's quiet. It's breezy. It can be real windy, but it's nice. Our peaceful farm looks like this. This is our farm.

But if you allow this gravel pit to come in, this is what my view is going to look like. This is the property owned and managed by the claim— the petitioners now. It is deplorable. Trucks start lining up at 6:00 AM at these different gravel pits to get gravel. They have pits that are full of old asphalt standing in water. They say that they will have buffers, that they'll have a berm.

Bannock County Ordinance 200 talks about buffers, natural buffers which create desirable views and reduce impacts of one type of land use on another. 4362: “Hedge-like buffering, six feet in three years... close enough to form a branch-to-branch site obstructing buffer within five years. All such trees and shrubs shall be watered and maintained and shall be replaced with living plant material of similar size and type if they die.” I have provided photos today of how this company manages and follows these regulations in the past. You can see these are not maintained and past behavior is the best predictor of future behavior.

And who monitors or enforces these rules? Over the years, there's been a number of complaints about these sites and it seems that there's little done. We like to walk and ride our bikes on the road. There's kids waiting for school buses, as my neighbors have said. Our farm has a blind driveway at the bottom of our hill leading from the field to the road, pulling out large, slow-moving equipment would pose significant hazards here.

And all sections are not wide enough for trucks to make turns. My neighbors always park on the side of the road. Love my neighbors, they're great, but they park on the side of the road. I can't imagine these large trucks coming between these two parked cars at the top of my hill and especially when my neighbors' kids are out there to catch the bus.

Everybody out there's on a well. Our house is really old, like

I told you, so we have a shallow well. It's not very deep. If they use a lot of water, I have to drill another well. It could lower the water table. Some of the other concerns I have is if they contaminate my ground water, I'll have to drill a new well. Also, how would I know my water's contaminated? I have to test it all the time.

Two years ago we contacted Planning Development because some – we have two children that wanted to build a house on our 80 acres. We were told that you can build a house on every 40 acres, and if you want to build more, you have to get a permit, and you have to change your zoning to rural residential, and that made sense to me. Now they said you can't do it because it would wreck the farm-ag designation, which is what our farm's under. We're not rural residential, but on ag.

And I think that it's obvious that if you can't put a house on more than – two houses on 80 acres. It kind of seems odd that you can take an entire farm, completely destroy it, turn it into a gravel mining operation for a multi-million dollar international corporation and still call it a farm, have it still be zoned agricultural.

Our Zoning Ordinance 115 C says, “to provide for and protect agricultural lands and natural resource areas; 115.B to mitigate the effects of incompatible land use on adjacent uses; E, to provide protection against hazardous materials.” The pit would clearly cause noxious fumes, loud noises, and other hazards and nuisances which constitute environmental pollution. This company would bring all these 12 hours a day, six days a week to my now peaceful farm. With a DOT waiver, it could be a 24/7 operation.

I don't think the CRP is appropriate in this instance. A gravel pit is not compatible with the surrounding land use. I believe the CRP exception for mining gravel in an agriculture area was made for farmers. Maybe we needed some gravel for a road or a shop. It didn't include refining. I do not believe it was for this corporation to destroy the entire farm, create an open pit mine next to people's homes, and then pay approximately \$2,000 a year in taxes.

This company originally asked for a zoning change of the property to light industrial. They wanted an asphalt pit and 150 one-way trips a day to their pit. But I don't think

**January 16, 2025 Council Meeting
AudioClerk Transcription**

anybody just goes one-way to the gravel pit so it's at least 300 trips a day. But they were forced to change to a CUP after it was noted that Bannock County Ordinance for Light Industry Number 374 does not, NOT allow for industrial use when a common border is shared with residentially zoned land.

This land shows three residential borders. They said they only shared two residential orders, but they omitted the native people to the west. This type of industry should not be allowed to use a law for farmers like me and my husband to avoid having to obtain industry-zoned property, or buy an appropriately located property and correctly change the zoning and paying increased taxes. They want to act like this is the only gravel in the area. There's a lot of gravel out there. Anybody who lives in Tyhee – they compared gravel to gold. I can shovel a couple of shovels and I dig gravel. I don't get gold. Never got gold.

This CUP should be denied because it was denied in three previous hearings. Refining and reducing the trucks to 50, saying they'll clean their mess, but they haven't in the past, shouldn't change this. They had said they did a pit in the past. They said that, though they would exclude the residential piece, eventually they'd like to do the whole piece. They want to crush gravel, eventually, refine and create an asphalt pit, maybe eventually. But what they're doing right now is just creating a slippery slope. They just want just a little bit. We just want to do a little gravel pit. But once they have that, they'll have more.

And we've lived there for a hundred years. When we first started out there, there's only farms out there. Now, because we keep adding and adding, there's a gravel pit here, so we put one next to it, and we put one next to it. Nobody's safe from these kind of things with this kind of management. I've included too, an article from the Iowa State Journal, 10-24-24, where this community denied the CUP for a similar Inkom pit.

And lastly, I included a text sent out by this company, John Wilkes, to disrupt the previously scheduled hearing. They stated they wanted to crowd out the residents opposing this pit. This shows the bad faith and the dirty hands of this company. The text is a glaring example of how this company plans to silence and ignore complaints of opposition. This

**January 16, 2025 Council Meeting
AudioClerk Transcription**

gravel mess is not the type of a neighbor anyone wants to have. If you should allow right next to anyone's home, this would be a travesty. I'm asking you to deny this CUP, and I thank you for your time.

Chair Ulrich: Thank you. Can we let them [inaudible 02:53:43]? We got [inaudible 02:53:50]. After Curtis, we'll hear from Mark Stenberg.

Curtis Nielsen: Thank you. My name is Curtis Nielson. I live out at [REDACTED] [REDACTED] Pocatello, Idaho. I'm an occupational medicine physician assistant and certified veteran disability examiner. My statement today is regarding the third standard for approving conditional use permits. While my comments will be focused on the public health, safety, or general welfare portion of the standard, I'm sure that others represented facts regarding [inaudible 02:54:23] to the vicinity.

I would also like to note the Bannock County Comprehensive Plan adopted in 2021. The second item of the vision statement of that plan adopted indicated that Bannock County, "will protect and enhance the residents' quality of life," with an emphasis on the word "residents." As you read the standards for approving a conditional use permit, upon inspection of the third standard, it reads, "The proposed use would not damage the public health, safety, or general welfare within its vicinity."

There is no ambiguity. It is either a yes or a no answer. There are no terms such as, "to a reasonable degree" or applications of significance. It is either a yes or no answer. EPA or Idaho Department of Air Quality Standards as quoted by the applicants are just that; they're guidelines. EPA, Idaho State Department of Air Quality Guidelines do not completely protect from harm, danger, or health effects. They are minimum standards that do not meet the wording of the County standards for approving conditional use permits, which is, "would not damage public health."

Per the CDC, 9.8% of the Idaho population is diagnosed with asthma. Yearly, respiratory symptoms from plowing the fields affects the locals. However, this lasts only a few days in most cases. Particulate matter from a working gravel pit, whether significant or minimal, increases the daily particulate levels in the area and thus increases respiratory symptoms year-round for the neighboring residents. In a report entitled, "Dust Management at Pits and Quarries from the Ontario

Stone Sand and Gravel Association Roads,” dust is managed on-site with a variety of potential control measures.

