



MINUTES OF THE BOARD OF BANNOCK COUNTY COMMISSIONERS

Meeting Details

Date of Meeting:	Tuesday, April 1, 2025
Commissioners present:	Ernie Moser, Jeff Hough, and Ken Bullock
Clerk of the Board:	Jason C. Dixon
Absent Board Members:	
Staff present:	Deputy Clerk Nancy Allen, Comptroller Kristi Klauser, and Attorney Jon Radford

Agenda Details

AGENDA	
	Business Meeting (action items)
	Agenda:
1	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> Jason Dixon, Clerk, requesting an Executive Session pursuant to Idaho Code §74-206(1)(c) to acquire an interest in real property not owned by a public agency with potential action following adjournment of Executive Session (requested 5 minutes) (action item)
3	<ul style="list-style-type: none"> Tristan Bourquin, Planning and Development, seeking to discuss a Memorandum of Understanding with Fort hall for Zoning and building permits and regulations (requesting 15 minutes) (action item)
4	<ul style="list-style-type: none"> Shanda Crystal, Procurement, requesting to (1) discuss a potential signature on a change order with Pro Builders, and (2) provide a procurement update (requesting 5 minutes) (action item)
5	<ul style="list-style-type: none"> Kristi Klauser, Auditing, seeking approval of an IRS bill for late tax payment (requested 5 minutes) (action item)
6	RESOLUTIONS AND ORDINANCES (action items): Resolution No. 2025-26 Authorization to Dispose Surplus Assets/Property Resolution No. 2025-27 Adopting the 2025 Comprehensive Plan and Future Land Use Map Resolution No. 2025-28 Appeal of Planning Council’s Denial of Wilkes Conditional Use Permit Application Resolution No. 2025-29 Approving March 2025 Salaries Resolution No. 2025-30 Approving January 2025 Alcohol Licenses County Ordinance 2025-2 Amendment No. 1 to Ordinance No. 2009-5
7	LETTERS AND NOTICES (action items): Waiver and Release of Liability with Pine Ridge Mall Common Area/Exterior Common/Parking Lot Meeting Facility Use Request Form with the City of Chubbuck
8	SIGNATURE ONLY (action items): Customer Setup Form
9	CONSENT AGENDA (action items): <ul style="list-style-type: none"> Manual Checks Alcohol Licenses and Catering Permits Certificate of Residency Approval Salary Rate Approval Forms/Notice of Separation with Potential Executive Session under Idaho Code §74-206(1)(a)&(b) regarding personnel with potential action following adjournment of Executive Session Technology Forms

- | | |
|----|---|
| 10 | <ul style="list-style-type: none">Minutes: Approval of Meeting Minutes for March 25, 2025, and Certification of Said Minutes Public Hearing for Road Validation (action item) |
|----|---|

Meeting Notes

- 1 9:00 AM Hough called the meeting to order. No indigent business.
- 2 9:00 AM Bullock moved to enter into executive session under Idaho Code §74-206(1)(c) regarding an interest in real property. The motion passed by roll call vote. 9:03 AM Hough moved to exit executive session. The motion passed. Moser moved that the Lander property be put up for auction and that the Chair sign the documentation upon receipt. The motion passed.
- 3 9:03 AM Fort Hall Land Use Policy Commission members Laurie Kniffin, Pat Broncho, and Darrell Shay; Fort Hall Land Use Director Preston Buckskin, Tribal Attorney Monte Gray, Zoning Planner Annie Hughes, Planning Director Hal Jensen, and Subdivision Planner Alisse Foster were also present. Bourquin proposed using an MOU similar to Bingham County. Currently, non-tribal owners apply with Bannock County and tribal members apply with Fort Hall. Kniffin explained it will eliminate confusion and owners being sent back and forth if the Tribe handles permits located within tribal ground. The MOU would allow the Tribe to take care of the permits. Discussion ensued on getting to this point, the Bingham County agreement, and getting info out through the contractors and realtors associations. An MOU will be developed.
- 4 9:16 AM Crystal requested approval of a change order with Pro Builders for \$23,678. Moser moved to approve the contract. The motion passed.
9:19 AM Crystal gave updates on procurement projects.
- 5 9:23 AM Klauser reviewed an invoice for \$4,000 from the IRS due to a timing issue. It was missed when an employee left employment and requested their last pay within two days to submit the taxes to the IRS the next day and we were penalized. Moser moved to approve the payment. The motion passed.
- 6 9:25 AM Bullock moved to approve Resolution Numbers 2025-26, 27, 28, 29, and 30 and adopt Ordinance 2025-02. The motion passed.
- 7 9:27 AM Discussion ensued on the contracts for poll worker training and polling locations. Hough moved to approve the facility use form. The motion passed. Hough moved to approve the waiver with Pine Ridge Mall. The motion passed.
- 8 9:29 AM Moser moved to approve the Chair's signature. The motion passed.
- 9 The consent agenda included certificates of residency, salary forms, and minutes. Moser moved to approve the consent agenda. The motion passed.
- 10 11:03 AM Public Works Assistant Director Buddy Romriell and Director Kiel Burmester appeared. Moser moved to open the public hearing. The motion passed. Burmester reviewed the validation request is on the east end of Lower Rock Creek Road. There is some doubt that exists whether the dirt road that forks off is public or not. Road validation is done if there is any defect or doubt or the road has changed. In determining whether to validate, he looks at public access and county maintenance.
11:05 AM Renee Spurgeon, Real Estate Agent, shared she has property listed near the road. She has tried to determine if the road is a county road. GIS shows that it is and that both Lower Rock Creek and the driveway or fork that goes to the property show they are maintained. However, after discussions with landowners and county staff, it appears that the driveway is not county maintained. She needs to gain access to the property as it is essentially landlocked.
Burmester discussed maintenance up to the towers, easements in records of survey show conflicting end points, state payments, and maintenance records on the fork to the east, but not going over to the property.

