

# PROCEEDINGS COUNTY COMMISSIONERS

## SHOSHONE COUNTY, IDAHO

### BOOK 2017

Monday, November 13, 2017

The Board met pursuant to recessing Wednesday, November 8, 2017.

Present:

Commissioners: Jay Huber

Mike Fitzgerald

John Hansen

Deputy Clerk: Susan K. Hendrixson

The following proceedings were had to-wit:

The Board convened at 9:15 and a motion was made by Commissioner Fitzgerald, seconded by Commissioner Hansen to amend the agenda for Wednesday, November 15<sup>th</sup> and add an Emergency Manager Position interview for 11:00 a.m. that was not added last week. The motion carried unanimously.

The Board convened at 9:30 a.m. as a Board of Canvasses to canvass the votes from the November 7, 2017 election as shown by the records on file in the County Clerk's office.

The Board met with Kjell Truesdell, Loren Peterson, and Jeanne Bradley with the Idaho Department of Lands at 10:00 a.m. to review, discuss and consider a request to put some slash from a timber sale on County property in Government Gulch. Items discussed included the following:

- ITD will be doing a cleanup along I-90 from Rose Lake and the slew and using IDL to clear cut and clear out the right of way.
- Following the clear cut, there will be a timber sale, approximately 565,000 board feet.
- IDL's request is to store the slash on the County property in Government Gulch – approximately 417 tons.
- The slaw would be burned at the site – after the burn, ash would be removed and property restored.
- Could be a one (1) to two (2) year project.
- IDL will provide the County with an MOU lease agreement for use of the property.

The Board approved their request to move forward with this project and for IDL to send the County an MOU with the details for the Board's review and consideration.

Commissioner Fitzgerald and Huber met with Richard Abers, Shoshone County Airport Manager, at 1:00 p.m. for an FAA Conference update and report.

Thereafter, the meeting adjourned.

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2017

ATTEST Peggy White  
County Clerk

Approved:   
Chairman

By:   
Deputy Clerk

BOOK 2017-11-16

**PROCEEDINGS COUNTY COMMISSIONERS**

**SHOSHONE COUNTY, IDAHO**

**BOOK 2017**

Tuesday, November 14, 2017

The Board met pursuant to recessing Monday, November 13, 2017.

Present:

Commissioners: Jay Huber

Mike Fitzgerald

John Hansen

Deputy Clerk: Susan K. Hendrixson

The following proceedings were had to-wit:

The Board convened at 9:00 a.m. in Executive Session per Idaho Code 74-206(a) for an Emergency Manager position interview.

The Board convened at 10:00 a.m. to continue discussions regarding a Solid Waste Sticker Program. The Board determined that a Solid Waste Sticker program would benefit the County and decided to move forward with its implementation. The program was determined to resolve and clarify who is and who is not a County Solid Waste customer, increase accuracy and equity of billing, and assist Transfer Station employees in identify County customers. Given the location of the Transfer Station and area of competing private services, the portion of the County that the program would be applicable is that area north of the St Joe Divide. The time frame for the program would be best annually, effective January 1 of each year. Susan Hendrixson drafted a resolution to establish the program. Shannon Atkins provided: 1) a draft letter to property owners announcing and inquiring participation in the program and 2) initial sticker and mailing costs. Following review and discussion, a motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to approve the Solid Waste Sticker Program with Resolution 2017-43. The motion carried unanimously.

**RESOLUTION 2017-43**

**A RESOLUTION ESTABLISHING A SOLID WASTE  
WINDSHIELD STICKER PROGRAM  
FOR SHOSHONE COUNTY, ID**

WHEREAS, Shoshone County operates a solid waste disposal system pursuant to the provisions of Idaho Code Title 31, Chapter 44; and

WHEREAS, Idaho Code 31-4403 requires the Board of County Commissioners in each county to acquire sites or facilities, and maintain and operate a solid waste disposal system; and

WHEREAS, Idaho Code 31-4404 provides that each county may finance solid waste disposal facilities by user fees, taxes or other appropriate charges; and

# **PROCEEDINGS COUNTY COMMISSIONERS**

## **SHOSHONE COUNTY, IDAHO**

### **BOOK 2017**

WHEREAS, within Shoshone County, Shoshone County is not the sole operator of a Solid Waste Disposal System; and

WHEREAS, having more than one Solid Waste operator, uncertainty exists to who is and who is not a Shoshone County Solid Waste customer.