The exact combination of measures required at a site can vary widely and depends on production and shipping rates, size of the site and distance to neighboring residents. As you can see here, there is no distance to neighboring residents. No dimension of the size and site and distance. The narrative from the applicant addressing the criteria for Standard 3 has mentioned the use of water trucks and sprinkling to keep the dust down, but it cannot eliminate it. The applicant also states that they will be using chemical dust suppressants. That chemical will be applied quarterly, obviously affecting soil and water.

The narrative is false for the best management practices for minimizing dust from gravel pits. A vegetative berm buffer may decrease some of the larger particulates, but it will actually act as a ramp for the smaller, more potent particles to be launching into the neighborhood residential areas from the near daily wind.

Recent passage by the US Congress of the PAC-DAC addresses veteran illness due to particulate matter exposure while serving in the Middle East. This is not to be confused with only burn pit smoke exposure. This is for all particulates, namely sand and dust. The VA has conceded that asthma, chronic bronchitis, COPD, chronic rhinitis, chronic sinusitis, emphysema, and other lung diseases are service-connected due to particulates the veterans were exposed to in the Middle East. These veterans may only have had a one-year deployment and now have chronic respiratory issues.

I personally have a neighbor with chronic respiratory and lung issues that will be affected by this gravel pit. Placing the gravel pit next to established residences will increase the respiratory disease occurrence and severity of the local residents. And remember, the CDC states 9.8% of these residents are presumed to already have been diagnosed with asthma and possibly will increase the rate of asthma exacerbations, placing those residents in potentially life-threatening situations.

The applicants provided a study from the Utah Department of Health that was conducted due to numerous complaints about

*January 16, 2025 Council Meeting
AudioClerk Transcription*

the air quality changes in the area next to their Utah facility. The applicant seemed to be happy with the fact that sampling were well below the health-based EPA standards. However, in that same study, there's a list of a variety of respiratory diagnoses they tried to evaluate, but note, due to the small area and numbers, no rates could be calculated for the illness and diseases listed above. They didn't have enough sampling data to know for sure. This study also notes the particulates will – this study states, in that study, that the particulates will affect the elderly and citizens with bronchial asthma or emphysema, who are exposed to the ambient environment through daily activity.

The study limitations also stated, “Fine particulates were not measured and can penetrate deeper into the lung and may lead to adverse health effects.” The conclusion of that study that they submitted stated, “Residents of Brigham City who live near the Brigham City sand and gravel operations are exposed to airborne dust emissions.” Based on this statement alone, Council must vote against the applicant as the gravel pit will to some degree, even if it were small, will expose the nearby residents with the increased dust emissions, causing respiratory symptoms. These presented facts provided to you, the committee members, with an undeniable obvious response to Standard Number 3, “the proposed use permit will damage the public health safety and general welfare within its vicinity.” There's no other intellectually honest answer that can be given, but to vote against this zoning change. Thank you.

Chair Ulrich:

Thank you. Mark Stenberg. After Mark, we'll hear from Jay Christensen. You have 18 minutes if you need it.

Mark Stenberg:

About fifteen minutes? Awesome. Thank you very much. My name is Mark Stenberg. I have a residence at [REDACTED] [REDACTED] Just in the way of introduction, I have 36 years of work experience in planning, permitting regulatory compliance and cultural resource management, so this is all kind of in my basket of experiences here.

So I'll just jump in, I oppose the approving the repackaged conditional use permit application from last year, formerly denied, as it's been mentioned, you know, four times last year. I'll jump in with the pieces that – and I'm not telling you guys anything you don't already know, the matter for deliberation, thoughtful deliberation later is about the criteria in Bannock County Ordinances. Bannock County Ordinance

530 Conditional Uses has been mentioned. You have the discretion to grant conditional use when it is not in conflict with the comprehensive plan. All right, we covered that ground tonight pretty well.

The allowance of a conditional use is discretionary with the Planning and Development Council and may be granted only in the best interest of the general public. Okay. As it was mentioned, Idaho Materials Construction is CRH headquartered in Dublin, Ireland. It should be noted, that's probably a better way, you know, DBA locally in the application rather than just using the local name of the company to be clear about who's going to profit at this location. Okay.

So, inconsistency with the comprehensive plan, Bannock County Ordinance 530.6 Part D, and I'm going to focus on part A, B, and D, those three – which just kind of to cut to the chase, serve denial, as Monte mentioned too, he focused on these also – states, “the proposed use would be consistent with the goals and policies of the comprehensive plan of the County.”

Okay. From the comprehensive plan of Bannock County, “will protect and enhance residents’ quality of life.” Bannock County comprehensive plan shows the parcels zoned as agricultural, the future zoning map, as mentioned, you know, is residential suburban. A quarry is not consistent with the comprehensive plan. But this fundamental inconsistency of the proposal with the comp plan’s future zoning map, and the development pattern in the area, as mentioned multiple times, should be cause for denial. This application is not consistent with the comp plan.

Okay, moving on, Bannock County Ordinance 530.6 Part A, “Proposed use would not adversely affect surrounding properties to a material greater extent than would be a permitted use of the district.” Okay. We have the permitted uses in the district. We've got residential. We've got agricultural. As Curtis just pointed out, and Jim Sieverson, with the study, there will be fugitive dust.

Okay. The current permitted use of the parcel for agricultural use has essentially no effect on the surrounding residential uses. That's the baseline; no effect. Okay. A CUP for a gravel pit will produce increased truck traffic – it's indisputable –

track out and spillage of gravel on the roads in the area, as well as [inaudible 03:04:04] noise that will affect quality of life for surrounding landowners and their families. Okay. No effect is not possible. That's my opinion.

Okay. The fugitive dust plan, I appreciate them putting that together. It is a little more than a recital of the regulations. And as counsel mentioned earlier, "Hey, you guys have the regulators to enforce that on us." Now, they weren't making a commitment that they were going to do it. He said the regulators will enforce this on you. You've got the protection of GEQ for air quality or whatever.

I believe in the fugitive dust plan it makes reference to a standard of a 20% opacity at the property line. That's the listed allowed standard. And again, that's not no effect. It's 20% opacity allowed as the regulatory threshold. All right. Okay.

This application is inconsistent with Part B of 530.6, again, the proposed use would not cause an undue disruption of travel or an extraordinary increase in volume of traffic. Last year when we were going through this in comments and a formal letter we put together, I asked for a traffic plan. And the traffic plan, traffic study – what we got in this application is a pavement durability study. It's not a traffic study, it's the ability of the roads to withstand truck traffic.

Yeah, they provided that. What we asked for though, we asked for – hold on a second, sorry. However, the submitted study is not on point with traffic concerns. Instead, the study is an engineering assessment of the road's ability to support the weight of truck traffic and labeled as a traffic study.

Okay. Because the applicant failed to provide a proper traffic impact study, the application should be denied or at minimum, no decision should be made until a proper traffic impact study is conducted that counts and characterizes vehicles, motorized and non-motorized, on the roads around the proposed quarry operation; evaluates the safety of those risks; loss of opportunities; and other impacts of quality of life in the area caused by the increased truck traffic, on truck loads and gravel on the roadways, et cetera. We didn't get that and I think that's what the Council actually asked for as they were talking about last year. We got a paper here of what you said.