Moser express concerns for taking care of private driveways. Burmester explained this dirt road is not winter maintained. Maintenance has been done up to the dog leg. State records show maintenance goes down the dog leg.

11:17 AM Mike McNabb, Inkom, owns the property the road goes through. He reported he will not deny access but questioned them if they are going to grade the road and put utilities in. That is not what the current access is. Without his agreement, the road should not be developed.

Spurgeon reported the sale of the property is on hold. In order to obtain a building permit, there has to be recorded access to the property. Her client made an offer to McNabb to gain access and he requested more after finding out utilities would be installed.

McNabb discussed Upper Rock Creek Road, granting access, and the road from Bonneville to Fish and Game.

The Board does not take on driveways, and the landowners should come up with an easement. This road is a dead end. The County just vacated Sorelle for the same thing. Lower Rock Creek Road up to the dog leg could be validated.

11:28 AM Moser moved to close the public hearing. The motion passed. The road is maintained, but not the dog leg. The request was to validate from Lower Rock Creek Road to the property. Moser moved to deny the validation of the dog leg off of Lower Rock Creek Road off of Bonneville Road. The motion passed.

Action Item Summary

ACTION/DIRECTION	ASSIGNED TO
Approved entry/exit executive session – real property; and Chair to sign auction agreement for Lander property.	Clerk/Commission
Develop MOU with Fort Hall for Planning permits.	Legal/Planning
Approved change order with Pro Builders.	Procurement
Approved IRS payment.	Auditing
Approved Resolutions 2025-26 Authorization to Dispose Surplus Assets/Property; 2025-27 Adopting the 2025 Comprehensive Plan and Future Land Use Map; 2025-28 Appeal of Planning Council’s Denial of Wilkes Conditional Use Permit Application; 2025-29 Approving March 2025 Salaries; and 2025-30 Approving January 2025 Alcohol Licenses; and adopted Ordinance 2025-2 Amendment No. 1 to Ordinance No. 2009-5.	Clerk
Approved Pine Ridge Mall release of liability and Chubbuck facility use form.	Elections
Approved Chair’s signature on customer setup form.	Commission
Approved consent agenda.	Auditing/Clerk/Resolution
Approved open/close public hearing; and denied petition to validate	Public Works/Resolution

RESOLUTION

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

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

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

Quantity	Description	County Asset Number/VIN
3	Counsel tables	None
1	Large bookshelf	None
1	Small bookshelf	None
9	Office chairs (grey)	None
1	Section office cubicles	None
2	Easels	None
1	Easel paper	None
21	Brown folding chairs	None
2	White boards	None
	Miscellaneous office items	None

and

WHEREAS, it was recommended to dispose of the above items.

NOW THEREFORE, IT IS HEREBY RESOLVED that the above property is declared to be surplus and be disposed of properly.

