

Franklin County Commissioners

August 25, 2025 at 9:00 a.m.

Attendance: Commissioner Chair Robert Swainston, Commissioner Zan Bowles, and Commissioner Zach Stewart, County Attorney Vic Pearson, and Clerk Camille Larsen.

1. **Pledge of Allegiance**
2. **Adopt Agenda.** Zan Bowles made the motion to adopt the agenda. Zach Stewart second. Vote was unanimous.
3. **Approval of Bills.** Zach Stewart made the motion to approve the bills. Zan Bowles second. Vote was unanimous.
4. **Approval of Minutes.** Zan Bowles made the motion to approve the minutes of August 11, 2025. Zach Stewart second. Vote was unanimous.
5. **Review Courthouse Addition/Remodel and Other County Buildings.** Randy Henrie, Building Maintenance, updated the Commissioners that the new Treasurer's office has been painted, with trim work scheduled for this week. The false ceiling and flooring will be next. At the Event Center, the roof is being finished today, sheetrock is being hung, and the stairs are being installed. Wiring is also scheduled to begin this week. The parking lot is ready for the Road Crew to begin prep work, and drains will need to be installed before paving. The new asphalt will tie into the existing asphalt. A sidewalk will be poured from corner to corner of the Event Center, as well as along the entrance road into the parking lot. The Event Center is on schedule for completion by the end of November. A sponsor is still being sought for the scoreboard. Randy Henrie will provide a cost breakdown of the Event Center at the next meeting.

Enbridge Gas - Service Line Agreement. The Agreement is for the gas line to be ran to the Event Center. Zach Stewart made the motion to sign the Enbridge Gas Line Agreement. Zan Bowles second. Vote was unanimous.

Recommendations From Planning and Zoning for Development Code and Comprehensive Plan. Randy Henrie, Planning and Zoning Administrator, reported to the Commissioners that the Planning and Zoning held their public hearing. There was a good turn out and Shauna Geddes provided the comments to the Commissioners for review. The Planning and Zoning had a change for the noise from 6:00 a.m. to 6:00 p.m. to dusk to dawn. Daylight hours is 80 decibel and at night goes to 50 decibel. The Planning and Zoning recommended to send to the Commissioners for their Public Hearing which will be held on Friday, September 5 at 6:00 p.m.

Special Use Permit - Manning Motocross. Blaine Manning, the event coordinator, has applied for a Special Use Permit to allow the public to come in for a motocross event located near Foster Reservoir. He has sent out letters to all neighbors to notify them of the event date. Parking will be available and they have mowed the grass down to help avoid a fire hazard. Outhouses will be onsite as well as garbage facilities. This is a one-time event for a motorcycle race and will need to stay under the noise ordinance at the property line. Robert Swainston asked if the Fire Department has been notified and what they plan to do about the dust. Blaine Manning reported the Fire Department has been contacted and a water truck will be onsite. One bike, at a time, will be on the course. Zach Stewart made the motion to approve the Special Permit for the Manning Motocross. Zan Bowles second. Vote was unanimous.

Setback Variance for Yance Bosen. Aubrey Ann Bosen attended and requested setback variance for a lean-to structure to be attached to the side of the house. It will be approximately 55' from center of the road. The current setback is 80'. Planning and Zoning did not see any visual issues. Commissioners discussed. There will be two posts and a roof that is attached to the house, as a temporary structure, to park a truck under. The lean-to would need to be removed if the Hot Springs Road is widened. Zan Bowles made the motion to grant the variance for Yance Bosen with the caveat that if the road needs to be expanded that the lean-to structure would be taken down. Zach Stewart second. Vote was unanimous.

Bridget Rock Gravel Pit Update. The Bridget Rock Gravel Pit is located by Little Mountain. Randy Henrie provided an update to the Commissioners so they are aware of the road upgrade and the gravel pit being used. The owners have updated the new road and have applied with the State Bureau of Reclamation. The owners are aware of operating times and dust control and have met with Troy Moser, Director, and discussed the number of trucks and the required improvements to the road. They improved the road by making it 4' wider and black topped the road.

6. **Herd District Discussion - Dallas Burkhalter, Lead Deputy Clerk Attorney General Office.** Dallas Burkhalter, Gene Love, and Cuyler Stoker were present. Robert Swainston has asked the Attorney General Office for clarification of the County's Herd District. Dallas Burkhalter is the Deputy Attorney General in the Energy and Natural Resources Division and has worked with Senator Harris with fencing and Herd District laws over the years. Robert Swainston explained the concerns the County has: the County was considering to dissolve the Herd Districts because we were under the understanding they were illegally formed and to adopt an Ordinance to take care of fencing and cattle; if Herd Districts were formed before January 1990, are the Herd Districts grand fathered in; and does the County need to start collecting taxes?

Dallas Burkhalter stated after reviewing the Simmons case, the case tells us five things: Herd Districts created before 1963 are valid, even though fencing was not required, the people within the Herd District have to fence their cattle. Herd Districts created after 1963 are required to have and maintain an enclosed boundary fence. Within the Herd District owners are required to fence their animals in. If livestock come from an Open Range onto a Herd District, the Open Range livestock owner is not civilly liable, which is in the code. But if the Herd District is not enclosed by a lawful valid fence those civil liability statutes do not apply. The 2023 Amendment did not invalidate any existing Herd Districts, but if there is no lawful boundary fence there is no civil liability when Open Range livestock enter into the Herd District. Zan Bowles asked the question what is definition of lawful fence. Dallas stated there is Idaho Statute that defines the lawful fence.

Robert Swainston asked a clarifying question, if the people living in the Herd District need to fence? Dallas Burkhalter explained if livestock owners have animals within the Herd District they have to fence their animals in. Open Range is Open Range and the animals can graze and wander around, if you don't want them to come onto your property, you have to fence them out. The livestock owner is not required to fence them in Open Range. Zach Stewart asked if the County wants to disband the Herd Districts, how to do that in a legal way? Dallas Burkhalter referred to Idaho 25-2401 Subpart 1 that states the County Commissioners have the authority to create, modify or eliminate Herd Districts. The Commissioner have authority to levy a tax to build the fence and some sections require the land owner to pay up to 75% of the cost for the boundary fence. Vic Pearson, County Attorney, requested Dallas Burkhalter provide a copy of the letter he sent to Senator Harris and the Simmons case reference. Commissioners appreciate

Dallas= time and knowledge.

7. **Public Hearing - Fee Increase for Ambulance Billing.** Zan Bowles made the motion to open the Public Hearing for Fee Increase for the Ambulance Billing. Zach Stewart second. Vote was unanimous. Zan Bowles presented the fee increases. The Ambulance will be sourcing out the billing to Gold Cross Billing for a small fee. The fees have not been raised for over ten years.

Base Mileage from \$12 to \$25 for Resident and Non-Resident
Basic Transport from \$610 to \$700 for Resident and \$1,000 for Non-Resident
Advanced Transport from \$690 to \$750 for Resident and \$1,100 for Non-Resident
Advanced Transport with Nurse \$950 to \$1,000 for Resident and \$1,500 for Non-Resident

Cannot split the base mileage from Resident and Non-Resident. The Board felt good about the direction we are going. Robert Swainston opened up for comments from the public. There were no comments or written comments. Zan Bowles made the motion to close the Public Hearing for Fee Increase for the Ambulance Billing. Zach Stewart second. Vote was unanimous.

8. **Letter of Support For Raven Ebanes.** The Franklin County Medical Center is requesting a grant, through the Idaho Department of Health and Welfare to continue Raven Ebanes=s education. She is a wonderful addition to the Franklin County Medical Center. Zach Stewart made the motion to sign the letter of support for Raven Ebanes. Zan Bowles second. Vote was unanimous.

