



MINUTES OF THE BOARD OF BANNOCK COUNTY COMMISSIONERS

Meeting Details

| | |
|------------------------|---|
| Date of Meeting: | Tuesday, June 10, 2025 |
| Commissioners present: | Ernie Moser, Jeff Hough, and Ken Bullock |
| Clerk of the Board: | Jason C. Dixon |
| Absent Board Members: | |
| Staff present: | Deputy Clerk Shantal Laulu, Comptroller Kristi Klauser, Attorney Scott Pearson, and HR Director Matt Phillips |

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"> Kristi Klauser, Auditing, seeking to discuss purchasing a replacement vehicle for the Sheriff's Department may require an Executive Session pursuant to Idaho Code §74-206(1)(d) to consider records exempt from public disclosure (requested 5 minutes) (action item) |
| 3 | <ul style="list-style-type: none"> Buddy Romriell, Public Works, regarding approval and signature on a request for exceptional placement with possible Executive Session under Idaho Code §(1)(a)&(b) regarding personnel with potential action following adjournment of Executive Session (requested 10 minutes) (action item) |
| 4 | <ul style="list-style-type: none"> Adam McKinney, 911 Communications, request to discuss an offer on the Kinport Tower Site under Executive Session within 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) |
| 5 | <ul style="list-style-type: none"> Todd Mauger, Juvenile Justice, seeking approval of and potential signature on Idaho Office of Drug Policy Notice of Award and Grant Agreement (requested 5 minutes) (action item) |
| 6 | <ul style="list-style-type: none"> Matthew K. Phillips, Human Resources and Risk Management, requesting (1) signature on consolidated liquor liability policy application, and (2) approval for ancillary coverages for the first concert at the Event Center on 6/25/25 and request for authorization to bind the remaining 2025 concert policies if not received in time (requested 5 minutes) (action item) |
| 7 | <ul style="list-style-type: none"> Alisse Foster, Planning and Development, requesting signature for Ickes Heights Subdivision final plat (requested 5 minutes) (action item) |
| 8 | <ul style="list-style-type: none"> Hal Jensen, Planning and Development, providing an ACI negotiation update (requested 10 minutes) (potential action item) |
| 9 | <ul style="list-style-type: none"> Shanda Crystal, Procurement, seeking to discuss (1) a potential signature on a Change Order #3 with Pro Builders, (2) potential approval of an invoice for mechanical repairs on an ADA door, and (3) a procurement update (requested 5 minutes) (action item) |
| 10 | <ul style="list-style-type: none"> Discuss County Memorial Fund appropriation as outlined in Idaho Code §65-101 &/or 65-103 (requested 5 minutes) (action item) |
| 11 | <ul style="list-style-type: none"> Approval for Chairman Hough to sign closing documents for the Lander Building and signature on subsequent Resolution 2025-40 Authorization to Sell Lander Building/Property (action item) |
| 12 | <ul style="list-style-type: none"> Ratify Trespass Notice (action item) |
| 13 | <ul style="list-style-type: none"> Approval to dispose assets from Bannock County Extension (action item) |
| 14 | RESOLUTIONS AND ORDINANCES (action items): |

| | |
|----|--|
| | Resolution No. 2025-35 Approving May 2025 Salaries Resolution No. 2025-36 Approving May 2025 Alcohol Licenses Resolution No. 2025-37 Designating County Roads for State Reimbursement Resolution No. 2025-38 Vacating Portions of Aubrey Drive and Burton Drive in the Sunnygate Park Subdivision Resolution No. 2025-39 Vacation Easement in the Chilton Subdivision |
| 15 | LETTERS AND NOTICES (action items): Public Hearing Notices Tax Cancellation Request Permission to Enter Property – Lava Ranches |
| 16 | SIGNATURE ONLY (action items): Food Service Agreement Contract Modification of Grant or Agreement Agreement to Provide Law Enforcement Protection Memo RE: Fee Waiver for the Pine Ridge Mall Demolition Memo RE: Discontinuation of Contract Due to State Assumption of Indigent Defense Funding Event Center Contract Notice of Trespass |
| 17 | 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 • Sign invoices • Minutes: Approval of Meeting Minutes for May 27, 2025, and Certification of Said Minutes |
| 18 | Fiscal Year 2026 Budget Preparation Meeting (potential action item) |

Meeting Notes

- 1 9:00 AM Hough called the meeting to order.

Community Resources and Advocacy Director Shantal Lauulu presented applications for cremation assistance for case numbers 20250036 and 20250037. Bullock moved to approve cases numbers 20250036 and 20250037. The motion passed.
- 2 9:02 AM Hough moved to go into executive session for multiple items, to discuss purchasing a replacement vehicle for the Sheriff's Department under Idaho Code §74-206(1)(d) to consider records exempt from public disclosure; for Public Works regarding exceptional placement under Idaho Code §(1)(a)&(b) regarding personnel; and to discuss an offer on the Kinport Tower Site under Idaho Code §74-206(1)(c) to acquire an interest in real property not owned by a public agency. The motion passed by roll call vote.
9:27 AM Hough moved to exit executive session. The motion passed.

9:29 AM Chief Deputy Sheriff Alex Hamilton and Captain Andy Iverson were also present. Klauser reviewed available funds that could be used to purchase the requested vehicles for the Sheriff. Moser moved to authorize the purchase. The motion passed.
- 3 9:27 AM After discussion in executive session, Moser moved to accept the exceptional placement request for the welder/fabricator. The motion passed.
- 4 9:28 AM After discussion in executive session, Bullock moved to purchase the Kinport tower site and move forward with the bond. The motion passed.