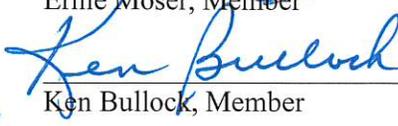
BOARD OF BANNOCK COUNTY COMMISSIONERS



Jeff Hough, Chair



Ernie Moser, Member



Ken Bullock, Member

ATTEST:



Jason C. Dixon, Clerk

In the Matter of ADOPTING THE)
2025 COMPREHENSIVE PLAN)
AND FUTURE LAND USE MAP)

R.S. No. 2025-27
April 1, 2025

RESOLUTION

WHEREAS, the Bannock County Planning and Development Staff and Council have conducted a comprehensive planning process as set forth in Idaho Code §§67-6508 and 6509 for the purpose of revising the Bannock County Comprehensive Plan and Future Land Use Map, and has recommended that a new Comprehensive Plan and Future Land Use Map be adopted for Bannock County; and

WHEREAS, after many months of listening to the community, with public open houses, map-based input, an online survey, written comments, talking with residents at community events and meetings, sending mailers to rural county residents, social media advertisements, email campaigns, and a pop-up window on the county website, a plan was drafted; and

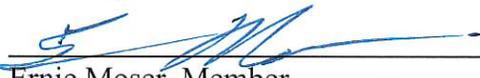
WHEREAS, properly noticed public hearings were held, pursuant to Idaho Code §67-6509, before the Planning Council and before the Board of Commissioners;

NOW, THEREFORE, BE IT RESOLVED, upon the recommendation of the Planning Council, that the 2025 Comprehensive Plan and Future Land Use Map is hereby adopted, a copy of which is attached hereto, and that the 2021 Comprehensive Plan with all amendments, is repealed.

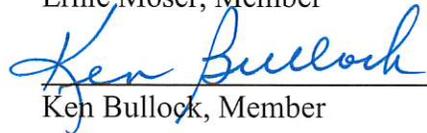
BANNOCK COUNTY COMMISSIONERS



Jeff Hough, Chair



Ernie Moser, Member



Ken Bullock, Member

Attest:



Jason C. Dixon, Clerk

In the Matter of APPEAL OF PLANNING)
COUNCIL'S DENIAL OF WILKES)
CONDITIONAL USE PERMIT APPLICATION)

R.S. No. 2025-28
April 1, 2025

RESOLUTION

WHEREAS, an appeal of the Findings and Order (Instrument No. 22500553) of the Bannock County Planning and Development Council, hereinafter referred to as "Council," regarding the denial of a conditional use permit for Applicant John Wilkes to construct a new commercial sand and gravel mining operation was received; and

WHEREAS, this Board having reviewed the file and evidence presented, hereby makes the following findings and conclusions:

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION

APPLICANT: John Wilkes for Owner Russell Johnson

TYPE OF APPLICATION: Conditional Use Permit

APPELLANT: Anthony Budge

PARCEL NUMBERS AND LOCATION: The parcel number is RPR3803048300.

FINDINGS OF FACT

1. The Council denied the conditional use permit ("CUP") application that was submitted on August 6, 2024, at their public hearing held on January 16, 2025.
2. A written decision denying the application for a CUP was signed by the Council Vice Chair on January 16, 2025, and recorded on January 17, 2025, with the requirements needed for a CUP (Instrument No. 22500553) listed.
3. An appeal of Council's decision was filed on February 10, 2025, by Anthony Budge.
4. This Board conducted an "on the record review" of the Council's Findings and Order denying the Applicant's CUP application on March 25, 2025, pursuant to Bannock County Zoning Ordinance 1998-1, Section 550(C).
5. This Board upheld the Council's decision after reviewing the record.

CONCLUSIONS OF LAW

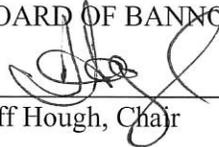
1. The criteria for approving a conditional use permit are found in Section 530.6 of Zoning Ordinance 1998-1 and should be reviewed by the Council.
2. The Board of Bannock County Commissioners is authorized to conduct a review of the record when an appeal is filed, pursuant to Zoning Ordinance 1998-1, Section 550(C).
3. Section 550.1 of Zoning Ordinance 1998-1 provides that any person affected by this decision may request a reconsideration of the appeal decision of the Board of Bannock County Commissioners within 14 days, specifying deficiencies in the decision. A written decision should be sent to the affected person within 60 days, or it is deemed denied.

DECISION

This Board concludes, based on the foregoing Findings of Fact and Conclusions of Law, that the Council considered the standards and criteria in the 2021 Bannock County Comprehensive Plan and Zoning Ordinance 1998-1 for approving a conditional use permit, and that no deficiency exists in their procedures.

NOW, THEREFORE, BE IT RESOLVED, that the decision of the Council to deny the Conditional Use Permit application filed by John Wilkes is upheld.

BOARD OF BANNOCK COUNTY COMMISSIONERS



Jeff Hough, Chair



Ernie Moser, Member



Ken Bullock, Member

ATTEST: 

Jason C. Dixon, Clerk

In the Matter of APPROVING)
MARCH 2025 SALARIES)

R.S. No. 2025-29
April 1, 2025

RESOLUTION

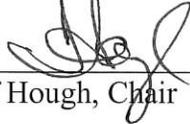
WHEREAS, salary approval forms, for the month of March 2025, have been submitted for approval by the Board of County Commissioners;

NOW, THEREFORE, BE IT RESOLVED that the following salaries are approved by the Board:

Date Approved	Name – Reason for Change Department – Position	Salary & Effective Date
03/04/2025	Elizabeth Esquivel – Replacing Rebecca Green Clerk of the Court – Sr. Administrative Assistant – Courts	\$17.20/hr 03/10/2025
03/04/2025	Bailey Stimpson – Replacing Todd Ramirez Clerk of the Court – Sr. Administrative Assistant – Courts	\$17.20/hr 03/10/2025
03/06/2025	Erica Powell – Replacing Brody Fink Jail – Deputy Detention Division	\$23.00/hr 03/03/2025
03/06/2025	Benjamin Cook – Replacing Andrew Choules Jail – Deputy Detention Division	\$23.00/hr 03/10/2025
03/13/2025	Lillian Conley – Part time Juvenile Detention – On-call Juvenile Detention Deputy	\$19.68/hr 03/24/2025
03/13/2025	Kelly Moellmer – Replacing Tami Kelly Juvenile Justice – Person/Property Prevention Coordinator	\$19.68/hr 03/24/2025
03/13/2025	Jake Patrick – Replacing Aimee Holder Jail – Deputy Detention Division	\$23.00/hr 03/24/2025
03/13/2025	Hayden Klauser – Replacing Lacey Allen Sheriff – Deputy Criminal Division	\$26.35/hr 03/22/2025
03/13/2025	Lacey Allen – Replacing Michael Jons Sheriff – Corporal Criminal Division	\$29.57/hr 03/22/2025
03/18/2025	Holly Shuck – Replacing JoLynn Larsen 4-H – 4-H Assistant	\$15.04/hr 03/31/2025
03/18/2025	Brandalynn Peck – Replacing Karla Holm District Court – Lead Judicial Assistant	\$26.59/hr 03/24/2025
03/25/2025	Monte Steele – Seasonal Noxious Weed – Temp Noxious Weed Control Operator	\$17.05/hr 04/07/2025
03/25/2025	Enoch Houtz – Seasonal Noxious Weed – Temp Noxious Weed Control Operator	\$16.55/hr 04/07/2025
03/25/2025	Mia Campbell – Replacing Susanne Soto Treasurer – Deputy Treasurer	\$16.07/hr 04/07/2025
03/25/2025	Abraham Luca – Replacing Alan Boehme Prosecutor – Assistant Chief Deputy Prosecutor	\$3,636/biweekly 04/07/2025
03/25/2025	Janae Pendrod – Temp Planning & Development – Code Enforcement Officer	\$21.07/hr 04/21/2025

03/27/2025	Madisen Fisher – Part time/Replacing Alexis Jorgenson Family Crt Services/DV Court-High Risk Team Coordinator	\$19.68/hr 04/07/2025
03/27/2025	Annie Ritter – Replacing Brian Nicholson Adult Probation & Pretrial – Probation Officer	\$23.22/hr 04/07/2025

BOARD OF BANNOCK COUNTY COMMISSIONERS



 Jeff Hough, Chair



 Ernie Moser, Member



 Ken Bullock, Member

ATTEST: 

 Jason C. Dixon, Clerk

In the Matter of APPROVING)
JANUARY 2025 ALCOHOL LICENSES)

R.S. No. 2025-30
April 1, 2025

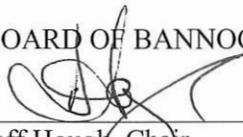
RESOLUTION

WHEREAS, in the month of January 2025, the following applied for the following licenses and have been issued permits by the District Health Department and do not have any disqualifications;

NOW, THEREFORE, BE IT RESOLVED that the following applications for licenses/permits be approved.

