

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2018

Monday, April 30, 2018

The Board met pursuant to recessing Thursday, April 26, 2018.

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. to discuss, review and consider the FY 2019 Indigent Defense Grant Application that is due May 1, 2018. The Board reviewed the grant application with a grant award of approximately \$31,680.45. Following review and discussion, a motion was made by Commissioner Huber, seconded by Commissioner Fitzgerald to approve and submit the FY 2019 Indigent Defense Grant Application as presented to the Idaho Defense Commission. The motion carried unanimously.

The Board convened at 9:30 a.m. to discuss, review and consider Tax Exempt Applications for 2018 on the following: The Solomon Foundation (3 parcels); Good Samaritan Silver Wood (1 parcel); and the Church of Jesus Christ of Latter-day Saints (1 parcel). Discussion and decision took place as follows:

- The Solomon Foundation – parcels #RP45N03E053700A, RP45N03E052400A, and #RP45N03E54250A. These parcels were in the name of Real Life and this property was bought by The Solomon Foundation. The Board reviewed the applications and all of the exhibits presented for the exemption request under Idaho Code 63-602B. A motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to approve all parcels for tax exemption as presented. The motion carried unanimously.
- Good Samaritan Silver Wood – parcel #RP48N04E214000A. In the past, this parcel has been tax exempt and recognized as a tax exempt organization as a public charity. The Supreme Court of the State of Idaho ruled on the Evangelical Lutheran Good Samaritan Society in Ada County on their application for tax exemption. The Lutheran Good Samaritan Society in Ada County failed to meet the heavy burden and the Society is not a charitable organization for purposes of Idaho Code 63-602C. The Board reviewed the application packet presented by Good Samaritan Silver Wood. A motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to deny tax exempt status on the referenced parcel based on the precedence set by the decision of the Supreme Court of the State of Idaho in Ada County. The motion carried unanimously.
- Church of Jesus Christ of Latter-day Saints - parcel #O-3250-000-001-A. In the past this parcel has been tax exempt, but the Board was informed that the church is closed and is not being used. A motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber that based on the information presented to the Board on the use of this church, to deny the tax exempt application request for this parcel. The motion carried unanimously.

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The Board met with Sheriff Mike Gunderson at 10:00 a.m. to discuss, review and consider the planning process for a new Public Safety Building. Also in attendance were Shoshone County Undersheriff Holly Lindsay and Shoshone County Maintenance Director Keith Chambers. Commissioner Fitzgerald stated that this meeting is the first step in the planning process for building a new Public Safety Building for Shoshone County. Items discussed included the following:

- Right now there is not facility maintenance, but “band aids” to ongoing maintenance issues – not cost effective. Sheriff Gunderson stated that he and Commissioner Hansen met with the Deputy Warden with the Idaho Department of Corrections last week, and the State would be willing to sign a letter of intent to provide State between 25 to 30 state inmates at \$75.00 per inmate if a new facility was built.
- The current facility is having a difficult time meeting current Jail Standards Inspections with the condition of the facility. The next inspection is in June. If we don’t pass inspection, the County would have to ship inmates out to different facilities that would be expensive.
- Sheriff Gunderson passed out photos of the facility, and current ongoing problems.
- There are problems with plumbing/pipes, flooring/concrete, roofing/leaks, HVAC problems, along with demographic standards for housing men and women.
- Possible place to build would be Railroad land next to Spundstrand 20 + acres – purchase possible lease. Finance, bond, loan, and possible Panhandle Area Council involvement with process.
- Would City of Wallace be willing to annex the property into the City.
- Project would involve an RFP for an architect, what size and type of a facility is needed long term, list of current building issues and cost involved.
- What about use of current building?
- Work on endorsements and funding sources.
- Develop a timeline for project to be able to present to the public.
- The group will continue to meet over the next few weeks to continue this discussion. The next meeting is scheduled for Monday, May 14th at 10:00 a.m.