- 5 9:32 AM Mauger reviewed the grant award that is used for the families in action program. Moser moved to approve grant. The motion passed.
- 6 9:34 AM Business Manager and Event Director Scott Crowther also appeared. Phillips explained the insurance coverage for events and requested approval of the liquor liability for consolidated events. Bullock moved to approve the master agreement for coverage of all events. The motion passed.
9:38 AM Phillips explained that ancillary coverage is still needed for two concerts while they are trying to find coverage similar to the liquor coverage. He requested, due to last minute receipt of documents for some concerts, that he or Scott Crowther be allowed to sign the insurance documents. Crowther explained Nederlander may have a cost-effective solution that is being worked on. Moser moved to approve the insurance contract and authorize Matt Phillips and Scott Crowther to sign insurance documents that will be ratified by the Board. The motion passed.
- 7 9:43 AM Foster reviewed the subdivision created off a private road. Hough moved to approve the plat request from Stewart Ward as presented. The motion passed.
- 8 9:45 AM Assistant Planning Director Tristan Bourquin also appeared. Jensen reviewed the timeline of the meeting progress with each city and that each ACI is substantially smaller. Inkom submitted an email that there is no expected growth in the next five years so the ACI would be the city boundaries. There has been some back and forth with Lava, but no agreement to date. Downey is the only meeting that has not been completed. Discussion ensued on annexations, areas included in city proposals, using parcel boundaries, and realistic ACI boundaries. Bourquin will take the Board's recommendations back to the cities and a public hearing could be done in August.
- 9 10:17 AM Crystal reviewed a change order with Pro Builders for the tactical training center in the amount of \$17,247. Funding was reviewed and leftover funds from the generator project will be used. Hough moved to approve the change order. The motion passed.
10:21 AM Crystal reviewed an invoice for the ADA mechanical door for \$5,100 that will be paid from the maintenance budget. Hough moved to approve the invoice. The motion passed.
10:23 AM Crystal gave updates on procurement projects.
- 10 10:29 AM Discussion ensued on budgeting for the County Memorial Fund that has been previously used for the Veteran's Memorial Building. Other memorial sites or options should be looked at such as the Gold Star Memorial. Moser will investigate potential options.
- 11 10:36 AM Dixon gave a brief history leading up to the sale of the Lander property through auction. The title company requested a resolution authorizing the Chair to sign the closing documents. Hough disclosed that he signed a document for a time extension in order to accomplish this. Moser moved to authorize the Chair to sign closing documents and to approve Resolution 2025-40. The motion passed.
- 12 10:41 AM Court Security requested a trespass notice for Nicholas Leroy Goodwin. Moser moved for the Chair to sign the trespass notice. The motion passed.
- 13 10:42 AM Hough moved to approve the disposal of assets from Ag Extension. The motion passed.
- 14 10:42 AM Bullock moved to approve Resolutions 2025-35, 36, 37, 38, and 39. The motion passed.
- 15 10:43 AM Hough moved to approve the public hearing notices. The motion passed.

9:01 AM Assessor Anita Hymas appeared. Moser moved to approve the tax cancellations. The motion passed.

10:50 AM Moser moved to approve the Lava Ranches land use agreements. The motion passed.
- 16 10:44 AM Bullock moved to approve the Food Service Agreement for Juvenile Detention. The motion passed.
10:45 AM Moser moved to approve the Forest Service Modification with the Sheriff's Office. The motion passed.

10:45 AM Moser moved to approve the Agreement to Provide Law Enforcement at the KOA. The motion passed.

10:46 AM Moser moved to sign the memo for waiver of \$200,000 of landfill fees for the mall demolition. The motion passed.

10:48 AM Bullock moved to approve the memo to discontinue the Dex contract. The motion passed.

10:49 AM Moser moved to ratify the contract for the Make a Wish event. The motion passed.

10:51 AM Bullock moved to approve the notice of trespass for Nicola Jo Taysom. The motion passed.

- 17 10:51 AM The consent agenda included manual checks, alcohol licenses, certificate of residency, salary approvals, invoices, and minutes. Bullock moved to approve the consent agenda. The motion passed.
- 18 10:07 AM Mia Kate Kennedy, I, appeared for Bannock Development Corporation and gave updates on projects she is currently working on. The budget request remains the same.

Action Item Summary

| ACTION/DIRECTION | ASSIGNED TO |
|--|--|
| Approved case numbers 20250036 and 20250037 for cremation assistance. | Indigent |
| Approved entry/exit executive session – personnel, exempt records, and property. | Clerk |
| Approved reallocation to purchase vehicles. | Sheriff |
| Approved exceptional placement. | Public Works/HR |
| Approved moving forward with bond and purchase of Kinport tower site. | IT/E911 |
| Approved grant award from Idaho Office of Drug Policy. | Juvenile |
| Approved consolidated liquor liability insurance application, ancillary coverages, and authorization for HR Director or Business Manager to sign insurance documents to be ratified by BOCC. | Parks & Rec/HR |
| Approved Ickes Heights Subdivision plat. | Planning |
| Approved change order with Pro Builders and ADA door invoice. | Procurement |
| Approved Chair to sign closing documents for Lander building. | Clerk |
| Approved trespass notices for Taysom and Goodwin. | Security |
| Approved disposal of Ag Extension assets. | Resolution |
| Approved Resolution Nos. 2025-35 Approving May 2025 Salaries; 2025-36 Approving May 2025 Alcohol Licenses; 2025-37 Designating County Roads for State Reimbursement; 2025-38 Vacating Portions of Aubrey Drive and Burton Drive in the Sunnyside Park Subdivision; 2025-39 Vacation Easement in the Chilton Subdivision; and 2025-40 Authorization to Sell Lander Building/Property. | Clerk |
| Approved public hearing notices for publication. | Clerk |
| Approved tax cancellations. | Assessor/Treasurer/ Resolution |
| Approved Lava Ranches land use agreements. | OEM |
| Approved Food Service Agreement for Juvenile Detention; Forest Service Modification of Grant with Sheriff; Agreement to Provide Law Enforcement with KOA; Memo re: landfill fee waiver for mall demo; Memo re: contract discontinuation with Dex; and Make a Wish event contract. | Juvenile/Sheriff/ Landfill/Commission/ Parks & Rec |
| Approved alcohol licenses, certificate of residency, salary forms, invoices, and minutes through consent agenda. | Clerk/Auditing/Resolution |