DATE APPROVED	LIC #	TOTAL	OWNER/ APPLICANT	DBA/Event
01/31/2025	ACP2025-001	\$40.00	Lava Hillside Suites	Skijoring
01/31/2025	ABW-2025-001	\$20.00	Rosa Maria G Zamora	Vicentes Birthday Party

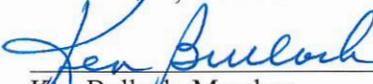
BOARD OF BANNOCK COUNTY COMMISSIONERS



Jeff Hough, Chair

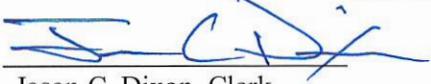


Ernie Moser, Member



Ken Bullock, Member

ATTEST:



Jason C. Dixon, Clerk



COUNTY ORDINANCE 2025-02
Bannock County, Idaho
Amendment No. 1 to Ordinance No. 2009-5
Construction Site Sediment and Erosion Control

AN ORDINANCE AMENDING CONSTRUCTION SITE SEDIMENT AND EROSION CONTROL ORDINANCE NO. 2009-5: Amending section 410(F)(1)

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BANNOCK COUNTY, IDAHO, THAT THE FOLLOWING AMENDMENTS BE MADE TO ORDINANCE NO. 2009-5:

SECTION 1: AMENDMENT

Section 410(F)(1) is amended as follows (remove strikethrough text and add underlined text):

SECTION 410 EROSION CONTROL PERMITS

F. The following construction or land disturbing activities do not require a permit:

1. Minor land disturbance (spatial areas less than ~~one fourth (1/4) acre~~ 5,000 square feet and confined to 1 residential or commercial lot) activities performed by the property owner or an employee of the property owner, including, but not limited to, individual home gardens, commercial and residential landscaping, and landscaping maintenance and repair work.

SECTION 2: REPEALING CLAUSE

All other ordinances and parts of ordinances in conflict herewith shall be, and the same hereby repealed, including the Comprehensive Plan.

SECTION 3: SEVERABILITY:

If any word, phrase, section, subsection, provision, clause or paragraph of this ordinance shall be adjudged or declared by any court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect the validity of the remaining portions of the Ordinance and it is hereby expressly declared that every other word, phrase, section, subsection, provision, clause or paragraph of the Ordinance enacted, regardless of the enactment or validity of the portion thereof declared to be unconstitutional or invalid, is valid.

SECTION 4: EFFECTIVE DATE:

This ordinance shall be in full force and effect upon its passage, approval, and publication.

Adopted this 1st day of April, 2025.

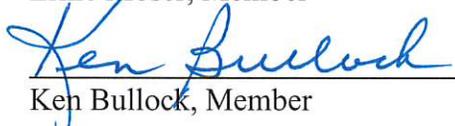
BOARD OF BANNOCK COUNTY COMMISSIONERS



Jeff Hough, Chair



Ernie Moser, Member



Ken Bullock, Member

ATTEST:



Jason C. Dixon, Clerk

PUBLIC NOTICE OF BANNOCK COUNTY ORDINANCE ADOPTION

The Board of Commissioners of Bannock County, Idaho, hereby gives notice of the adoption of Ordinance 2025-02. A summary of the Ordinance includes:

AN ORDINANCE AMENDING CONSTRUCTION SITE SEDIMENT AND EROSION CONTROL ORDINANCE NO. 2009-5 – Amending section 410(F)(1) to reflect 5,000 square feet rather than ¼ acre.

The full text of this Ordinance is available in the office of the Bannock County Clerk, 624 E. Center Street, Pocatello, Idaho, Mon-Fri from 8 am – 5 pm.

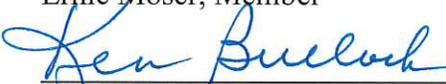
BOARD OF BANNOCK COUNTY COMMISSIONERS



Jeff Hough, Chair



Ernie Moser, Member

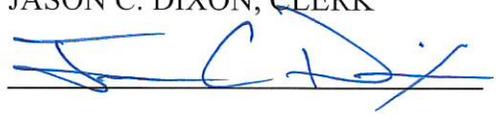


Ken Bullock, Member

ATTEST: 

Jason C. Dixon, Clerk

This is a true and complete summary of Ordinance 2025-02 and provides adequate notice to the public.

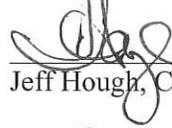
JASON C. DIXON, CLERK


Publication Date: April 5, 2025

**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 date(s) of March 25, 2025, as approved during the meeting of April 1, 2025.

BOARD OF BANNOCK COUNTY COMMISSIONERS



Jeff Hough, Chair

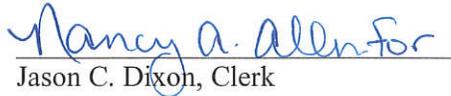


Ernie Moser, Member



Ken Bullock, Member

ATTEST:



Jason C. Dixon, Clerk