Anyway, to move on, to consider a conditional use request, all criteria, you guys know this, of Bannock County Ordinance 530.6 must be met. As stated above, Standards A, B and D are not met by the proposal. Because all standards cannot be met, the application for a conditional use permit must be denied.

So that's the most important things I have to say. From an administrative standpoint, I will say the text message about, "Hey, show up early, block the noisy residents," that's not what we're about. We shouldn't be about that in this community. Is this the company that's going to take care of the neighbors that was trying to exclude us from coming and voicing our concerns about the proposal? I'm not sure.

There are problems with the application and I believe staff should have rejected this application and sent it back for corrections multiple times. Where's the affidavit in the counsel's packet that says that our applicant is authorized to make this application on the owner's behalf? You don't have that. I didn't see it. This application shouldn't have proceeded without that affidavit. I heard, I don't know if it's been confirmed or not, but that they bought the property. Again, the application, if they have bought the property at this point, the application doesn't reflect them as an owner. So the application, again, is incorrect.

Third, on the map, and you see the parcel outlined in bright – the bright greenish color there. Okay. They're asking for a conditional use permit on the parcel. They don't differentiate on the parcel between the portion of it that's residential and the portion of it that's agricultural. That's a mistake in the application that should have been corrected. And it's not staff's job to fix these things. It should just be sent back to the applicant, say, "Fix it. You're asking for a conditional use on the agricultural portion of this parcel, not the whole parcel." They don't say that in there. So the application incorrectly makes the ask, I believe.

Okay. What else have we got? In short, nothing has changed from the last application. We got the traffic plan, that's not a traffic plan. We got a fugitive dust plan, which just recites regs. We have glossy pictures of reclaimed quarries that I don't believe are theirs, and we don't have a track record. And as Trinette said, you know, history is the best predictor of the

**January 16, 2025 Council Meeting
AudioClerk Transcription**

future. If we were standing here today and we had two reclaimed quarries from the company in town, walking paths, habitat, have been turned over to the city or whatever, and they were actually making real commitments, which is, “Hey, we're going to put a \$2 million bond up. We're going to give you guys a schedule to get out of this. We have a real plan. We're going to actually sign some stuff. We're going to come in and it's going to look like this stuff.” It's a whole different conversation.

As KT mentioned, there's seven open pits in the area. Folks are just holding permits on them. Why aren't we reclaiming these pits? I don't know, you know, it costs a lot of money. So looking at the history, that's not what we have to work with. Glossy pictures are great. I'd like to see – it'd be a whole different thing. Right? “Here's the course we did in Pocatello. People used them. We turned them over.” That's not the conversation we're having today. So, thank you for your time. Appreciate your service.

Chair Ulrich: Thank you, Mark.

Mark Stenberg: Yep.

Chair Ulrich: Jay Christensen. You have 36 minutes.

Jay Christensen: My name is Jay Christensen. I live at [REDACTED] [REDACTED] in Pocatello. I'd like to begin with thanking the council members for putting up with the long hours and the service you render. We appreciate it greatly.

Section 530 of Bannock County Ordinance states this: “the applicant for a conditional use permit shall carry the burden of proof in showing that proposed use does not conflict with the spirit and purpose of the comprehensive plan of the County and the standards of the conditional use permits set forth in the ordinance.”

Simply put, this application just ignores the vision and direction for growth in this area as outlined in the comprehensive plan. The applicant states that there's a need for gravel for our roadways and they are correct on that point. They also want us to believe that there are only a few places where gravel can be mined. In the maps that they show in their application, they don't even indicate some of the existing gravel pits. The bottom line is there is gravel, plenty of gravel. Just because a company doesn't see the potential

for cheap gravel at this location, it should not be the basis to encroach into this residential area to the detriment of the residents.

The applicant advances the idea that there are residential developments next to the gravel pits not far from this area, and suggests the gravel pit permits won't have an adverse effect on housing values. In the comparable attachment that they have, exhibit that they have, I looked at their comparables and they were not apples and apples comparables. They were comparing houses next to gravel pits with other houses next to high-traffic areas, next to interstates. None of those are going to sell as well as more prime areas.

An important distinction to remember is that these other gravel pits existed first and that home buyers chose to buy knowing that those gravel pits were there in existence when they bought. That's a real important distinction. What's going on here is we have a gravel pit, a mining operation, wanting to push its way into an existing residential setting where houses have already been established and built and lived in for years, and there are a lot of them. That's a very, very different thing. So it's not a fair comparison to say other people are next to a gravel pit. They chose to.

The future map indicates, and if I could get someone to pull it up, thank you. Future land use map indicates the same growth pattern as well. If you look on there – and I'd like to just make a note that Paul Bastian's study on this road traffic report or whatever it's called, he indicated that there would be no real increase in traffic. And I read that and I thought, how can that be?

I talked with Paul about that and I said, "Can you clarify that?" And he says, "Well, I said there would not be any increased traffic on Rio Vista. If you look down on the west end of Chubbuck Road where they've been pulling gravel out of both sides of Rio Vista and moving out to the interstate with it, yes there will not be any increase in traffic down there on that part of Rio Vista. But the red line that I put on this map, going north and west, a mile and a half to two miles will have a substantial increase in traffic.

And I'm going to ask if I, during the timeframe somewhere beginning on or about December the 10th, there was a large

**January 16, 2025 Council Meeting
AudioClerk Transcription**

pile of asphalt road grinds that was hauled from the gravel pit down by where Idaho Rock and Sand is, for whatever reason, that was hauled up on Rio Vista and west on Siphon Road, down over the hill and stored down there and relocated to that spot. And so for about two weeks, we got a first-hand taste of what it would be like to have a gravel pit out there.

And there were random times, I just stopped my car and took some pictures and took some videos. And I would like to play that if I can, right now. The staff has this video, but I'm not sure they can get the sound out of it, so we're going to try this.

[Video 03:16:00] “[inaudible 03:16:00]. Get a little sneak preview of what's going to happen with that gravel pit.”

Please notice how they have to turn on this intersection. You see the cars competing with the trucks. This is the entire intersection to make the turn. This is on Rio Vista at the entrance of the new subdivision. Right after, they're turning south on Siphon Road heading south on Rio Vista.

[End of video]

Does that sound like a residential neighborhood? Fortunately, this recent truck lasted only about two weeks and was temporary. If the mining operation were to be allowed as proposed, this would be a long-lasting daily activity, 7:00 AM to 7:00 PM, six days a week for years to come. I think it would be an unrelenting parade of noisy, disruptive trucks going and coming continually. I just don't see how this can fit into the comprehensive plan. It flies in the face of reasonable application for this round.

One other point that I would like to make is I've been in real estate. I've been an active real estate agent for 47 years in residential sales and development. There are over 200 acres that are being – on the border of Rio Vista and Siphon, where this truck, excuse me, where these trucks are turning. Sixty of these acres have been developed with houses built on them. There's another 120 acres waiting to be developed, in the process of being developed. All this is being done in harmony with the ordinance – zoning ordinance, and the comprehensive plan.