In the Matter of APPROVING)
MAY 2025 SALARIES)

R.S. No. 2025-35
June 10, 2025

RESOLUTION

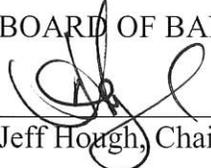
WHEREAS, salary approval forms, for the month of May 2025, have been submitted for approval by the Board of County Commissioners;

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 |
|----------------------|--|--|
| 05/06/2025 | Haleigh Graham – Replacing Keith Lolofie Prosecutor – Victim Witness Coordinator | \$22.54/hr 05/12/2025 |
| 05/06/2025 | Stefanee Welker – Replacing Annie Ritter Adult Probation & Pretrial – PT Pretrial Officer | \$22.54/hr 05/12/2025 |
| 05/08/2025 | Clinton Whitley – Temp Event Center – Security Level 1 – Temp | \$15.00/hr 06/02/2025 |
| 05/08/2025 | Adrien Pena – Temp Event Center – Security Level 1 – Temp | \$15.00/hr 06/02/2025 |
| 05/08/2025 | Logan Kearsley – Temp Event Center – Security Level 1 – Temp | \$15.00/hr 06/02/2025 |
| 05/08/2025 | Vince Wilcutt – Temp Event Center – Security Level 1 – Temp | \$15.00/hr 06/02/2025 |
| 05/08/2025 | Sonja Simonsen – Temp Event Center – Security Level 1 – Temp | \$15.00/hr 06/02/2025 |
| 05/08/2025 | Shane Lindsay – Temp Event Center – Security Level 1 – Temp | \$15.00/hr 06/02/2025 |
| 05/08/2025 | Theleia Termaine – Temp Event Center – Security Level 1 – Temp | \$15.00/hr 06/02/2025 |
| 05/08/2025 | Cami Chopksi – Temp Event Center – Security Level 2 – Temp | \$25.00/hr 06/09/2025 |
| 05/08/2025 | Stephen Shryock Jr – Temp Event Center – Security Level 2 – Temp | \$25.00/hr 06/09/2025 |
| 05/08/2025 | Kellen Nelson – Temp Event Center – Security Level 1 – Temp | \$15.00/hr 06/09/2025 |
| 05/08/2025 | Aaron Keele – Temp Event Center – Security Level 1 – Temp | \$15.00/hr 06/09/2025 |
| 05/08/2025 | Bryce Spaulding – Temp Event Center – Security Level 1 – Temp | \$15.00/hr 06/09/2025 |
| 05/08/2025 | Jordan Simpson – Temp Event Center – Security Level 1 – Temp | \$15.00/hr 06/09/2025 |
| 05/08/2025 | Holly Youngker – Temp Event Center – Security Level 1 – Temp | \$15.00/hr 06/09/2025 |
| 05/08/2025 | Brantley Summers – Temp Event Center – Security Level 1 – Temp | \$15.00/hr 06/09/2025 |
| 05/08/2025 | Marie Lloyd – Temp Event Center – Security Level 1 – Temp | \$15.00/hr 06/09/2025 |

| | | |
|------------|--|----------------------------------|
| 05/08/2025 | Tracy Page – Temp Event Center – Security Level 1 – Temp | \$15.00/hr 06/09/2025 |
| 05/08/2025 | Barry Miranda – Replacing Nicholas Buell Event Center – Security Level 2 – Temp | \$25.00/hr 06/09/2025 |
| 05/08/2025 | Camille Kennedy – Temp Event Center – Security Level 2 – Temp | \$25.00/hr 06/09/2025 |
| 05/27/2025 | Jessica Torres – Job title correction District Court – Law Clerk | \$2506.40/biweekly 05/19/2025 |
| 05/27/2025 | Autumn DeLand – Temp Event Center – Event Staff – Temp | \$15.00/hr 06/10/2025 |
| 05/27/2025 | Charice Edmo – Temp rehire Event Center – Event Staff – Temp | \$15.00/hr 06/02/2025 |
| 05/27/2025 | Jeannie Pena – Temp rehire Event Center – Event Staff – Temp | \$15.00/hr 05/11/2025 |
| 05/27/2025 | Maxwell Bray – Nathan Broadhead Event Center – Assistant Parks Coordinator | \$19.68/hr 05/28/2025 |
| 05/27/2025 | Eric Warr – Replacing Stephan Gordon Jail – Deputy Detention Division | \$23.00/hr 05/27/2025 |
| 05/27/2025 | Courtnee Anderson – Intern Juvenile Justice/The Village – Intern | Unpaid 05/12/2025 |
| 05/27/2025 | Kelsie Barker – Intern Prosecutor – Intern | Unpaid 05/28/2025 |
| 05/27/2025 | Hannah Schaff – Replacing Alan Boehme Prosecutor – Deputy Prosecutor | \$3060.80/biweekly 06/02/2025 |
| 05/27/2025 | Spencer Lindsey – Prosecutor – Deputy Prosecutor | \$3060.80/biweekly 05/27/2025 |
| 05/29/2025 | Walker Lish – Part time Juvenile Detention – On-call Juvenile Detention Deputy | \$19.68/hr 06/16/2025 |
| 05/29/2025 | Chelbie Pierce – Temp Event Center – Event Medic - Temp | \$15.00/hr 06/09/2025 |
| 05/29/2025 | Melissa Morrow – Replacing Devin Roth Jail – Deputy Detention Division | \$23.00/hr 06/16/2025 |
| 05/29/2025 | Devin Roth – Eli Schei Sheriff – Deputy Criminal Division | \$26.35/hr 06/14/2025 |

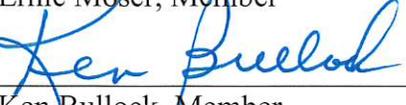
BOARD OF BANNOCK COUNTY COMMISSIONERS



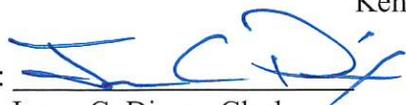
Jeff Hough, Chair



Ernie Moser, Member



Ken Bullock, Member

ATTEST: 

Jason C. Dixon, Clerk

In the Matter of APPROVING)
MAY 2025 ALCOHOL LICENSES)

R.S. No. 2025-36
June 10, 2025

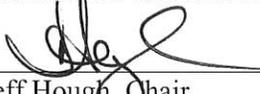
RESOLUTION

WHEREAS, in the month of May 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 |
|----------------------|--------------|--------------|---------------------------------|--------------------------------|
| 05/01/2025 | ABW2025-005 | \$20.00 | Dan Argyle | Morrison/Argyle Wedding |
| 05/06/2025 | ABL2024-011 | \$187.50 | Senor Garcias Tex-Mex Grill Inc | Puerto Vallarta |
| 05/08/2025 | ABT2025-003 | \$20.00 | Sandpiper Restaurants | Sandpiper Pocatello |
| 05/13/2025 | ABL2025-002 | \$287.50 | Yellowstone Restaurant | The Yellowstone/ 313/The Union |

BOARD OF BANNOCK COUNTY COMMISSIONERS



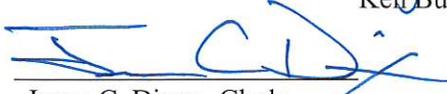
Jeff Hough, Chair



Ernie Moser, Member



Ken Bullock, Member

ATTEST: 

Jason C. Dixon, Clerk

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

K.S. NO. 2025-37
June 10, 2025

RESOLUTION

WHEREAS, the following road(s) has/have been constructed to meet Bannock County Road and Bridge standards, is/are paved, and in good condition:

| <u>Road</u> | <u>Length</u> | <u>Location</u> |
|------------------|---------------|--------------------------------|
| Westfield Avenue | 941 ft | Westfield Estates – Division 5 |
| Yorkshire Lane | 167 ft | Westfield Estates – Division 5 |
| Devonshire Drive | 1,013 ft | Westfield Estates – Division 4 |

and

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

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

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

NOW, THEREFORE, BE IT RESOLVED that Westfield Avenue, Yorkshire Lane, and Devonshire Drive are hereby identified as County roads and officially be placed on the Bannock County Road Maintenance System.

BOARD OF BANNOCK COUNTY COMMISSIONERS



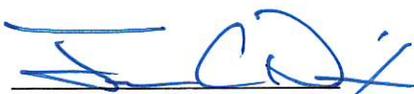
Jeff Hough, Chair



Ernie Moser, Member



Ken Bullock, Member

ATTEST: 

Jason C. Dixon, Clerk



Pocatello Office
600 East Oak Street, Pocatello, ID 83201 | Tel: 208.234.0110 | Fax: 208.234.0111

Rio Vista Development, LLC
158 S Main Street
Pocatello, ID 83201

May 12, 2025

Bannock County Commission
624 E Center St, Rm 101
Pocatello, ID 83201

RE: Road Dedication — Westfield Estates — Division 5

Bannock County Commissioners,

Rio Vista Development, LLC has completed the construction and platting of the Westfield Estates — Division 5 located on Rio Vista Road. The following roads have been improved to meet Bannock County Road and Bridge standards:

| <u>Road</u> | <u>Length</u> | <u>Location</u> |
|------------------|---------------|--------------------------------|
| Westfield Avenue | 914 feet | Westfield Estates — Division 5 |
| Yorkshire Lane | 167 feet | Westfield Estates — Division 5 |

Rio Vista Development, LLC has consulted with Bannock County Public Works Director, Kiel Burmester, for review. Rio Vista Development, LLC is requesting Bannock County to add these roads to the county road maintenance system.

Respectfully submitted,

Dannis Adamson, Managing Member
Rio Vista Development, LLC



Pocatello Office

600 East Oak Street, Pocatello, ID 83201 | Tel: 208.234.0110 | Fax: 208.234.0111

Rio Vista Development, LLC
158 S Main Street
Pocatello, ID 83204

May 12, 2025

Bannock County Commission
624 E Center St, Rm 101
Pocatello, ID 83201

RE: Road Dedication — Westfield Estates — Division 4

Bannock County Commissioners,

Rio Vista Development, LLC has completed the construction and platting of the Westfield Estates — Division 4 located on Siphon Road. The following road have been improved to meet Bannock County Road and Bridge standards:

| Road | Length | Location |
|------------------|------------|--------------------------------|
| Devonshire Drive | 1,013 feet | Westfield Estates — Division 4 |

Rio Vista Development, LLC has consulted with Bannock County Public Works Director, Kiel Burmester, for review. Rio Vista Development, LLC is requesting Bannock County to add these roads to the county road maintenance system.

Respectfully submitted,

Dannis Adamson, Managing Member
Rio Vista Development, LLC

In the Matter of VACATING)
PORTIONS OF AUBREY DRIVE)
AND BURTON DRIVE IN THE)
SUNNYGATE PARK SUBDIVISION)

R.S. No. 2025-38
June 10, 2025

RESOLUTION

WHEREAS, a public hearing was held on May 27, 2025, at the hour of 11:15 a.m. in the chambers of the Bannock County Commissioners to consider the matter of a petition to vacate portions of Aubrey Drive and Burton Drive in the Sunnygate Park Subdivision.

WHEREAS, the Board heard evidence concerning the application and having considered the file and all evidence presented at the hearing, it hereby makes the following findings and conclusions:

FINDINGS, CONCLUSIONS OF LAW, AND DECISION

APPLICANT: Greg Boettcher

TYPE OF APPLICATION: Petition for vacation of road right-of-way

LOCATION OF PUBLIC RIGHTS-OF-WAY: Portions of Aubrey Drive and Burton Drive

APPLICABLE LAW

1. Bannock County Commissioners are authorized by Idaho Code Title 40, Chapter 2 and Idaho Code Title 50, Chapter 13 to abandon and vacate any highway or public right-of-way in the county system or grant such vacations of platted streets.
2. Pursuant to Idaho Code §67-6535(2), a decision must be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance or statutory provisions, pertinent constitutional principles, and factual information contained in the record.
3. Findings of fact must include a concise and explicit statement of the underlying facts of record supporting the findings, a statement of available procedures and applicable time limits for seeking reconsideration or other administrative relief, be based exclusively on the evidence in the record of the officially noticed proceeding, and all parties served with a copy of the order with a proof of service. Idaho Code §67-5248.
4. Notification to the public, adjacent landowners, and operators of underground facilities must be made according to Idaho Code §40-203.
5. No public right-of-way or parts thereof shall be abandoned or vacated so as to leave any real property adjoining the public right-of-way without access to an established public right-of-way. Idaho Code §40-203(2).

6. Pursuant to Idaho Code §50-311, ownership of the right-of-way property will revert to adjoining property owner(s).

FINDINGS OF FACT

1. Applicant submitted an application on December 3, 2024, to request the County vacate public road rights-of-way in the Sunnyside Park Subdivision of portions of Aubrey Drive and Burton Drive. This subdivision was never fully developed and parcels have been taken by tax deed over the years.
2. The location of the rights-of-way are within and under the jurisdiction of Bannock County, Idaho.
3. Notification of the public hearing to adjoining property owners and underground utilities was made via certified mail, and the public hearing notice was published on April 26, May 10, and May 17, 2025.
4. The public hearing was held on May 27, 2025.
5. There were no objections from nearby property owners or underground utilities via oral or written testimony. County staff had no objections as well.
6. The road rights-of-way proposed for vacation are not currently used or maintained by the County as public rights-of-way. The County does not plan to maintain the subject rights-of-way.
7. No access to federal or state land will be denied if the Petition is approved.
8. As a result of vacation, no property will be without access to an established public right-of-way.
9. Ownership of the vacated rights-of way would revert to the adjoining lot owners, one-half of each right-of-way from the center line to each side of the right-of way.

CONCLUSIONS OF LAW

Vacation of the proposed public right-of-way is in the public interest, pursuant to Idaho Code §40-203(1)(h).

DECISION

NOW, THEREFORE, BE IT RESOLVED, based on the foregoing Findings of Fact and Conclusions of Law, pursuant to Idaho Code Title 40, Chapter 2 and Idaho Code Title 50, Chapter 13, that the petition for vacation of the portions of Aubrey Drive and Burton Drive, as described in the legal descriptions attached as Exhibit A, is hereby approved and the ownership of the vacated rights-of-way shall revert to the owners of the adjoining lots, between the lot lines of each lot from the center line of each vacated right-of-way to the respective lot line.

****Appeal Rights****

Pursuant to Idaho Code §§ 40-203(1)(k) and 67-6535(2)(b), an applicant or affected person seeking judicial review of this decision must first seek reconsideration of the final decision within fourteen (14) days. The written reconsideration request must identify specific deficiencies in this decision for which reconsideration is sought. A written decision whether the reconsideration was affirmed, reversed, or modified must be provided to the applicant or affected person within sixty (60) days of receipt of the request for reconsideration or the request is deemed denied. The twenty-eight (28) day time frame for seeking judicial review is tolled until the date of the written decision regarding reconsideration or the expiration of the sixty (60) day reconsideration period, whichever occurs first.

BOARD OF BANNOCK COUNTY COMMISSIONERS



Jeff Hough, Chair



Ernie Moser, Member



Ken Bullock, Member

ATTEST:



Jason C. Dixon, Clerk

PROOF OF SERVICE

I hereby certify that a copy of this Resolution and Decision was sent to:

| | | | |
|---|--|---|--|
| Andrews, Russell C 937 S Quail Ridge Benson, AZ 85602 | Boettcher, Greg 641 Lochsa Rd Twin Falls, ID 83301 | CNG Idaho LLC PO Box 11 Pocatello, ID 83204 | Dahlberg, Susan L 651 Lochsa Rd Twin Falls, ID 83301 |
| Denning, Jake Daniel 223 N 4300 E Rigby, ID 83442 | Eckert, Rodney 457 Green Creek Rd Cottonwood, ID 83522 | Evans, Karen M 2059 N Justin Way Meridian, ID 83646 | Hill, Joseph N C/O Hill Family Trust 2689 N 250 E Ogden, UT 84414 |
| Kirk, Chris Po Box 521 Inkom, ID 83245 | Moltich, C R 3081 Mt Hwy 287 Sheridan, MT 59749 | Net Prophet LLC 146 E Chubbuck Rd, Ste C Chubbuck, ID 83202 | State of Idaho 3311 W State St Boise, ID 83703 |
| TDF LLC C/O Devin Petersen 282 S 200 W Hyrum, UT 84319 | | | |