9. **Professional Services Agreement for Reimbursement.** This agreement is for reimbursement for Laura Sant=s travel to teach a class. The reimbursement check will be paid to the Franklin County Extension and will be deposited back into the Extension Fund. Zach Stewart made the motion to sign the Professional Service Agreement A23-0004-RPA006-Franklin for Reimbursement for Laura Sant to teach a class. Zan Bowles second. Vote was unanimous.

Take a four minute recess.

10. **Public Hearing - Franklin County Fiscal Year 2026 Budget.** Zan Bowles made the motion to go into Public Hearing to review the Fiscal Year 2026 Budget. Zach Stewart second. Vote was unanimous. Camille Larsen, Clerk, reported that the budget was able to provide all the departments their Awish list@ this year as well as a 3% cost of living increase and 2% merit pay depending on the supervisors approval. Zach Stewart is happy to balance and give the employees a raise. Robert Swainston opened up for public comment. Tyler Olsen, 7909 West 300 South, Weston, asked how the hospital worked into the budget. Robert Swainston explained the hospital is owned by the County but they operate with their own revenue and expenses and no tax dollars go to the hospital and no money comes from the hospital. Tyler Olsen asked about the percent tax change, and it is noted that the 3% tax increase the County took. He asked about the Sheriff budget increase. Robert Swainston explained the department has fallen behind and needed to increase to get caught back up for outdated equipment and hire another officer. No other comments were made. Zach Stewart made the motion to close the public hearing for the Fiscal Year 2026 Budget. Zan Bowles second the motion. Vote was unanimous.

Take a eight minute recess.

11. **Public Hearing - Abatement Fiscal Year 2026 Budget.** Zan Bowles made the motion to open the Public Hearing for the Abatement Fiscal Year 2026 Budget. Zach Stewart second. Vote was unanimous. Camille Larsen, Clerk, stated the Abatement Committee met and asked for the 3% increase and requested a new line item to purchase chemical in case the mosquitos become immune to the current chemical. Robert Swainston opened up for public comment. No public comment. Zach Stewart made the motion to close the Public Hearing for the Fiscal Year 2026 Budget. Zan Bowles second. Vote was unanimous.
12. **Adopt Fee Increase for Ambulance Billing.** Zan Bowles made the motion to adopt the fee increase for the ambulance billing. Zach Stewart second. Vote was unanimous.
13. **Adopt Franklin County Fiscal Year 2026 Budget.** Zach Stewart made the motion to adopt the Franklin County 2026 Fiscal Year Budget. Zan Bowles second. Vote was unanimous.
14. **Adopt Abatement Fiscal Year 2026 Budget.** Zan Bowles made the motion to adopt the Abatement Fiscal Year 2026 Budget. Zach Stewart second. Vote was unanimous.
15. **County Dental Insurance Discussion.** Dr. Ryan Hirschi was not able to attend. Camille Larsen, Clerk, read the email from Dr. Hirschi. Zach Stewart has talked to Dr. Ryan Hirschi and he explained that the dental exam and x-rays usually costs about \$200. Other insurances covers pay about \$160 while Samera pays \$89. Dr. Hirschi wants to keep serving the County employees and is concerned employees are being driven to Utah. Robert Swainston asked Camille Larsen to invite the Health Insurance representatives to a meeting for discussion of the dental insurance coverage.