The property taxes paid by these type of developments far

January 16, 2025 Council Meeting
AudioClerk Transcription

exceed by multiples what an empty gravel pit would ever bring in. It probably would not even bring in enough revenue to maintain the roads. If you go down over Siphon Road – I got pictures I could leave with you – where those trucks were – in just a two-week period, where those trucks were driving down over that hill, the road’s crumbling away already, and so that road is not capable of handling that much high traffic, have so many [inaudible 03:21:30] trucks.

And let's see if I've got anything else here. I think that pretty much covers it. I just think it's important that we rely on the comprehensive plan. The citizens of the County rely on this plan. It has been thought out long and hard, put together so that it benefits and protects the public, not for just economic reasons, but for our safety, for our health, for the school bus stops, the kids getting on the school. Can you imagine those trucks going by competing with school buses, picking up children on that road? Thank you for your time.

Chair Ulrich: Thank you, Mr. Christensen. We're going to take a 10-minute recess again. And then – is 10 minutes okay?

Tristan Bourquin: You're the boss.

Chair Ulrich: Okay. Thank you. And then we'll be back at 16 after.

[Break 03:22:27 – 03:35:46]

Chair Ulrich: All right, we're going to get started again. Hopefully, that will be our last break we have to do this evening. So Nate, I believe, we got you down for 27 minutes, if you need it.

Nathan Cuoio: I won't take 27 minutes. Nathan Cuoio, [REDACTED] Pocatello, Idaho, Law Firm Merrill & Merrill, representing the homeowners, the affected homeowners. And so, it's been a long evening. I'm sure you're tired. I am. And at times I felt like the kindergartner waiting for the teachers to ask us to stand up and do the hokey pokey to wake back up.

So a lot of what I was going to touch on has already been addressed significantly by the homeowners, which is good. I think it's good to hear from them directly and personally because they are the ones affected by this application. As you're aware, in August of 2023, there was a similar application proposed to this Council. It was ultimately denied, and I understand that each application is submitted on its own merits and decided on its own merits.

With that said, with each application, there's a staff report that's prepared. In the prior application there was actually a recommendation of approval with conditions. With this one, there's actually a denial. And I think some of those issues, probably because of what was discussed last time. And ultimately there's the five points. And let me just hit on a couple things that I'd like to address.

The first point is, would this adversely affect the surrounding properties to a materially greater extent than would a permitted use in the district? The question is: what are the permitted uses in the district? which currently haven't been discussed tonight. They're things such as residential homes; ag uses of buildings, structures, customarily incidental to such uses; home applications, some have business in their own house; outdoor for-pay recreation uses; ag support; daycares with the limit of six children; public utility installations not including business offices [inaudible 03:38:21] public utility; commercial stables; kennels; and public services facilities.

So when you consider each of these kind of permitted uses and compare them to what this proposed use would be, there's a clear distinction between the two. Those types of uses that are permitted within an ag district and what is being proposed, which is a significant increase in traffic, dust, light pollution, noise pollution – similar to what was just demonstrated on that video by Jay Christensen.

And just wanted you to compare those two in your mind. That's something I'm going to ask you to do as you deliberate, I don't think there's really any question about the distinction between a mining operation and those permitted uses. One is significantly more impactful on the surrounding areas.

The second issue that I'd like to touch on just a little bit, in their application they reference, and I think they – that Mr. Larsen addressed that a little bit earlier as well, but maximum loads per day would be 150. Let's just do the math a little bit on that. So loads would constitute a one-way trip; pick up the load, you take it somewhere, you come back. So I think at a minimum you start at 300 loads; 300 one-way trips per day.

If you have 15 employees, they're driving to work and they're leaving every day, that's 30 more. If they travel off-site for

lunch, potentially 30 more. And that doesn't even include individuals that come onto your site that are coming there for business, for other reasons. And so I think you can see very clearly that the math adds up to show that there is a material greater impact on roads' traffic in this area, just mathematically looking at the facts, calculating the numbers.

One of the other points that I wanted to touch on was, you've heard expert testimony from Jim Sieverson who spent a career dealing with these aggregate issues. He's probably the most qualified person here to talk about it tonight. He and, I think it's Kurt Nielsen, provided clear testimony about health-related issues and how this can have a material impact on the general public's health. And so I just want to point out that I believe that you have sufficient evidence and testimony to the contrary of the application to empower you to make a decision to deny based on that issue as well.

The fourth point, which is the comprehensive plan, which is really kind of been hit on for the most part. And I think Wade Egan probably summarized that best out of anyone. He's probably the most qualified person here tonight to talk about it too, having been part of that commission, part of this board previously.

But just to recap, in 2021, there were a lot of resources spent on that plan, a lot – human capital, financial capital, time. And at the time that that was being done, the board and the committee at that time could have decided – because there are currently two light industrial uses on two sides of the parcel, as pointed out in the application – the commission could have decided, well, we want to keep this consistent with those light uses. We want to make this mine-ag or we want to make this ag-industrial because we need more gravel pits.

But they didn't, right? They chose to designate it as rural residential. And as Wade pointed out, it's perfect for that. It's flat. It could be developed for homes. And as articulated over and over tonight, the financial benefit to the county is not comparable to what this application would provide in terms of revenue to the county and even the general welfare of the constituents of the county by helping offset the tax impact that all of us have.

So let me just point out a couple points in the comprehensive

plan that I think are really material, that I think have to be considered by this council. Growth is a big part of that comprehensive plan. And under the growth portion of that comprehensive plan, there's specifically Policy 1.3.1. I'm going to read it to you. It says, "Continue to require developments, rezones and land uses to comply with the future land use map and associated future land use category descriptions, densities, and intensities." So what that's telling us is that any decision that's made by this council has to consider this specific point: future land use is earmarked. That parcel is earmarked for rural residential. And it's telling you to be consistent, to comply with the future land use map.

Policy 1.3.3 "Continue to ensure that farms, ranches and agricultural areas be appropriately buffered from industrial and more intense uses as needed." So these are not points that were addressed in the application. They did not specifically address in the application how the comprehensive plan is consistent with their application. They talked about how the area needs more gravel. It needs another gravel pit, essentially what they were getting at, it needs more aggregate. And so I don't believe that they addressed that point in the application.

And so when you look at two competing interests, one of them here tonight has more "permanency," we'll call it. If the CUP is approved, it's a done deal. I think, as Wade Egan kind of articulated so well, once you ring the bell, it's hard to unring it. It's hard to enforce that. You put the constituents in a difficult situation because ultimately they're the ones that have to complain to DBQ and these other agencies because they're not following through, right? They don't come back before this board. They don't plead for your help. They have to go to these agencies and that puts these homeowners in an adversarial position with them. And so, if it is denied tonight, then the company can go find another location for a pit that's zoned either light industrial, heavy industrial, a place where it's appropriate. We're not suggesting that there's not a place for these things. It's just not this place.

And so let me just summarize a couple things in closing. I think, let me just read from Section 115 of the Zoning Code, just a couple of things that are – and this is, "The purpose of this ordinance shall be as follows: to promote, protect the health, safety, comfort, general welfare of the public; to support and implement the stated roles for the County as

*January 16, 2025 Council Meeting
AudioClerk Transcription*

expressed in the comprehensive plan, which I just referenced, some of those points; to provide for and protect agricultural lands and sensitive natural resource areas; to mitigate the effects of incompatible land uses on adjacent users, which we're talking about that conflict right now; to propose protection against fire, explosions, hazardous materials, noxious fumes, loud noise and other hazardous and nuisances, which constitute environmental pollution – what we've been talking about all that long, what our constituents have been talking about, things such as significant dust, loud noise all day long and light pollution, among others; to preserve and enhance the value of land and buildings throughout the county, that was testified to by real estate agents with decades of experience; to provide and improve the county's quality of life so that the county will be increasingly valued by residents and non-residents as a desirable place for recreation, living and working.