Management Assistant – Bannock County

EXHIBIT A

**VACATION OF PORTION OF AUBREY DRIVE
SUNNYGATE PARK**

A parcel of land located in the Southwest 1/4 of Section 19, Township 7 South, Range 36 East, Boise Meridian, being ALL of that portion of Aubrey Drive, as depicted on Sunnygate Park, a subdivision recorded in the records of Bannock County Idaho, as instrument no. 3911351, lying between lots 31 through 42, of Block 4, more particularly described as follows:

BEGINNING at the Southwest corner of Lot 31, Block 4, Sunnygate Park Subdivision, the same being a point on the Northerly Right of Way of Aubrey Drive, and running thence along said Northerly Right of Way for the following three (3) courses:

- (1) Thence North 76°04'59" East, a distance of 31.89 feet;
- (2) Thence South 86°00'48" East, a distance of 742.63 feet;
- (3) North 80°58'00" East, a distance of 125.20 feet to the Southeast corner of Lot 42, Block 4, Sunnygate Park subdivision;

Thence leaving said Northerly Right of Way, South 17°58'57" East, a distance of 50.62 feet to the Northeast corner of Lot 6, Block 1 of Sunnygate Park 1st. Addition subdivision (Inst. No. 393329), the same being a point on the Southerly Right of Way of Aubrey Drive, and running thence along said Southerly Right of Way for the following two (2) courses:

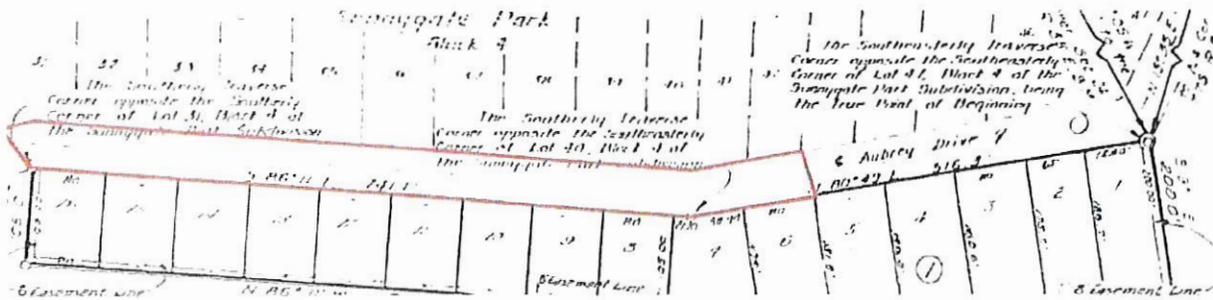
- (1) Thence South 80°58'00" West, a distance of 138.78 feet;
- (2) Thence North 86°00'48" West, a distance of 740.46 feet to the Northwest corner of Lot 16, Block 1 of Sunnygate Park 1st. Addition;

Thence leaving said Southerly Right of Way, North 39°34'13" West, a distance of 55.47 feet to the Southwest corner of Lot 31, Block 4, Sunnygate Park Subdivision,

THE TRUE POINT OF BEGINNING.

COMPRISING 1.02 ACRES MORE OR LESS





VACATION OF PORTION OF AUBREY DRIVE
SUNNYGATE PARK



VACATION OF A PORTION OF BURTON DRIVE
SUNNYGATE PARK

A parcel of land located in the Northwest 1/4 of Section 19, Township 7 South, Range 36 East, Boise Meridian, being ALL of that portion of Burton Drive, as depicted on Sunnygate Park, a subdivision recorded in the records of Bannock County Idaho, as instrument no. 3911351, lying between lots 4, 5 & 6 of Block 9 and lots 4, 5, & 6 of Block 7, more particularly described as follows:

BEGINNING at the Northwest corner of Lot 6, Block 7, Sunnygate Park Subdivision, the same being a point on the Southerly Right of Way of Burton Drive, and running thence North $0^{\circ}11'49''$ West, a distance of 50.08 feet, to the Southwest corner of Lot 6, Block 9, of said Subdivision, also being a point on the Northerly Right of Way of Burton Drive;

Thence along said Northerly Right of Way, North $86^{\circ}38'19''$ East, a distance of 240.09 feet, to the Southeast corner of Lot 4, Block 9, Sunnygate Park Subdivision;

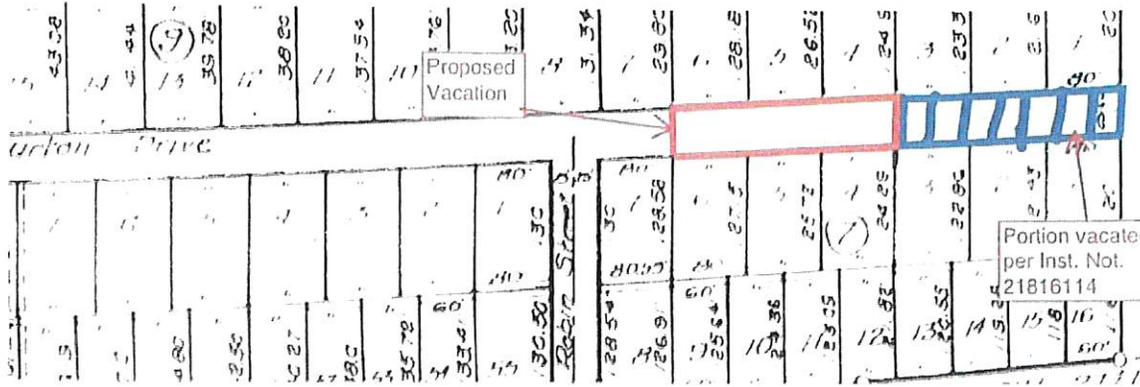
Thence leaving said Northerly Right of Way, South $0^{\circ}15'26''$ East, a distance of 50.07 feet to the Northeast corner of Lot 4, Block 7, Sunnygate Park Subdivision, the same being a point on the Southerly Right of Way of Burton Drive;

Thence along said Right of Way, South $86^{\circ}38'19''$ West, a distance of 240.14 feet More or Less to the Southwest corner of Lot 6, Block 7, Sunnygate Park Subdivision,

THE TRUE POINT OF BEGINNING

COMPRISING 0.28 ACRES MORE OR LESS





VACATION OF A PORTION OF BURTON DRIVE
SUNNYGATE PARK



In the Matter of VACATING)
EASEMENTS IN THE)
CHILTON SUBDIVISION)

R.S. No. 2025-39
June 10, 2025

RESOLUTION

WHEREAS, a public hearing was held on May 27, 2025, at the hour of 11 a.m. in the chambers of the Bannock County Commissioners to consider the petition to vacate easements on land owned by Michael Fallert, David Decato, Todd Trumbull, Jared Scow, Kristopher Knight, Gary Purrington, and Lonnie Adams.

WHEREAS, the Board heard evidence concerning the application and having considered the file and all evidence presented at the hearing, it hereby makes the following findings and conclusions:

FINDINGS, CONCLUSIONS OF LAW, AND DECISION

APPLICANT: Michael Fallert

TYPE OF APPLICATION: Petition for vacation of easements

LOCATION OF EASEMENTS: The fifty-foot easement named Promise Lane that runs across the north side of Lot 10, Block 1; and an unnamed fifty foot easement on the east side of the Chilton Subdivision that runs across Lots 1 and 2 of Block 2, and Lots 6, 7, 8, 9, and 10 of Block 1, Chilton Subdivision, Bannock County, Idaho, as the same appears on the Official Plat thereof, recorded November 24, 1978, as Instrument No. 613534

APPLICABLE LAW

1. Bannock County Commissioners are authorized by Idaho Code Title 40, Chapter 2 and Idaho Code Title 50, Chapter 13 to abandon and vacate any highway or public right-of-way in the county system or grant such vacations of platted easement or streets.
2. Idaho Code §50-1325 provides: Easements — Vacation of. Easements shall be vacated in the same manner as streets.
3. Idaho Code §40-203(4)(c) provides: When a county is to consider the abandonment or vacation of any private right-of-way that was accepted as part of a recorded platted subdivision, said abandonment or vacation shall be accomplished pursuant to the provisions of chapter 13, title 50, Idaho Code.
4. Idaho Code §50-1306A(5) provides: In the case of easements granted for gas, sewer, water, telephone, cable television, power, drainage, and slope purposes, public notice of intent to vacate is not required. Vacation of these easements shall occur upon the recording of the new or amended plat, provided that all affected easement holders have been notified by first class mail, certified mail, or certified mail with return receipt of the proposed vacation and have agreed to the same in writing.
5. Idaho Code 40-203(3) In the event of abandonment and vacation, rights-of-way or easements shall be reserved for the continued use of existing sewer, gas, water, or similar pipelines and

appurtenances, or other underground facilities as defined in section 55-2202, Idaho Code, for ditches or canals and appurtenances, and for electric, telephone and similar lines and appurtenances.

6. Pursuant to Idaho Code §67-6535(2), a decision must be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance or statutory provisions, pertinent constitutional principles, and factual information contained in the record.
7. Findings of fact must include a concise and explicit statement of the underlying facts of record supporting the findings, a statement of available procedures and applicable time limits for seeking reconsideration or other administrative relief, be based exclusively on the evidence in the record of the officially noticed proceeding, and all parties served with a copy of the order with a proof of service. Idaho Code §67-5248.
8. Notification to the public, adjacent landowners, and operators of underground facilities must be made according to Idaho Code §40-203.
9. No public right-of-way or parts thereof shall be abandoned or vacated so as to leave any real property adjoining the public right-of-way without access to an established public right-of-way. Idaho Code §40-203(2).
10. Pursuant to Idaho Code §40-203(5), a public right-of-way shall be deemed abandoned if the evidence shows:
 - (a) That said highway or public right-of-way was created solely by a particular type of common law dedication, such as a dedication based upon a plat or other document that was not recorded in the official records of an Idaho county;
 - (b) That said highway or public right-of-way is not located on land owned by the United States or the state of Idaho nor on land entirely surrounded by land owned by the United States or the state of Idaho nor does it provide the only means of access to such public lands; and
 - (c) (i) That said highway or public right-of-way has not been used by the public and has not been maintained at the expense of the public in at least three (3) years during the previous fifteen (15) years; or
(ii) Said highway or right-of-way was never constructed and at least twenty (20) years have elapsed since the common law dedication.
10. Pursuant to Idaho Code §50-1320, Vesting of Title on Vacation, the part so vacated, if it be a lot or tract, shall vest in the rightful owner, who may have the title thereof according to law.

FINDINGS OF FACT

1. Applicant submitted an application on December 2, 2024, to request the County vacate easements in the Chilton Subdivision. The official plat was recorded November 24, 1978, as Instrument No. 613534. The easements have never been used or developed.
2. The location of the subdivision and easements are within and under the jurisdiction of Bannock County, Idaho.