Recess for 22 minutes until 10:45 a.m.
16. **Franklin County Senior Citizen Environmental Review.** Amanda Collins, Community Development Manager for Southeast Idaho Council of Government (SICOG) and Kate Salvage, Community Development Specialists for SICOG. Kate Salvage conducted the Environmental Review prior to receiving the funds from Commerce for the Senior Center improvements. The Review found the Senior Center is categorically exempt. Construction is planned for spring or summer next year, as to not interrupt the fund raisers for the Senior Center. Kate Salvage said the Environmental Review is a federal requirement and they want documentation that everything is fine. One of the requirements is Radon testing and found no evidence of Radon. Zan Bowles made the motion to accept the Environmental Review for the remodel job for the Senior Center. Zach Stewart second. Vote was unanimous.
17. **Transparency and Communication.** Stevie Emerson sent an email to the Commissioners that covers what she is wanting to discuss. People want to know what is going and a lot of decisions are being made and they are not easy to find. She would like to find ways to get the information out there and what information can be shared. She wanted to let the Commissioners know the meeting notes have not been updated since June 9, the law requires them to be updated in a Areasonable time@. Robert Swainston explained the Commissioners only met once in July and no meeting notes can be posted until approved by the Commissioners and the office has been running down two employees and the minutes are posted soon after approval by the Commissioners. It was discussed to post information on Facebook, Instagram, etc. The Commissioners will have the Clerk post the agendas on Facebook for now, until further state wide research to get personal testimonies from other Commissioners.
18. **Fair Update.** Wes Harris, Fair Board Chairman said thanks to the Commissioners. He

reported this past fair has been the best fair since covid and it was well attended. Wes Harris appreciates the Road Crew and their help. Robert Swainston said this is Wes' last year as Fair Board Chairman, he has been appointed to the Eastern Idaho State Fair Board. The Commissioners presented Wes Harris with a plaque for his 28 years of Outstanding Service to the Fair Board. Wes Harris said this is the very best board that he has ever served with. He is going to miss it, but looking forward to serving on the Eastern Idaho State Fair Board.

19. **Franklin County (Drought) Disaster Declaration.** Lamont Doney, Civil Defense-Emergency Management Director said the Commissioners had asked him to look into the process for declaring a drought in the County. The drought does persist in Franklin County and it has now moved from 7% severe to 30% extreme in the southeast corner of the County. Lamont Doney worked with Idaho Office of Emergency Management and the documents are ready to be submitted. The Disaster Declaration for a Drought and letter to the Governor Little will open doors for help with agriculture that may have lost revenue due to the drought. Lamont Doney is recommending the Commissioners to sign. Zach Stewart made the motion to sign and accept the Franklin County Drought Disaster Declaration and letter. Zan Bowles second. Vote was unanimous.
20. **Forest Service Grant Agreement.** Cuyler Stoker, Sheriff, said the Forest Service Grant Agreement is renewed every couple of years and noted there is nothing different in the Agreement. The Sheriff Department is doing patrols on Forest Service property and this Agreement means the Forest Service is to reimburse the Sheriff Office. The deputies have been able to put a lot of hours in. They have had a heavy presence at the Narrows this year. Deputy Golightly has been able to do more hours at the Forest Service properties. Zan Bowles made the motion to accept the Forest Service Grant Agreement as presented by Sheriff Stoker. Zach Stewart second. Vote was unanimous.
- Public Surplus Search and Rescue Trailer.** Cuyler Stoker, Sheriff, reported the Board for Search and Rescue are wanting to sell the 20' enclosed trailer. Recently, the Fire District let them purchase a trailer from their surplus for \$1.00. Zach Stewart made the motion to public surplus the Search and Rescue trailer. Zan Bowles second. Vote was unanimous.
21. **Executive Session.** At 11:35 a.m. Zan Bowles made the motion to go into Executive Session pursuant to Idaho Code §74-206 (1) (a and b) to consider personnel. Zach Stewart second. A roll call vote was taken, and voting was unanimous in the affirmative. Attending the Executive Session: Robert Swainston, Zan Bowles, Zach Stewart, Vic Pearson and Camille Larsen.

Out of Executive Session at 12:05 p.m.

Zan Bowles made the motion to adjourn at 12:10 p.m. Zach Stewart second. Vote was unanimous. Next meeting will be Monday, September 8, 2025.

Attest, Camille Larsen

Robert Swainston, Chair