Most every single one of those from Section 115 touch on someone's residence or home life, their quality of life, their living situation. These are the basic purposes – when you boil it down, that's what it says in the Code – of that ordinance, to protect the things – protect the constituents of Bannock County and we believe the deliberation should be given in light of that. So given what has been presented in writing, in the record and on the record this evening, we believe the Board has sufficient information, testimony, evidence to deny the application. And on behalf of the affected individuals, families, and homeowners behind me, we ask that you do that. Thank you.

Chair Ulrich: Thank you, Mr. Cuoio. All right. We would like to invite the applicant back up for rebuttal. And I think we are giving 15 minutes for that rebuttal.

Reed Larsen: Thank you. And thank you for your diligence tonight. It's been a long night and I appreciate your attention. There are a number of things that I want to hit on, and it's a little bit haphazard. I apologize in advance.

First, what they just discussed was the tax consequence of this transaction. That's not one of the factors that you're to consider. It's not one of the factors that you have to meet. But since it's brought up, we pay a substantial amount of sales tax for every load of gravel that goes in and out. So it's not like this is a tax-neutral situation. It is – we are paying our fair share. We'll pay the property tax. We'll pay the sales tax. But

that's not the test for what we're doing here.

The second is addressing the issue of public health. This is an interesting aspect of it. But what we provided to you is a reasonable study that shows, from a similar location, that has way more volume than is going to be done here that there is no proven effect. That's important: there's no proven effect. We didn't do that study. That was a study that was done at someone else's request and it was done based on complaints.

Which leads me to my next point: We've been mining at this operation where we currently are since 1973 or before. Actually, we took over from the predecessor who had been mining before '73. This new location is moving literally around the corner. So it's not like this is something where they say, "We didn't know a gravel pit would be here." There've been gravel pits there since before 1973. This is a known use. The next thing that they say is, "Well, we can go someplace else and get gravel." The answer to that is: no, we can't. Why? Because it doesn't exist. If you look at the application, we've provided a map. If you look at page six of the application, you'll see two circles that kind of coincide. There's a little finger just outside of those circles. The one is Simplot's, we can't do anything there. That's where gravel is. The other is where our proposed pit is, and then there isn't any place else. The next place there's gravel's Pocatello. It's developed. You're not going to get gravel there.

So we can't go someplace else. There's not another location we can go to say, "Oh, we'll go here to provide affordable gravel to the citizens of Chubbuck and Pocatello and Bannock County. It doesn't physically exist. So is it in the County's interest? Yes. Is it in the entire citizen's interest? Yes it is. We need this product.

Then the next issue you look at is the affordability of it. Well, where are you going to go to get it? If you don't want it in my backyard, where are you going to go to get it? Well, it doesn't exist so you're not going to have it. So part of your comprehensive plan is to have a plan for growth for the next 20 years. That was part of the comprehensive plan.

Now the next point is they keep saying that this isn't a permitted use. Well, there's only one portion of this property that's rural residential. The majority of this property and everything that's going to be mined is zoned agricultural with

**January 16, 2025 Council Meeting
AudioClerk Transcription**

its closest boundary next to it being light industrial. That was part of the comprehensive plan; so this use is consistent with that.

Now, the next question you have is the traffic. We provided you with the traffic study and we provided you with Road and Bridge to say that there is sufficient roads. What everyone is missing is the traffic is already there. We are already mining. We are already doing everything that we do. That's not going to change. One pit is going to close, another pit is going to open. So what is the net traffic increase? It's going to be the same as it is now. And you were living by a gravel pit to start with, you're still living by a gravel pit. And it's a gravel pit that we need. So I respectfully submit that we've met those requirements.

The noise issue, there's currently noise that goes from the current mine, but we've had zero complaints of noise. We've had zero complaints of dust, but we have mitigation plans in place. If you look at Exhibits A, B, C, there are mitigation plans that are self-checked and also enforced by D or F – by the EPA and by the Idaho Department of Air Quality. They enforce those too, but we monitor those. If we don't monitor, we're not in compliance. And if we're not in compliance, we can violate it.

Now, the Mining Office also monitors it so we have to do those things. And we've been doing those in the current location. So that's still just that argument, “We don't want it in our backyard.” It's already in our backyard. We just don't want a new one. Well, that would be fine if we didn't need gravel, but we do. We need it because it's the building block of the development that we're going to need for the next 20 years. We have to plan for it. And the comprehensive plan did that, and it provided the basis for us to get here. So on that issue, I think we clearly show that we've met those requirements.

I appreciate the spirit that's been present tonight. There are a number of people who've given testimony, who I know, appreciate and like – that have been friends for years. And we can disagree on certain things, but as it relates to this, we're complying with the ordinance. We have complied with the ordinance, and based on compliance, we should be granted a conditional use permit so we can go forward. Thank you.

**January 16, 2025 Council Meeting
AudioClerk Transcription**

Chair Ulrich: Thank you. Do we have any questions on the rebuttal?

Council Member Selleneit: Do you have any questions?

Chair Ulrich: For the applicant?

Council Member Madsen: [inaudible 03:56:53]?

Chair Ulrich: No. It could be for the applicant. Would you like John to come up or –

Council Member Madsen: Either one. Whoever prefers to answer, I have a few questions. Are there any plans for erosion control on the berms, which come up fairly close to the property lines?

John Wilkes: That's the purpose of the vegetation on the berm.

Council Member Madsen: And another question is, is IMC willing to consider the bonding that's been brought up tonight to hold you to a reclamation plan somewhere on the list in the application packet?

John Wilkes: So we're required by the Idaho Department of Lands to file a bond for reclamation.

Chair Ulrich: You could – you can stay up there for a minute.

John Wilkes: Okay. I kind of –

Chair Ulrich: You're probably as tired as we are.

Council Member Madsen: That's all I have for now.

John Wilkes: Would that be okay? Is it okay to sit down now?

Chair Ulrich: I have a question for your attorney, just for discussion purposes. You had mentioned that you live by the landfill.

Reed Larsen: Yes.

Chair Ulrich: And you love it?

Reed Larsen: I do.

Chair Ulrich: Okay. And that's –

Reed Larsen: That's what's weird.

Chair Ulrich: Yeah, I know, it's – but that's not the point. The point I'm asking is, had the landfill not been there when you purchased it –

*January 16, 2025 Council Meeting
AudioClerk Transcription*

- Reed Larsen: Had it not been there?
- Chair Ulrich: – and you bought that place looking at a future land use map that did not show a landfill or anything of that sort and then the City decided, “We're going to change the zoning and we're going to build [inaudible 03:59:01],” would that have steered you in a different direction?
- Reed Larsen: No, I love the house. I love the location. I love the property.
- Chair Ulrich: Okay. All right, thank you. So let's start with – start with the FLUM, because that's fresh with us right now. If we're working on a new comprehensive plan for 2040, right? So Hal, can you give us a brief synopsis of why we have a FLUM so that the audience knows what that's about? Sorry to put you on the spot.
- Hal Jensen: Future land use map is a document that is adopted by the commission, which is a guiding document for future growth. It is somewhat indicative but not absolutely indicative of participating and making patterns of where growth is currently occurring or potentially could go. It's required under Idaho statute that a county have a future land use map to accompany its comprehensive plan.
- Chair Ulrich: Now, do you have a map on the wall and just throw a dart and say, “That's going to be commercial”?
- Hal Jensen: No, no. Future land use map is, for all intents and purposes, what we anticipate as well as the growth patterns that we have experienced over a particular pattern or period of time. So therefore, if we recognize when we go to do updates and edits of a future land use map to accompany an adoption or an update of a comprehensive plan, we then go in and change as well as take it – once those changes are made – we take them to the public and they have the opportunity to review whether they agree or they disagree.
- And we have had discussion, at times with people, through the county at our respective meetings that they agree with particular things and they disagree with particular things. And it's a push and pull, and it's changed. It should be changed or updated within every five to seven years, plus or minus.
- Chair Ulrich: Okay. So talked about this a little bit yesterday. Last night we were in a meeting until [inaudible 04:01:45]. This is the

**January 16, 2025 Council Meeting
AudioClerk Transcription**

second night in a row. It's nice and fresh. Anticipated growth in Bannock County 2040 is 33% is the number I saw in the –

Council Member Selleneit: There's two [inaudible 04:02:00] 13 and it says 33, I didn't know which one was correct.

Chair Ulrich: Either way, there's some significant growth that's going to be had.

Council Member Selleneit: Seventeen or 33.

Chair Ulrich: Seventeen or 33, some significant growth that's happening in Bannock County and I think it'd be – even though we see a large amount of growth happens in the south end of the county, a substantial amount that I can expect is going to probably be within this north end corridor. So as we line this out to discuss that FLUM, is that FLUM is – where do we put more houses, more residents, more places for people to go. So that can't be ignored, especially in this.

Council Member Selleneit: And I think that, and we've been talking about this – we've been talking about this for months, but the lack of housing, trying to find a place and a reasonable place to have new homes built. And I think the FLUM or future land use map, it's obviously kind of a changing document, but that's kind of a good guideline that we've been going by. It's up here or there, right?

Chair Ulrich: So currently this is zoned partially as rural residential, and partial – the corner is zoned residential.

Council Member Selleneit: Agricultural.

Chair Ulrich: And agriculture is the second, the large portion of that. And if you can bring up that future land use map. That's current, right? All right. So is this current right now?

Hal Jensen: Yes.

Tristan Bourquin: This is the future land use map. So that salmon color is residential suburban, the purple is industrial, and then the tan is reservation.

Chair Ulrich: Okay.

Tristan Bourquin: And then really quick, if everybody could pull their mics to their mouths so it will pick you up. Thank you.

Chair Ulrich: Thank you.

**January 16, 2025 Council Meeting
AudioClerk Transcription**

Council Member Selleneit: So currently being zoned agricultural, so this is minus the future land use map. So I'm just reading here the definition of agricultural, "includes prime farmland, which has not been divided into small agriculturally unusable parcels. The agricultural zone is not intended to accommodate non-agricultural development." There's a little more to it there, however, there is other – and it gives us permitted uses. The applicant has talked about mining, which is in there, which goes to – would be approval by –

Chair Ulrich: A conditional use.

Council Member Selleneit: Yeah.

Chair Ulrich: A conditional use.

Council Member Selleneit: Yeah, that's right. We go for a conditional use.

Chair Ulrich: Section 530. Section 530 Conditional Use, right?

Council Member Selleneit: Mm-hmm. "A conditional use may be granted to an applicant if the proposed use is otherwise prohibited by the terms of the ordinance but may be allowed in conditions under specific provisions of the ordinance and when it is not in conflict with the comprehensive plan." Now we have a future comprehensive plan that's going to put this residential suburban. Is that conflicting?

Chair Ulrich: That's my thought process and that's why I brought it up.

Council Member Selleneit: Yep.

Chair Ulrich: There's other things in here that also it's, it – again, it's up to the Council. It says, "The allowance of the conditional use is discretionary with Planning and Development Council and may be granted only: – and I highlighted that "only" – "in the best interest of the general public." So obviously, the applicant for a conditional use permit shall carry the burden of proof in showing that the proposal does not conflict with the spirit and purpose of the comprehensive plan of the county and the standards and conditions – use permit set forth in the ordinance.

So "best interest of the public," I understand what the applicant's saying is we aggregate, which I'm not going to argue that. But you have a lot of people who have established a life in this area that us approving this does not give them a choice of whether that's their best interest or not.

**January 16, 2025 Council Meeting
AudioClerk Transcription**

- Council Member Selleneit: We are here for the public input. It's great to see a lot, a volume of public input. We are the public, that's why we're here.
- Chair Ulrich: And that's by no means saying that Idaho Material does a bad job or they don't take care of their employees.
- Council Member Selleneit: Yeah. No bias. No bias.
- Chair Ulrich: Or as Nate brought up, or Mr. Larsen, correct, brought up we're – I'm trying to leave a hundred percent the sales tax versus property tax – that, I'm trying to leave a hundred percent out of this because again, I don't have that crystal ball, nobody here does, and so we leave that out. But when we're talking about the conditional use, there's some specific things here that I just don't feel we can meet that criteria. So we can – if you'd like, we can start moving through the findings. Yeah?
- Council Member Selleneit: I feel like we can.
- Chair Ulrich: Okay. So we'll move through these findings and we'll have more discussion. We may ask members of the audience, as we go through these, we may not – same with the applicant – to come up and answer some questions. But the first one in the findings is the proposed use would or would not adversely affect surrounding properties to a material greater extent than a permitted use in the district. Talk about permitted uses in that district. Do you have that [inaudible 04:09:12]?
- Council Member Selleneit: No. [Inaudible 04:09:13] permitted uses [inaudible 04:09:17].
- Chair Ulrich: [Inaudible 04:09:22].
- Council Member Madsen: I jotted down some other ones from other comments.
- Chair Ulrich: Yep.
- Council Member Madsen: They include home businesses, outdoor for-pay recreation, daycares with six kids or less, stables, kennels, things of that nature.
- Chair Ulrich: So when I thought about this, as we were talking, I think Nate brought up permitted uses, and as he was going through that list, in my head I'm going, okay, what is the worst possible use out of this list of uses? And if I put myself in the same position, I think I can handle a barking dog in a kennel a little bit more than 85 semi-trucks coming past my house

**January 16, 2025 Council Meeting
AudioClerk Transcription**

every day, so that's just my train of thought. So when we look at that and we say, "materially greater extent than what a permitted use," so if I'm thinking in my head, the worst thing that I think on that list to me would be a kennel. I would say that trucks rolling by my house that many times a day is a materially greater extent than the permitted use. Am I correct with that [inaudible 04:10:34]?

- Council Member Selleneit: This is a currently permitted use in the district, although mining is there, but under a CUP.
- Chair Ulrich: That's right.
- Council Member Selleneit: But then you go to the CUP, yes, "the proposed use would adversely affect the surrounding property to a materially greater extent than would be permitted use in the district." For the agriculture, the farm district, there's no effect there.
- Chair Ulrich: Okay, so we want to – if Tristan's writing this down, we want to assign an ordinance.
- Hal Jensen: Council has shown by what evidence presented tonight by the opposition.
- Chair Ulrich: That's right. There will be an increase of traffic directly in the adjacent area. I understand that there's already a gravel pit down the road, but that does change significantly the residents and the exposure they have to that traffic. It will change – I'm not saying you're not going to take care of dust, but there will be a change in the amount of dust that's in the air. You know, agricultural dust is seasonal. This is going to have the chance for dust, 360, 300 –
- Council Member Selleneit: Sixty-five.
- Chair Ulrich: – well, not 65, but I mean a lot of days of the year.
- Council Member Dimick: I think it's important to add, too, the undue disruption of travel because of the school bus in the video that we saw.
- Chair Ulrich: And the video, I know, is a rare instance, but it does apply to the fact that – and I know not all the trucks coming in and out of there are going to be the side dumps, but it doesn't change the fact that those intersections are tight and they're small and there will be disruption.
- Council Member Dimick: And also noise and dirt and gravel track out onto roads.

**January 16, 2025 Council Meeting
AudioClerk Transcription**

- Chair Ulrich: And we see that already with the existing gravel pits. And I'm not faulting them for that because that's part of the business. All right. Did that give you enough to type?
- Tristan Bourquin: Okay. Here what I have – here is what I have so far: “Permitted uses in the agricultural zone include home businesses, outdoor for-pay recreation, home daycares up to six children, agricultural support, commercial stables and kennels. Gravel trucks driving by the neighborhood would adversely affect surrounding properties to a materially greater extent than these permitted uses. There will be an increase in traffic in the adjacent area and will disrupt travel with school buses and other daily traffic. This will change the amount of dust in the area, whether mitigation measures are in place or not. Noise and dirt and travel track out will also increase as part of the proposed use.”
- Chair Ulrich: Okay.
- Council Member Dimick: Gravel track out? You say, “travel or gravel”? I meant gravel.
- Tristan Bourquin: I typed travel. Yes. Thank you.
- Chair Ulrich: All right. The second one, “The proposed use would or would not cause an undue disruption in travel to an extraordinary increase in volume of traffic in the vicinity of the proposed use.” Again, “in the vicinity,” is not well defined, but in my mind, in the vicinity would probably be within that square mile walk.
- Council Member Selleneit: I would say it would cause an undue disruption, 150 to 300 trucks a day, that's – little two-lane roads, that's a disruption.
- Chair Ulrich: That's a disruption. As stated by the applicant, the max would be 150. Again, it wasn't clear whether that's there and back, whether it's empty, but even if we stated 150 alone, that is still an increase of traffic in that vicinity. Go ahead, Molly.
- Council Member Dimick: Ed, can I point out the calculated increase in traffic in the traffic study was actually up to 400 a day maximum considering roundtrip?
- Chair Ulrich: Okay. And that was in the application?
- Council Member Dimick: Yes.
- Chair Ulrich: So was it 150 to 400?
- Council Member Dimick: 150 to 200 loaded trucks per day outgoing, so that's assuming 400 max.

**January 16, 2025 Council Meeting
AudioClerk Transcription**

- Chair Ulrich: Okay.
- Tristan Bourquin: One hundred to – 150 to 200 additional trucks per day with one trip, which would calculate to 300 to 400 daily trips, as stated by the applicant, would cause an undue disruption of travel in the vicinity.
- Hal Jensen: Counsel in your deliberations, the language is, “extraordinary increase in the volume.” I think you need to change your language relative to your defensible position and address that language specifically. Tristan, will you read that back please?
- Tristan Bourquin: One hundred and fifty to 200 additional trucks per day with one trip, which would calculate to 300 to 400 daily trips, as stated by the applicant, would cause an undue disruption of travel in the vicinity.
- Chair Ulrich: And an increase of volume.
- Female: Extraordinary.
- Council Member Selleneit: Extraordinary increase.
- Chair Ulrich: Yes, we'll use that word. Yes.
- Council Member Dimick: So Hal, would it help to cite the current traffic levels in the traffic study, which say 500 vehicles per day on Siphon and 400 per day on Rio Vista, so up to a 100% increase?
- Hal Jensen: Yes.
- Tristan Bourquin: Do you want me to read it again?
- Chair Ulrich: Yes, please. Thank you.
- Tristan Bourquin: One hundred and fifty to 200 additional trucks per day with one trip, which would calculate to 300 to 400 daily trips as stated by the applicant, would cause an undue disruption of travel in the vicinity and an extraordinary increase in volume. This could be up to 100% increase in volume of traffic.
- Chair Ulrich: Okay. C, “The proposed use would or not – would or would not damage the public health, safety or general welfare within its vicinity to a materially injurious – to the properties or improvements in the vicinity.” I've complained about that “materially injurious” before because how do you define that?
- The way I look at it is when you're talking about public health, when you're talking about – as Curtis talked about

**January 16, 2025 Council Meeting
AudioClerk Transcription**

asthma in the area – any increase at all to me is materially injurious. The folks out there are used to it the way it is, and if we add anything on top of that, then to me, we're talking about public health. So that's my –

Council Member Selleneit: We're definitely not doctors on public health.

Chair Ulrich: Exactly.

Council Member Selleneit: So I don't think we can address the health issue. There could be studies and everything, but we're some council members.

Chair Ulrich: That's right.

Council Member Selleneit: We can hear –

Chair Ulrich: But my point is: will there be a change from what there currently is?

Council Member Dimick: I think we could point out the safety, traffic safety because of –

Council Member Selleneit: Yeah, I think we almost need a little help on – I don't see how we can determine yea or nay on [inaudible 04:19:29] health.

Chair Ulrich: But we can determine that with that increase of loads coming up and down that road, there's going to be an increase –

Council Member Selleneit: Safety problem.

Chair Ulrich: – especially with the fact that we've got six buses making stops twice a day between Siphon Road and Philbin Road. General welfare of the public with that change in traffic, we know that definitely –

Council Member Selleneit: It will be injurious to properties and materially [inaudible 04:19:56].

Hal Jensen: Council, quick change of language relative to adjectives, et cetera, from definitions. A new way to read that would be “substantially causing harm.”

Council Member Dimick: And I think it's important that it says “or,” and not “and,” so really we only have to demonstrate that one of those is true.

Chair Ulrich: “General welfare or material,” so we can just say – we just leave it at “general welfare” there because it's an assumption. Then again, we don't see the future so we can't make –

**January 16, 2025 Council Meeting
AudioClerk Transcription**

- Council Member Dimick: And I think traffic safety is key for 95% of us, that's the most dangerous part of our day, right, is being on the road.
- Council Member Madsen: Correct. And gravel on the road [inaudible 04:20:49] bicycles and just the safety of –
- Council Member Selleneit: Up to a hundred percent increase in traffic, there's recreation loss, there's enough –
- Chair Ulrich: There's an increase in risk.
- Council Member Dimick: And again, we recognize it's in that general vicinity. We know the trucks are already [inaudible 04:21:04] there are already gravel pits, but it's in that location, proximity to a school bus stop.
- Council Member Selleneit: Yeah, the vicinity.
- Chair Ulrich: Okay, so we need to give Tristan something to type. So the proposed use would damage the public health, safety and general welfare within the vicinity or be materially injurious to the properties or improvements in the vicinity. Based on the increase of traffic in the current uses of Siphon and Philbin Roads for bus stops, for daily commuters, jogging, running, walking, whatever people use it for –
- Council Member Selleneit: Based on the applicant's proposed numbers.
- Chair Ulrich: – and based on the applicant's proposed numbers.
- Council Member Selleneit: Of trucks. Or traffic, proposed traffic.
- Tristan Bourquin: The proposed use would damage the public health, safety, or general welfare based on the increase of traffic and the current uses of Siphon and Philbin Roads for bus stops, daily commuters, bikers, joggers, runners, and walkers. This is based on the applicant's cited number of truck traffic increase.
- Chair Ulrich: Thank you. All right. D, “The proposed use would or would not be consistent with the goals and policies of the comprehensive plan of the County.” Besides paper cuts, I have a lot of notes. And in the comprehensive plan, hold up –
- Female: [Inaudible 04:23:21] land use map.
- Chair Ulrich: Yeah, which also includes the future land use map. In Table 1.2 of that Comprehensive Plan it says, “Protect and enhance residents’ quality of life.” And I'm going to lean on the word “protect” here because the residents in and around this

**January 16, 2025 Council Meeting
AudioClerk Transcription**

property have a specific quality of life that they're currently enjoying, and anything we allow that's going to disrupt or change that is not enhancing it. I don't think there's anybody here for or against this that would say this is going to enhance and make their lives better. So can I quote that statement, the vision statement within the comprehensive plan? Okay. Is that – did I just field everybody's [inaudible 04:24:19] there? All right. E, “The proposed use would or would not –

- Tristan Bourquin: Hold on, Ed.
- Chair Ulrich: What?
- Tristan Bourquin: Since it says, “goals and policies,” I would probably also state some specific goals or policies outlined in the comp plan as well.
- Chair Ulrich: Okay. All right.
- Council Member Selleneit: [Inaudible 04:24:44] future land use map which is to go residential rural.
- Chair Ulrich: Okay. So we could also say that.
- Female: [Inaudible 04:24:55].
- Chair Ulrich: All right, so policy 1.5.2, “To ensure land use actions, decisions, regulations align with the county's responsibility to protect public health, safety, and welfare.” Is that the one you wanted?
- Tristan Bourquin: Which policy number is that again?
- Chair Ulrich: 1.5.2. And then I probably should have done this one first, but Objective 1.5, “Ensure that the county's land use policies and regulations do not violate private property rights.” Would you like one more?
- Hal Jensen: Council, how does that violate private property rights? You need to have that defensible position. Not just quote, but have a conclusion of how those property rights –
- Chair Ulrich: Okay. Sound, noise by itself is one.
- Council Member Selleneit: [Inaudible 04:26:42] property, private property [inaudible 04:26:43].
- Chair Ulrich: Okay. We'll leave Objective 1.5 out, just so we don't have to go down the rabbit hole of private property rights.

**January 16, 2025 Council Meeting
AudioClerk Transcription**

- Council Member Dimick: We can [inaudible 04:26:57] if we need to, 2.3 “Ensure that impacts of adjacent land uses are mitigated, agricultural, commercial, industrial, residential through buffer zones, design standards, other land use policies,” is that helpful?
- Council Member Selleneit: You get all that?
- Council Member Dimick: It’s in the staff report. Staff findings.
- Tristan Bourquin: And that's being referenced because? I just need a reason for that policy as well.
- Chair Ulrich: We don’t need that second one.
- Council Member Selleneit: You want to read it back to us, what we have?
- Chair Ulrich: Yeah, read it back to us?
- Tristan Bourquin: In Table 1.2 of the comprehensive plan, it states, “To protect and enhance residents’ quality of life. The residents in and around this property have a specific quality of life in the vicinity of the proposed use. The use of the gravel pit would not enhance the neighbor's quality of life. The future land use map has designated this area as residential suburban in order to adhere to Policy 1.5.2, which states, “Ensure land use actions, decisions, and regulations align with the county's responsibility to protect public health, safety, and welfare. This parcel would maintain an agriculture or residential suburban use.”
- Chair Ulrich: Great. Thank you. All right, we're on E now, correct?
- Council Member Selleneit: Yeah, we’re on [inaudible 04:29:13].
- Chair Ulrich: The purpose – the proposed use would or would not be designed to be applicable – I’m sorry, to be compatible in terms of bulk, height, scale, setback, open space and landscaping with adjacent uses as is practical. I would say it would because they stated what they would do to maintain berm, to maintain all of the required setback bulk, scale, size, open space –
- Council Member Selleneit: Well, they proposed building [inaudible 04:29:47].
- Chair Ulrich: That's right. So there were no buildings, but everything that they have proposed would fit within that table.
- Council Member Selleneit: Setbacks.

January 16, 2025 Council Meeting
AudioClerk Transcription

Chair Ulrich: Per their application. Actually, I got a question first. Do we need to go through conditions, Hal?

Hal Jensen: I don't believe so.

Chair Ulrich: Okay.

Hal Jensen: I don't believe so. I think you're finished through this point.

Chair Ulrich: Okay.

Council Member Selleneit: Have her read that last one.

Chair Ulrich: Yeah, you want to read that last one for us, Tristan?

Tristan Bourquin: With the maintenance of berms, setbacks, and other items outlined in the proposal, this application would be compatible with setbacks, open spaces, and landscaping.

Chair Ulrich: There it is.

Council Member Dimick: Based on the record and the discussion this evening, I move to deny the request by John Wilkes for a conditional use permit, as described in the application materials, as supplemented with additional information attached in the staff report, and according to testimony received, and to adopt the proposed findings and order for signature by the chair or vice chair.

Council Member Selleneit: I'll second that.

Chair Ulrich: So we've had a motion to deny and a second. We'll do a roll call vote. Reminding that a yes vote is for the denial.

Tristan Bourquin: Molly Dimick.

Council Member Dimick: Yes.

Tristan Bourquin: Chad Selleneit.

Council Member Selleneit: Yes.

Tristan Bourquin: Edward Ulrich.

Chair Ulrich: Yes.

Tristan Bourquin: Krystal Madsen?

Council Member Madsen: Yes.

Chair Ulrich: Carries a four to zero vote. Four to deny. We now open up for agenda item number four, citizen comments.

**January 16, 2025 Council Meeting
AudioClerk Transcription**

Tristan Bourquin: Before you do that, you need a motion to close the public hearing.

Chair Ulrich: To close the public hearing. Okay.

Council Member Selleneit: I motion to close the public hearing.

Council Member Madsen: I'll second that.

Tristan Bourquin: All in favor?

All: Aye.

Tristan Bourquin: Any opposed?

Chair Ulrich: All right, so the next agenda item will be citizen comments. This is time set aside to hear items from the audience not listed in the agenda. Items which appeared somewhere else on the agenda will not be discussed. The Council is not allowing to take any official action at this meeting on matters brought forward over this [inaudible 04:33:00] agenda item. You must sign in at the start of the meeting to [inaudible 04:33:05] be recognized. We have anybody signed in for that?

Tristan Bourquin: No, we do not.

Chair Ulrich: All right. We'll adjourn.

[End of Recording]