3. Notification of the public hearing was sent to adjoining property owners and public utilities and the public hearing notice was published on April 19, May 3 and May 10, 2025.
4. The public hearing was held on May 27, 2025.
5. One written comment objecting the vacation was received prior to the hearing and oral testimony was heard. County staff had no objections.
6. The easements requested for vacation are not currently used or maintained by the County as a public right-of-way. The County does not plan to maintain the easement or develop any roads in said easement. No public utilities have been installed in said easements.
7. No access to federal or state land will be denied if the Petition is approved.
8. As a result of vacation, no property will be without access to an established public right-of-way.
9. The easements requested to be vacated are located across several owners' property, all of which have consented to vacation.
10. Ownership of the land holding the vacated easements would remain vested in the underlying fee owner of each respective lot.

CONCLUSIONS OF LAW

Vacation of the proposed road easements is in the public interest, pursuant to Idaho Code §40-203(1)(h) and (6).

DECISION

NOW, THEREFORE, BE IT RESOLVED, based on the foregoing Findings of Fact and Conclusions of Law, pursuant to Idaho Code Title 40, Chapter 2 and Idaho Code Title 50, Chapter 13, the petition for vacation of the road easements described above is hereby granted and ownership remains with the lot owner. The utility easements will remain, pursuant to Idaho Code §§40-203(3) and 50-1306A(5).

****Appeal Rights****

Pursuant to Idaho Code §§ 40-203(1)(k) and 67-6535(2)(b), an applicant or affected person seeking judicial review of this decision must first seek reconsideration of the final decision within fourteen (14) days. The written reconsideration request must identify specific deficiencies in this decision for which reconsideration is sought. A written decision whether the reconsideration was affirmed, reversed, or modified must be provided to the applicant or affected person within sixty (60) days of receipt of the request for reconsideration or the request is deemed denied. The twenty-eight (28) day time frame for seeking judicial review is tolled until the date of the written decision regarding reconsideration or the expiration of the sixty (60) day reconsideration period, whichever occurs first.

BOARD OF BANNOCK COUNTY COMMISSIONERS



Jeff Hough, Chair



Ernie Moser, Member



Ken Bullock, Member

ATTEST:

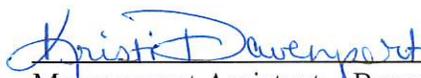


Jason C. Dixon, Clerk

PROOF OF SERVICE

I hereby certify that a copy of this Resolution and Decision was sent to:

| | | | |
|--|--|---|--|
| SCOW, JARED 11706 N NELSON LN POCATELLO, ID 83202 | TRUMBULL, TODD M 11744 N NELSON LN POCATELLO, ID 83202 | ROSEBOROUGH, EMILY 14494 W PROMISE LN POCATELLO, ID 83202 | RIO VISTA LAND LLC 158 S MAIN ST POCATELLO, ID 83204 |
| KNIGHT, KRISTOPHER 11678 N NELSON LN POCATELLO, ID 83202 | FALLERT, MICHAEL 11812 N NELSON LN POCATELLO, ID 83202 | SUTTON, MATTHEW A 11662 N KIND RD POCATELLO, ID 83202 | BROOKSTONE LLC 158 S MAIN ST POCATELLO, ID 83204 |
| ANDERSON, DELANE 14456 E PROMISE LN POCATELLO, ID 83202 | PURRINGTON, GARY W 11612 N NELSON LN POCATELLO, ID 83202 | PERKINS, SHARON A 11820 N HONESTY LN POCATELLO, ID 83202 | ADAMS, LONNIE E 7305 224TH AVE NE REDMOND, WA 98053 |
| GUNN, MIGUEL E 11791 N NELSON POCATELLO, ID 83202 | LEGACY 11 LLC 146 E CHUBBUCK RD STE C CHUBBUCK, ID 83202 | CAHOON, DEE R 11889 N HONESTY LN POCATELLO, ID 83202 | MILLER, PAUL 11620 N FAITH LN POCATELLO, ID 83202 |
| CLINKSCALES, STEVE 11636 N KIND LN POCATELLO, ID 83202 | KANON FAMILY TRUST 11877 N NELSON LN POCATELLO, ID 83202 | DECATO, DAVID C 11968 NELSON POCATELLO, ID 83201 | |



Management Assistant – Bannock County

In The Matter of AUTHORIZATION TO)
SELL LANDER BUILDING/PROPERTY)

R.S. No 2025-40
June 10, 2025

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

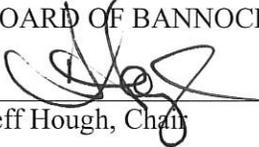
WHEREAS, the real property located at 746 East Lander, Pocatello, Idaho, is of no further use to the County;

and

WHEREAS, it was recommended to auction the property.

NOW THEREFORE, IT IS HEREBY RESOLVED that the above property is declared to be surplus, sold through auction with PrimeTime Auctions, and that the Chair, Jeff Hough, sign closing documents once sold.

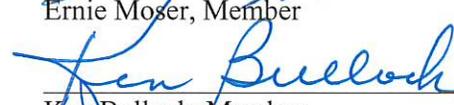
BOARD OF BANNOCK COUNTY COMMISSIONERS



Jeff Hough, Chair



Ernie Moser, Member



Ken Bullock, Member

ATTEST: 

Jason C. Dixon, Clerk

**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 May 27, 2025, as approved during the meeting of June 10, 2025.

BOARD OF BANNOCK COUNTY COMMISSIONERS



Jeff Hough, Chair

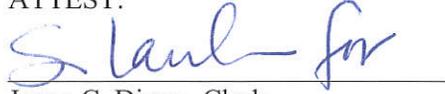


Ernie Moser, Member



Ken Bullock, Member

ATTEST:



Jason C. Dixon, Clerk