NOW THEREFORE BE IT RESOLVED, by the Shoshone County Board of Commissioners that the following fees and requirements are hereby established:

1. The purpose of the Solid Waste Window Sticker Program is to readily identify Shoshone County Solid Waste Customers and allow them access to the Solid Waste System.
2. Waste such as construction and demolition materials, roofing material, furniture, carpet and large bulky items are not covered under the residential solid waste fee.
3. In order to receive a windshield sticker, the Applicant must provide the Solid Waste Department the following information:
  - a. Property owner name, mailing address and telephone number;
  - b. If applicable, renter's name, address and telephone number;
  - c. Address for the Shoshone County property.
4. Upon completion of the Windshield Sticker Application, the Solid Waste Department will investigate and determine whether or not a parcel of property has been assessed a solid waste fee.
5. If the property has been assessed a solid waste fee, and the fees have been paid, the Department will issue two (2) current year windshield stickers to the customer at no charge.
6. An additional two stickers, above the two issued free, may be purchased at a cost of \$5.00 each.
7. The program will allow a maximum of four (4) stickers per parcel. If a customer requires a replacement of stickers for any reason, a charge of \$5.00 each stickers will be assessed.
8. Stickers expire on December 31st of the year indicated on the sticker. The windshield stickers are good for one year – January 1st to December 31st.
9. The program does not allow for the issuance of a windshield sticker to rental vehicles and/or dealer plates.
10. The windshield sticker should be displayed in the lower left hand corner of the windshield.

**PROCEEDINGS COUNTY COMMISSIONERS**

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**BOOK 2017**

THEREFORE, BE IT FURTHER RESOLVED that the Shoshone County Board of Commissioners establishes the Shoshone County Solid Waste Windshield Sticker Program with an effective date of January 1, 2018.

DATED this 14th day of November 2017.

**BOARD OF COUNTY COMMISSIONERS**

s/Mike Fitzgerald  
Mike Fitzgerald, Chairman

s/John Hansen  
John Hansen, Commissioner

s/Jay Huber  
Jay Huber, Commissioner

ATTEST:

s/Susan K. Hendrixson  
Deputy Clerk

Peggy White, Clerk of the District Court, ex officio Auditor, Recorder, Clerk of the Board of County Commissioners of Shoshone County, State of Idaho, appointed Tracy Thomas as Deputy Clerk of the District Court, Ex Officio Auditor, Recorder, Clerk of the Board of County Commissioners in and for Shoshone County, Idaho effective November 13, 2017.

The Board met with Dan Martinsen, Shoshone County Planning & Zoning Administrator at 1:00 p.m. to discuss, review and consider the purchase of Potlatch Avery Mill Site property for possible recreation purposes. Dan Martinsen was approached by Potlatch regarding this property as a possibility for Shoshone County and he was sent a bid package that included property information with bids due by November 30, 2017. Items discussed included the following:

- This property has been remediated and there are Declarations and Restrictive Covenants in place which prohibit any activities which will disturb the existing soil or any activities that have opportunity for future contamination of the property.
- Potlatch had been advertising this property for sale - via seal bid process and they would like to sell it to someone who would properly manage it. It has no value to Potlatch.
- Potential for County to utilize or present to a group for recreational purposes (snowmobile, ATV, parking lot).

Discussion took place regarding the option to Potlatch for this property in the amount of \$1.00 with the intent of the County to put the property into public use. Following review of the Purchase and Sales Agreement's legal language, the Board decided to not place a bid on the property.

**PROCEEDINGS COUNTY COMMISSIONERS**

**SHOSHONE COUNTY, IDAHO**

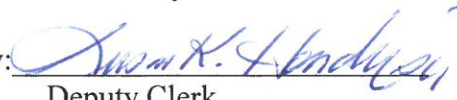
**BOOK 2017**

A motion was made by Commissioner Fitzgerald, seconded by Commissioner Hansen to amend the agenda and add a personnel matter under Executive Session, ID Code 74-206(d) at 12:00 p.m. The motion carried unanimously

Thereafter, the meeting adjourned.

ATTEST Peggy White  
County Clerk

Approved:   
Chairman

By:   
Deputy Clerk

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2017

Wednesday, November 15, 2017

The Board met pursuant to recessing Tuesday, November 14, 2017.

Present:

Commissioners: Jay Huber

Mike Fitzgerald

John Hansen

Deputy Clerk: Susan K. Hendrixson

The following proceedings were had to-wit:

The Board convened at 9:30 a.m. and the meeting was called to order. Also in attendance was Deputy Prosecuting Attorney Ben Allen. A motion was made by Commissioner Fitzgerald seconded by Commissioner Hansen to amend the agenda and add a State/Local Agreement with ITD for the Pine Creek Road Bridge #A019(718), and approval of the Notice of Recruitment for Conflict Public Defender (contract position, which has a submission deadline of December 15, 2017. The motion carried unanimously. The consent agenda was reviewed for consideration as follows:

OLD BUSINESS:

1. Consideration and Decision of the Minutes of the Commissioners' Public Agenda Session dated Monday, November 6 to Friday, November 10, 2017.

NEW BUSINESS:

1. **Consent Agenda** – (These items will be enacted by one motion unless requested by a Commissioner that one of more items be removed for separate discussion.)
  - 2018 Beer, Wine, Liquor Licenses
  - Pre-Pay Bills
  - Administrative Services Agreement with Benefits Exchange Northwest
  - 2017 Cancellation of Taxes on Parcel #MH00218
  - Resolution 2017-42 Purchase of a 1994 Mobile Home For the Sheriff's Department Field Office Residence/St. Joe
  - Employee Vacation Accrual Extension Request – Prosecuting Attorney's Office – Approved as presented.
  - Tax Deeded Parcel Offer to Purchase #2017-5, Parcel #E-0050-002-023-0 in the amount of \$500 – Approved as presented. Sold to Python Financial, LLC.
  - State/Local Agreement between Shoshone County and ITD for the Pine Creek Road Bridge #A019(718) project.

## **PROCEEDINGS COUNTY COMMISSIONERS**

### **SHOSHONE COUNTY, IDAHO**

#### **BOOK 2017**

- Shoshone County Notice of Recruitment for a Conflict Public Defender (Contract Position) with a submission deadline of December 15, 2017. Ben Allen reviewed the Notice of Recruitment and the application with the Board. Approved for the Prosecuting Attorney's office to move forward with the recruitment notice.
- 2. Executive Session: Indigent Cases: Consideration and Decision. Executive Session ID Code 74-206(d) – Indigent Case #2017-170/Denied, Indigent Cases #2017-148, #2017-152, #2017-153, #2017-176, #2017-180, and #2017-155/Approved

A motion was made by Commissioner Fitzgerald, seconded by Commissioner Hansen to approve the consent agenda as presented and to pull the Administrative Services Agreement with Benefits Exchange Northwest and the purchase of the mobile home for Sheriff's Department Field Office residence for the St. Joe for separate discussion. The motion carried unanimously.

- Administrative Services Agreement with Benefits Exchange Northwest. The Board discussed the Services Agreement and contract language and was in agreement to move forward with the current agreement as presented. It was also discussed to amend the Board's decision in October and change the eligibility period on Delta Dental from 90 days back to 30 days to coincide with the County's medical insurance. A motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to approve the Administrative Services Agreement with Benefits Exchange Northwest as presented. The motion carried unanimously. Advanced Benefits has also offered to provide training to any employees that are part of the Benefits Exchange online software at their office in Coeur d'Alene with lunch provided.
- Resolution 2017-42 Purchase of a 1994 Mobile Home for the Sheriff's Department Field Office Residence/St. Joe. A motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to approve the purchase for the mobile home in the amount of \$19,000 from the Sheriff's Department budget. The motion also included setting up a new line item 1-4 for field office expenses. The motion carried unanimously. The establishment of a Field Office in the St. Joe will provide an overall savings in the Sheriff's Department. Relocation costs for the mobile home will be out of account #1-18-558.

#### **RESOLUTION 2017-42**

#### **A RESOLUTION APPROVING THE PURCHASE FOR SHOSHONE COUNTY SHERIFF'S DEPARTMENT MOBILE HOME FOR A FIELD OFFICE RESIDENCE ON THE ST. JOE - PURSUANT TO IDAHO CODE 67-2803 (2)**



**PROCEEDINGS COUNTY COMMISSIONERS**

**SHOSHONE COUNTY, IDAHO**

**BOOK 2017**

WHEREAS, pursuant to Idaho Code 67-2803 stating “contracts or purchases wherein expenditures are less than fifty thousand dollars (\$50,000), provided such contracts or purchases shall be guided by the best interested of the political subdivision procuring the goods and services as determined by the governing board”; and

WHEREAS, the Shoshone County Sheriff’s Department would like to establish a Field Office residence on the St. Joe to decrease the cost of operations with fuel, vehicle maintenance, time, and safety; and

WHEREAS, the Sheriff’s Department has found the following mobile home available for purchase as follows:

1994 Friendship Mobile Home  
VIN #MY9412349V - 70’x14’  
\$19,000

NOW THEREFORE, BE IT RESOLVED that the Shoshone County Board of Commissioners approves the purchase of the mobile home for the Shoshone County Sheriff’s Department Field Office Residence on the St. Joe as presented.

DATED this 15th day of November 2017.

**BOARD OF COUNTY COMMISSIONERS**

s/Mike Fitzgerald  
Mike Fitzgerald, Chairman

ATTEST:

s/John Hansen  
John Hansen, Commissioner

s/Susan Hendrixson  
Susan Hendrixson  
Deputy Clerk

s/Jay Huber  
Jay Huber, Commissioner

**2018 Beer, Wine & Liquor Licenses**

#26	T&S Food Enterprises/Hill Street Depot	Kellogg	Beer/Liquor
#27	Wallace Elks Lodge #331	Wallace	Beer/Liquor
#28	Longshot Saloon, LLC	Kellogg	Beer/Liquor
#29	Karla Zulfelt/Outlaw Bar & Grill	Mullan	Beer/Liquor
#30	LSFausett Co, Inc./Mullan Corner	Mullan	Beer/Liquor
#31	Shoshone Golf & Tennis Club	Big Creek	Beer/Liquor

**2017 Beer, Wine & Liquor License - Transfer**

#82	Kingston Hilltop, LLC/The Hilltop	Kingston	Beer/Liquor
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# **PROCEEDINGS COUNTY COMMISSIONERS**

## **SHOSHONE COUNTY, IDAHO**

### **BOOK 2017**

The Board convened at 10:00 a.m. to review, discuss and consider two (2) tax deeded parcels to be declared as odd-lot pursuant to Idaho Code 31-808(8). The first parcel is #D15500090050 located at 411 W. Mullan in Kellogg. This parcel was pulled from the tax deed auction that held in June of this year. It is a triangular lot (14'x14'x26") lying on the north boundary line of Sunnyside Addition to Kellogg and the property surrounding this parcel is owned by Michael Magura who has an interest in this property. Through Idaho Code 31-808(8), the Board has the ability to declare certain parcels as odd-lot property that are not needed for public purposes and are excess to the needs of the county. The property may be sold to an adjacent property owner for fair market value that is estimated by a land appraiser. The only adjacent property owner around this parcel is Michael Magura. A public notice will put together of the pending sale and the public has fifteen (15) days to object to the sale in writing. The Board approved that this parcel falls under the description under Idaho Code 31-808(8) and to move forward with the process.

The second parcel is #O2400004001A located in Murray, ID. This parcel was tax deeded to the County in 1997 and is still in the County's name. Chris Littlejohn came to the County July of this year inquiring about this property because he assumed it was part of the property that he currently owns - his property surrounds this parcel. Through Idaho Code 31-808(8), the Board has the ability to declare certain parcels as odd-lot property that are not needed for public purposes and are excess to the needs of the county. The property may be sold to an adjacent property owner for fair market value that is estimated by a land appraiser. The only adjacent property owner around this parcel is Chris Littlejohn. A public notice will put together of the pending sale and the public has fifteen (15) days to object to the sale in writing. The Board approved that this parcel falls under the description under Idaho Code 31-808(8) and to move forward with the process.

The Board convened at 11:00 a.m. in Executive Session ID Code 74-206(a) for an Emergency Manager Position interview.

A motion was made by Commissioner Fitzgerald seconded by Commissioner Huber to amend the agenda to enter into executive session per Idaho Code 74-206(b) personnel regarding a potential non-County expenditure by a County staff member. The agenda is being amended due to the timeliness of possibly taking immediate action on the issue. The motion carried. The Board adjourned from Executive Session and a motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to place a hold/suspend the subject of the executive session's County credit card. A letter is to be drafted and forwarded to the bank to place the hold/suspension. The motion carried unanimously.

PROCEEDINGS COUNTY COMMISSIONERS

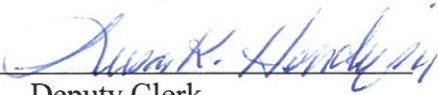
SHOSHONE COUNTY, IDAHO

BOOK 2017

Thereafter, the meeting adjourned.

ATTEST Peggy White  
County Clerk

Approved:   
Chairman

By:   
Deputy Clerk

BOOK 2017-11-25

**PROCEEDINGS COUNTY COMMISSIONERS**

**SHOSHONE COUNTY, IDAHO**

**BOOK 2017**

Thursday, November 16, 2017

The Board met pursuant to recessing Wednesday, November 15, 2017.

Present:

Commissioners: Jay Huber

John Hansen


Deputy Clerk: Susan K. Hendrixson

The following proceedings were had to-wit:

Thereafter, the meeting adjourned.

ATTEST Peggy White  
County Clerk

Approved:   
Chairman

By:   
Deputy Clerk

**PROCEEDINGS COUNTY COMMISSIONERS**

**SHOSHONE COUNTY, IDAHO**

**BOOK 2017**

Friday, November 17, 2017

Not a regular meeting day of the Board of Commissioners.

Present:

Commissioners: Jay Huber  
Mike Fitzgerald  
John Hansen

Deputy Clerk: Susan K. Hendrixson

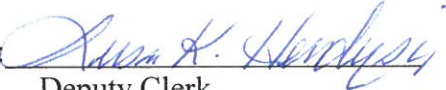
The following proceedings were had to-wit:

The Board attended an Idaho Association of Counties District 1 meeting at 10:00 a.m. in Coeur d'Alene at the Kootenai County Administration Office.

Thereafter, the meeting adjourned.

ATTEST Peggy White  
County Clerk

Approved:   
Chairman

By:   
Deputy Clerk