The Commission reviewed and approved the following report as presented. The following bills or claims against the County were examined and allowed; and in payment of the same the County Auditor is hereby authorized and directed to issue warrants/checks on the following viz:

CHECKS

001	Current Expense	\$325,397.43
002	Road	\$113,959.53
006	District Court	\$33,205.82

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016	Indigent	\$8,907.73
020	Appraisal	\$21,972.41
023	Solid Waste	\$34,984.71
027	Weed	\$159.98
052	Airport	\$2,729.46
056	Emergency 911	\$4,612.04
9101	Auditor's Trust	\$6,041.22
9110	Title III Trust New 2009	\$4,996.74
	TOTAL:	\$556,967.07

STATE OF IDAHO)
) ss.
County of Shoshone)

We, the Shoshone County Commissioners, being duly sworn do hereby certify and declare that we have reviewed the demands enumerated and referred to in the foregoing register and that the same are to the best of our knowledge accurate and are just claims against the County and that there are funds available for payment thereof in the County Treasury.

APPROVED for distribution as of 04/30/18

s/Mike Fitzgerald
Commissioner

s/John Hansen
Commissioner

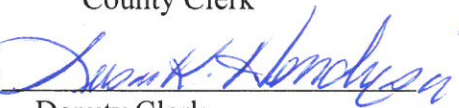
s/Jay Huber
Commissioner

Commissioner Huber attended a S.A.V.E. Committee meeting at 12:00 p.m. at the Shoshone Medical Center.

Thereafter, the meeting adjourned.

ATTEST Peggy White
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

PROCEEDINGS COUNTY COMMISSIONERS

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BOOK 2018

Tuesday, May 1, 2018

The Board met pursuant to recessing Monday, April 30, 2018.

Present:

Commissioners: Jay Huber
Mike Fitzgerald
John Hansen
Deputy Clerk: Susan K. Hendrixson

The following proceedings were had to-wit:

The Board attended a Shoshone County Disaster Services Silver Valley Wildland Fire Table Top Exercise at 9:00 a.m. at the Public Safety Building.

Thereafter, the meeting adjourned.

ATTEST Peggy White
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

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Wednesday, May 2, 2018

The Board met pursuant to recessing Tuesday, May 1, 2018.

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. A motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to amend the agenda for tomorrow, May 3rd and add a 7:30 a.m. meeting with Shoshone County Prosecuting Attorney Keisha Oxendine, Shoshone County Deputy Prosecuting Attorney Ben Allen, and Shoshone County Assessor in Executive Session per Idaho Code 74-206(f), and a 2:00 p.m. meeting with Shoshone County Prosecuting Attorney Keisha Oxendine, Shoshone County Deputy Prosecuting Attorney Ben Allen, and Shoshone County Assessor, and representatives from the City of Kellogg in Executive Session per Idaho Code 74-206(f). Due to the stringent time frames of 10 days from the date of the Board of Tax Appeals decision regarding Silver Mountain, the Board is required to make a decision within 10 days of the Board of Tax Appeals decision as to whether to file a Motion to Reconsider with the Board of Tax Appeals. The date of decision is April 24, 2018, but was received on April 30, 2018 - 10 days from the date of decision is May 4, postmarked on the package was April 25, 2018, so the Board needs to obtain legal guidance before making a decision on whether to file a Motion to Reconsider with the Board of Tax Appeals. The motion carried unanimously.

The Board convened at 9:40 a.m. and the meeting was called to order. 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, April 23 to Friday, April 27, 2018.

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 – no Liquor Licenses were presented before the Board
 - Shoshone County Pre-Pays
 - Idaho Wool Growers Assoc Nomination of John Hull as District 1 Director Animal Damage Control Board – a letter will be sent to John Hull stating his nomination as District 1 Director to this Board.

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- Resolution 2018-17 Accepting the Quotation For 2018 Basin Paved Roadway Surface Remediation project Public Works Department, Shoshone County, ID

2. Executive Session: Indigent Cases: Consideration and Decision. Executive Session ID Code 74-206(d) – Indigent Cases #2018-65, #2018-72, #2018-38, and #2018-40/Approved. Indigent cases #2018-43 and #2018-49/Denied

A motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to approve the consent agenda as presented with specific items addressed as indicated. The motion carried unanimously.

RESOLUTION 2018-17

A RESOLUTION ACCEPTING THE QUOTATION FOR 2018 BASIN PAVED ROADWAY SURFACE REMEDIATION PROJECT PUBLIC WORKS DEPARTMENT SHOSHONE COUNTY, STATE OF IDAHO

WHEREAS, pursuant to Idaho Code 67-2806(2); and

WHEREAS, a Notice Inviting Bids was advertised publically; and

WHEREAS, sealed bids for the 2018 Basin Paved Roadway Surface Remediation Project were opened on April 11, 2018 at 9:00 a.m. in the Shoshone County Public Works Department; and

WHEREAS, three (3) bids were received as follows:

- 1) Interstate Concrete & Asphalt
\$2,196,394.93
- 2) Coeur d'Alene Paving
\$2,303,931.50
- 3) POE Asphalt Paving, Inc.
\$2,405,781.80

WHEREAS, bid were taken under advisement for review; and

WHEREAS, the Board received a recommendation from the Public Works Department, and Enrico Consulting, LLC on the Shoshone County 2018 Basin Paved Roadway Surface Remediation bids.

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NOW THEREFORE, BE IT RESOLVED that the Shoshone County Board of Commissioners accepts the bid from Interstate Concrete and Asphalt in the amount of \$2,196,394.93 for the Shoshone County 2018 Basin Paved Roadway surface Remediation Project as presented reviewed and recommended by the Public Works Department and Enrico Consulting, LLC.

DATED this 2nd day of May 2018.

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

Susan K. Hendrixson

Deputy Clerk

Thereafter, the meeting adjourned.

ATTEST Peggy White

County Clerk

Approved: 

Chairman

By: 

Deputy Clerk

PROCEEDINGS COUNTY COMMISSIONERS

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BOOK 2018

Thursday, May 3, 2018

The Board met pursuant to recessing Wednesday, May 2, 2018.

Present:

Commissioners: Jay Huber
Mike Fitzgerald

Deputy Clerk: Susan K. Hendrixson

The following proceedings were had to-wit:

Commissioner Hansen attended an IAC and Legislative Review and Budget Training at the Best Western in Moscow, ID for the day.

The Board met with Keisha Oxendine, Shoshone County Prosecuting Attorney, Ben Allen, Shoshone County Deputy Prosecuting Attorney, and Jerry White, Shoshone County Assessor in Executive Session ID Code 74-206(f) at 7:30 a.m. to review the Final Decision and Order from the Idaho Board of Tax Appeals on the Silver Mountain Board of Equalization appeal. Commissioner Hansen was present via conference call.

The Board met with Shoshone County Deputy Prosecuting Attorney Ben Allen, Shoshone County Assessor Jerry White, City of Kellogg Clerk Nila Jurkovich, Kellogg City Council Rep Sid Armstrong, Kellogg City Council Rep Terry Douglas, Kellogg City Manager Rod Plank, Kellogg City Attorney John Cafferty, Kellogg Mayor Mac Pooler, and Duane Little at 2:00 p.m. to go into Executive Session pursuant to Idaho Code 74-206(f). Commissioner Hansen was present via conference call. Commissioner Fitzgerald stated the reason for the meeting and the amended agenda this week is due to the stringent time frames of 10 days from the date of the Board of Tax Appeals decision regarding Silver Mountain, the Board is required to make a decision within 10 days of the Board of Tax Appeals decision as to whether to file a Motion to Reconsider with the Board of Tax Appeals. The date of decision is April 24, 2018, but was received on April 30, 2018 - 10 days from the date of decision is May 4, postmarked on the package was April 25, 2018, so the Board needs to obtain legal guidance before making a decision on whether to file a Motion to Reconsider with the Board of Tax Appeals. The Board has invited the Shoshone County Assessor, as well as individuals from the City of Kellogg, to the meeting as these individuals possess information and knowledge that is necessary to legal counsel for purposes for which the executive session is called. A motion was made by Commissioner Huber, seconded by Commissioner Fitzgerald to go into Executive Session per Idaho Code 74-206(1)(f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The motion carried unanimously. A motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to adjourn from Executive Session. Commissioner Fitzgerald stated that an open meeting agenda item will be placed on Monday's agenda for a decision as to the Board of Tax Appeals Motion to Reconsider.

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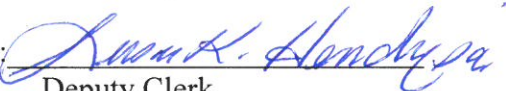
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Thereafter, the meeting adjourned.

ATTEST Peggy White
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2018

Friday, May 4, 2018

Not a regular meeting day of the Board of Commissioners.

Present:

Commissioners:


Deputy Clerk:

The following proceedings were had to-wit:

Commissioner Fitzgerald attended the IAC District 1 meeting in Coeur d'Alene Kootenai County Administration building at 10:00 a.m.

ATTEST Peggy White
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk