

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2018

Monday, July 9, 2018

The Board met pursuant to recessing Tuesday, July 3, 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 10:00 a.m. as a Board of Equalization for an appeal hearing on the following:

RPG00000054940A	Silver Valley Beehive	2018 Property Valuation
	Home LLC	

Those in attendance: Commission Chairman Mike Fitzgerald, Commissioner John Hansen, Commissioner Jay Huber, Deputy Clerk Susan Hendrixson, Shoshone County Assessor Jerry White, Appraiser Chris Perry, Chief Deputy Assessor Connie Holmquist, Appraiser Kaitlyn James and via conference call Logan Smith with Pivotal Tax Solutions representing Silver Valley Beehive Homes. Jerry White, Chris Perry and Logan Smith were sworn in to present testimony. The hearing was turned over to Logan Smith who reviewed the Actual Income Analysis for 2015, 2016 and 2017. He stated that the income has dropped of these past years for lack of income. The current assessed value is \$1,752,202 and the owner's opinion of value is \$1,100,000. They feel the current economic and market conditions support a lower value for the subject property. The hearing was turned over to Chris Perry and he passed out a packet of information to review. Chris reviewed a sales verification sheet on this property, and land comparables and feels the land valuation is fairly assessed. Chris did not use income approach because this information was not provided in a timely manner – a cost approach was used on this property. This property was physically inspected in 2016 and an adjustment was made to the current value today. Following further review and discussion, a motion was made by Commissioner Huber, seconded by Commissioner Hansen to uphold and sustain the Assessor's valuation. The motion carried unanimously.

The Board convened at 11:00 a.m. as a Board of Equalization for an appeal hearing on the following:

2 Parcels	Village Management, LLC	4 Parcels	Apartment, LLC
2 Parcels	H2O, LLC	54 Parcels	Powder, LLC
33 Parcels	Golf, LLC		

Those in attendance: Commission Chairman Mike Fitzgerald, Commissioner John Hansen, Commissioner Jay Huber, Deputy Clerk Susan Hendrixson, Shoshone County Assessor Jerry

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White, Chief Assessor Connie Holmquist, Appraiser Kaitlyn James, Attorney representing Silver Mountain Peter Smith, and Silver Mountain General Manager Jeff Colburn. Jerry White and Peter Smith were sworn in to present testimony. The hearing was turned over to Peter Smith. The 2017 assessments for Silver Mountain have been appealed to the District Court by Shoshone County and no date for a trial has been set. Mr. Smith stated the 2018 assessment is nearly identical to the 2017 assessment and the final decision and order is on appeal, there has been no stay of the decision. He also reviewed Idaho Code 63-3813, that states the value set by the BTA does change the assessed value of the year appealed and the subsequent year even if an appeal is filed. They feel the 2018 assessed value should be revised to \$6,310,000 even though the final decision and order is on appeal to the District Court. The hearing was turned over to Assessor Jerry White and he stated is contacted the Idaho Tax Commission and our legal counsel and their recommendation is to retain this year's values the same as last years with the understanding that when a decision is made by District Court those adjustments will be made for 2017 and 2018. The Idaho Statutes are unclear on procedure. Following review and discussion, a motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to uphold and sustain the Assessor's valuation. The motion carried unanimously.

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	\$89,119.38
002	Road	\$11,724.78
006	District Court	\$1,896.34
009	Liability Insurance	\$42,336.75
010	Self Insurance Fund	\$2,991.12
016	Indigent	\$62.28
018	Park	\$353.85
020	Appraisal	\$28.19
023	Solid Waste	\$32,246.05
027	Weed	\$460.80
052	Airport	\$2,148.29
055	Fish Hatchery	\$124.12

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056	Emergency 911	\$1,972.56
9101	Auditor's Trust	\$4,297.27
9105	Interlock & Monitor Device	\$270.00
9110	Title III Trust – New 2009	\$12,689.87
9111	Tax Sale Excess Trust	\$8,514.16
9183	Support Trust	\$1,578.17
9186	Motor Vehicle Trust	\$1,360.00
9219	Drug Court Program	\$970.00
9230	50 Basin-Road Funds	\$4,073.20
9231	51 Box-Roads Funds	\$1,530.00
9235	ITD Express Bus	\$1,078.22
9243	RAC Title III	\$1,730.00
	TOTAL:	\$223,555.40

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 07/09/2018

s/Mike Fitzgerald
Commissioner

s/John Hansen
Commissioner

s/Jay Huber
Commissioner

The Board convened at 1:30 p.m. to review an Application for Hardship Exemption on parcel #A010000I028A. Those in attendance: Commissioner Mike Fitzgerald, Commissioner Jay Huber, Commissioner John Hansen, Deputy Clerk Susan Hendrixson, and Rob and Amanda Steele. This property is in a tax deed situation and will be tax deeded on July 24, 2018. Rob explained their financial situation to the Board. Following review and discussion, a motion was made by Commissioner Hansen, seconded by Commissioner Huber to waive late and interest fees for 2014 in the amount of \$646.14 if the taxes and cost due are paid on today's date. The motion carried unanimously.

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The Board convened at 2:30 p.m. as a Board of Equalization for an appeal hearing on the following:

RPE00500120170A

Haight W DEA

2018 Property Valuation

Those in attendance: Commissioner Chairman Mike Fitzgerald, Commissioner John Hansen, Commissioner Jay Huber, Deputy Clerk Susan Hendrixson, Shoshone County Assessor Jerry White, Chief Assessor Connie Holmquist, Appraiser Kaitlyn James, Appraiser John Furlin and Gary Haight. Jerry White, Connie Holmquist and Gary Haight were sworn in to present testimony. The hearing was turned over to Gary Haight and he stated that the property is currently assessed at \$29,389 and he believes this is unrealistic, it is beyond redemption and should be condemned. It is a 40' wide lot, Milo Creek runs through it, and it is not marketable. The hearing was turned over to Connie Holmquist and she stated that Wardner will be physically assessed this year. The building is currently assessed at salvage value and the land is comparable to other land in this area. This property is currently in a legal situation with W DEA Haight and the City of Wardner concerning the condition of the property. Following review and discussion, a motion was made by Commissioner Hansen, seconded by Commissioner Fitzgerald to sustain and uphold the Assessor's valuation. The motion carried unanimously.

The Board convened at 3:30 p.m. as a Board of Equalization for an appeal hearing decision on the following:

48N04E-21-4000

Evangelical Lutheran
Samaritan Society

2018 Tax Exemption

Those in attendance: Commission Chairman Mike Fitzgerald, Commissioner John Hansen, Commissioner Jay Huber, Deputy Clerk Susan Hendrixson, Shoshone County Assessor Jerry White, Chief Assessor Connie Holmquist, Appraiser Kaitlyn James, Administrator of Silverwood Good Samaritan Michael Newbauer, and Attorney Jason Mau via conference call. The hearing was turned over to Jason Mau who stated that believe they are entitled to at least a 12% partial exemption under Idaho Code 63-602B. The hearing was turned over to Jerry White and he stated that he agrees with Mr. Mau that the chapel and meeting room deserve the exemption. They do need to go out and measure for accuracy, but for this year Jerry recommends a 12% partial exemption. Following review and discussion, a motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to approve the 12% partial exemption as recommended by the Assessor's office. The motion carried unanimously.

The Board convened at 3:45 p.m. as a Board of Equalization for an appeal hearing decision on the following:

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B-02500-03-009A

Paradise Fund LLC

2018 Property Valuation

Those in attendance: Commission Chairman Mike Fitzgerald, Commissioner John Hansen, Commissioner Jay Huber, Deputy Clerk Susan Hendrixson, Shoshone County Assessor Jerry White, Appraiser Connie Holmquist, Appraiser Kaitlyn James, and Appraiser John Furlin. The hearing was turned over to Connie Holmquist and she stated that they did a site inspection of the property last week and she believes all depreciation has been taken and this property is being assessed appropriately. Following review, a motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to sustain and uphold the Assessor's valuation. The motion carried unanimously.

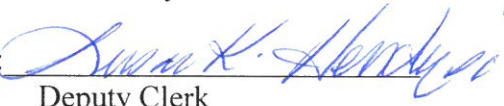
The Board convened at 4:00 p.m. as a Board of Equalization for a Notice of Change on Parcel # 48N02E-30-1450, error in value. Change From: 18 \$24,370 to 18 \$11,489, 19 -0- for a total of \$11,489. A motion was made by Commissioner Huber, seconded by Commissioner Hansen to approve the Notice of Change as presented by the Assessor's office. The motion carried unanimously.

The Commissioners adjourned as a Board of Equalization.

Thereafter, the meeting adjourned.

ATTEST Peggy White
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

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Tuesday, July 10, 2018

The Board met pursuant to recessing Monday, July 9, 2018.

Present:

Commissioners: Jay Huber

John Hansen

Deputy Clerk: Susan K. Hendrixson

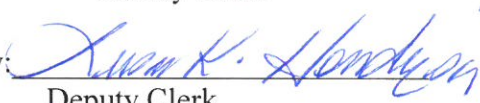
The following proceedings were had to-wit:

Commissioners Huber and Hansen met with Frosty Greenfield, Shoshone County Public Works Director, at 10:00 a.m. for an Atlas project site tour.

Thereafter, the meeting adjourned.

ATTEST Peggy White
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

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Wednesday, July 11, 2018

The Board met pursuant to recessing Tuesday, July 10, 2018.

Present:

Commissioners: Jay Huber
Mike Fitzgerald
John Hansen

Deputy Clerk:

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 Sheriff Mike Gunderson. The consent agenda was reviewed for consideration as follows:

CHANGES TO AGENDA: The Authorization of Expenditures of Legal Fee Administrative Costs, and the Sheriff's Department employee request for reimbursement/vacation hours were removed to separate discussion.

PUBLIC COMMENT: There was no public comment.

OLD BUSINESS:

1. Consideration and Decision of the Minutes of the Commissioners' Public Agenda Session dated Monday, July 2 to Friday, July 6, 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
 - Shoshone County Pre-Pays
 - Authorize Expenditures of Legal Fee Administrative Costs from the Line Item in the Road Department for that Expense to the County Current Expense Fund a Prosecutorial Revenue Credit – Charged to funds 9246 and 2-516-1.
2. Executive Session: Indigent Cases: Consideration and Decision. Executive Session ID Code 74-206(d) – Indigent Cases #2018-40, and #2018-105/Approved. Indigent Cases #2018-17 and #2018-94/Denied

A motion was made by Commissioner Hansen, seconded by Commissioner Huber to approve the consent agenda as presented noting that the Potlatch and Granite Gulch Road Litigation Prosecuting Attorney Expenses shall be charged to funds 9246 and 2-516-1. The motion carried unanimously.

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- Sheriff's Department – Employee request for reimbursement/vacation hours - Request for Payout of Vacation Time – A former SCSO employee submitted a request for payout of additional vacation time dated June 21, 2018, to the Board of County Commissioners. A review of the employee's personnel file indicated that the employee signed a receipt of Policy Procedure Manual, as well as a receipt and acknowledgement of the Personnel Policy manual adopted on July 1, 2009. This receipt and acknowledgement is dated August 15, 2014. The request seeks approval of payout of additional hours of vacation on the County's records in excess of the County cap of 120 hours. During employment, a request to carryover excess hours was not made by the employee and, thus, approval by SCSO supervisor or BOCC was not granted. The County paid the employee for his accumulated 120 vacation hours per County policy at separation. Motion was made by Commissioner Fitzgerald to deny the request for payout of additional vacation time in excess of the 120 hours. The motion was seconded by Commissioner Huber. The vote was called for individually – Commissioner Fitzgerald – yea, Commissioner Huber – yea, and Commissioner Hansen – Nay. The motion carried.

The Board met with Bill McCleod, Shoshone County Fire Mitigation Manager, at 10:00 a.m. to review bids for the Forest Health & Fuel Reduction Project. The Notice Inviting Bids for the project was advertised in the Shoshone News Press on Saturday, June 23, 2018. Bids were accepted until Friday, July 6, 2018, 12:00 p.m. and were to be marked, stamped and dated prior to the bid opening. Bids were publically opened at 1:00 p.m. on July 6, 2018 in the Commissioner's Conference room. Five (5) bids were received from contractors: B&L Excavation, LLC, Coyotepak, Daugherty Enterprises, Inc., Jim's Bobcat Services and Zumbro Land Management. Bids received varied in Units Bid, price per acre and total bid amount. Bid award basis priority was as follows: 1) elimination of contractors with unfinished-extended work currently under contract, 2) lowest price per acre for the largest unit - Unit #1, 3) contiguous/proximal units and 4) remaining units. A motion was made by Commissioner Fitzgerald and seconded by Commissioner Hansen to award Fire Mitigation Bids as follows. The motion carried unanimously.

- Daugherty Enterprises, Inc. - Unit #1 \$1,252.00/acre, Unit #2 \$2,143.50/acre, Unit #3 \$1,323.42/acre, Unit #4 \$1,821.42/acre, Unit #5 \$1,847.42/acre, and Unit #6 \$1,418.26/acre; and
- B&L Excavation, LLC - Unit #7 \$1,400.00/acre.

Commissioner Fitzgerald attended a Kellogg School District Board meeting at 7:00 p.m. Commissioner Fitzgerald discussed and answered question regarding the pending Silver Mountain valuation District Court Appeal. The KSD School Board unanimously approved providing expending up to \$15,000 in support of the appeal. The BOCC is to provide KSD with timely updates and involve the KSD Board in significant decisions.

Thereafter, the meeting adjourned.

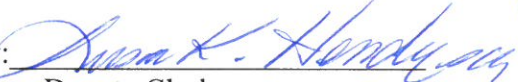
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ATTEST Peggy White
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2018

Thursday, July 12, 2018

The Board met pursuant to recessing Wednesday, July 11, 2018.

Present:

Commissioners: Jay Huber
Mike Fitzgerald
John Hansen

Deputy Clerk:

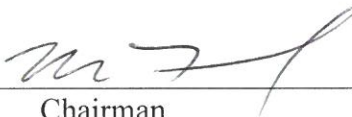
The following proceedings were had to-wit:


The Board and Chief Assessor Connie Holmquist met with Keisha Oxendine, Shoshone County Prosecuting Attorney at 9:00 a.m. in Executive Session to communicate with legal counsel for the public agency to discuss the legal ramifications of and options for pending litigation (*Silver Mountain Tax Appeal to the District Court*) pursuant to IC 74-206(1)(f) and Decision in open session concerning hiring outside legal counsel on behalf of Shoshone County for that appeal. A motion was made by Commissioner Hansen, seconded by Commissioner Huber to adjourn from Executive Session. The motion carried unanimously. The Board discussed the hiring of outside legal counsel of behalf of the County for the appeal. The Board discussed that preferable outside counsel shall have sufficient experience and staff, provide continuity with respect to previous appeal efforts and provide neutrality in representing the County case. A motion to authorize the Prosecuting Attorney to engage in a contract and initiate legal work with Hawley Troxell, Rick Smith providing lead counsel was made by Commissioner Huber, seconded by Commissioner Hansen and carried unanimously.

The Board participated in the Pinehurst Free Community Weed Spray Day from 1:00 p.m. to 4:00 p.m. in Pinehurst.

Thereafter, the meeting adjourned.

ATTEST Peggy White
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2018

Friday, July 13, 2018

Not a regular meeting day of the Board of Commissioners.

Present:


Commissioners:

Deputy Clerk:

The following proceedings were had to-wit:

ATTEST Peggy White
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk