

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2018

Monday, October 1, 2018

The Board met pursuant to recessing Wednesday, September 26, 2018.

Present:

Commissioners: Jay Huber

John Hansen

Deputy Clerk: Susan K. Hendrixson

The following proceedings were had to-wit:

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	\$314,275.02
002	Road	\$100,010.71
006	District Court	\$30,643.20
016	Indigent	\$7,372.60
018	Park	\$1,227.21
020	Appraisal	\$21,093.88
023	Solid Waste	\$34,644.09
027	Weed	\$359.91
052	Airport	\$2,391.14
056	Emergency 911	\$4,982.06
9101	Auditor's Trust	\$6,058.15
9110	Title III Trust	\$4,907.51
	TOTAL:	\$527,965.48

STATE OF IDAHO)
) ss.
County of Shoshone)

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2018

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 09/28/2018

s/John Hansen
Commissioner

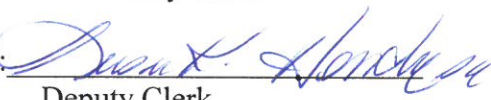
s/Jay Huber
Commissioner

The Board participated in an FAA Shoshone County Airport Environmental Assessment discussion via conference call at 1:00 p.m.

Thereafter, the meeting adjourned.

ATTEST Peggy White
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2018

Tuesday, October 2, 2018

The Board met pursuant to recessing Monday, October 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. to discuss, review and consider proposed Ordinance for Minimum Investment Amount Necessary to Qualify for Plant Investment Property Tax Under Idaho Code 63-602NN. The Board reviewed the proposed ordinance and a motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to move forward with the proposed ordinance and advertise for a public hearing. The motion carried unanimously.

PROPOSED SHOSHONE COUNTY, IDAHO ORDINANCE NO. 158

**MINIMUM INVESTMENT AMOUNT NECESSARY TO QUALIFY FOR PLANT
INVESTMENT PROPERTY TAX EXEMPTION UNDER IDAHO CODE § 63-602NN**

AN ORDINANCE OF SHOSHONE COUNTY, A GOVERNMENTAL SUBDIVISION OF THE STATE OF IDAHO, ESTABLISHING THE MINIMUM INVESTMENT AMOUNT NECESSARY TO QUALIFY FOR THE TAX EXEMPTION AS SET FORTH IN IDAHO CODE SECTION 63-602NN FOR PLANT INVESTMENT; AND ESTABLISHING AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, Idaho Code § 63-602NN sets out the requirements by which the Board of County Commissioners of Shoshone County may grant a property tax exemption for plant investment; and

WHEREAS, the Idaho Legislature amended Idaho Code § 63-602NN through House Bill no. 235 to require counties to adopt an ordinance which establishes a minimum plant investment amount of not less than five hundred thousand dollars (\$500,000) at all project sites within the county as one of the requirements in order for plant investment to qualify for the exemption, effective July 1, 2017; and

WHEREAS, the Board of Commissioners of Shoshone County finds that a minimum plant investment amount of \$500,000 would best stimulate economic development in Shoshone County.

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2018

THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SHOSHONE COUNTY:

SECTION I. MINIMUM INVESTMENT AMOUNT NECESSARY TO QUALIFY FOR THE TAX EXEMPTION.

1. Per Idaho Code § 63-602NN(2)(g), the minimum investment amount for plant investment at project sites within Shoshone County, Idaho is set at a minimum threshold of five hundred thousand dollars (\$500,000.00); and
2. Those seeking a property tax exemption under Idaho Code § 63-602NN must still meet the other requirements of that section in order to be granted the property tax exemption.

SECTION II. EFFECTIVE DATE.

This ordinance shall take full force and effect after publication of a public notice in a newspaper of general circulation in Shoshone County, as prescribed by law.

The Board met with Wally Goodsen and Cindie Sawyer with Rossi Insurance at 10:00 a.m. for an ICRMP Insurance policy update and review. Items reviewed included the following:

- 2018-2019 Public Entity Multi-Lines Insurance Policy
- 5 Year history County account review
- Inventory Listing
- History of Rossi Insurance and ICRMP

Thereafter, the meeting adjourned.

ATTEST Peggy White
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2018

Wednesday, October 3, 2018

The Board met pursuant to recessing Tuesday, October 2, 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. and the meeting was called to order. The consent agenda was reviewed for consideration as follows:

CHANGES TO AGENDA: There were no changes to the consent agenda.

PUBLIC COMMENT: No public comments were presented.

OLD BUSINESS:

1. Consideration and Decision of the Minutes of the Commissioners' Public Agenda Session dated Monday, September 24 to Friday, September 28, 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.)
 - Beer, Wine & Liquor Licenses – No licenses were presented before the Board
 - Shoshone County Pre-Pays
 - Cancellation of Taxes for 2015, 2016 & 2017 on MH00122 – Mobile Home was Destroyed
 - Resolution 2018-31 Declaring the Intent To Use Foregone For Fiscal Year 2018/2019
 - Resolution 2018-32 Setting the Fees for Retail Alcohol Beverage Licenses for 2019
2. Executive Session: Indigent Cases: Consideration and Decision. Executive Session ID Code 74-206(d) – Indigent Cases #2018-144 and #2018-143/Denied

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

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2018

2015 Cancellation of Taxes parcel #MH0012 – Mobile Home Destroyed

County Tax	\$3.54
School Dist.	\$7.04
Fire Dist.	\$1.89
Solid Waste	\$40.00
TOTAL:	\$52.47

2016 Cancellation of Taxes parcel #MH0012 – Mobile Home Destroyed

County Tax	\$6.94
School Dist.	\$12.14
Fire Dist.	\$3.58
Solid Waste	\$80.00
TOTAL:	\$102.66

2017 Cancellation of Taxes parcel #MH0012 – Mobile Home Destroyed

County Tax	\$6.22
School Dist.	\$11.48
Fire Dist.	\$3.28
Solid Waste	\$80.00
R&B	\$.40
TOTAL:	\$101.38

RESOLUTION 2018-31

**A RESOLUTION OF THE COUNTY OF SHOSHONE
STATE OF IDAHO - DECLARING THE INTENT TO
USE FORGONE FOR FISCAL YEAR 2018/2019**

WHEREAS, Idaho Code 31-1605 requires a public hearing on budget appropriations; and

WHEREAS, the Board of County Commissioners met in the Shoshone County District Courtroom on Tuesday, September 4, 2018 at 4:00 p.m. pursuant to the designated published time for the purpose of taking public comment and its intent to use \$66,615 Forgone for the purpose of funding; and

WHEREAS, the County intends to use the forgone levying authority and include its foregone amount of \$66,615 in its 2018/2019 fiscal year budget to be used in support of County Judicial functions including, but not limited to, Public Defense, Court Paperless System (Odyssey), and Jail Improvements.

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2018

NOW THEREFORE, BE IT RESOLVED, that pursuant to Idaho Code 63-802(e), upon adoption of this resolution, a copy of the resolution will be filed with the County Clerk and the Idaho State Tax Commission.

DATED this 3rd day of October 2018.

BOARD OF COUNTY COMMISSIONERS

s/Mike Fitzgerald
Mike Fitzgerald, Chairman

s/John Hansen
John Hansen, Commissioner

ATTEST:

s/Jay Huber
Jay Huber, Commissioner

s/Susan K. Hendrixson
Susan K. Hendrixson
Deputy Clerk

RESOLUTION 2018-32

**A RESOLUTION SETTING THE FEES FOR RETAIL ALCOHOL
BEVERAGE LICENSES FOR 2019**

WHEREAS, the Session Laws of 1947 of the State of Idaho, as set forth in Chapter 274 of the 1947 Section Laws, authorized the retail sale of liquor by the drink in Shoshone County and incorporated cities; and

WHEREAS, the law provides in addition to a State license, the County is authorized and empowered to license the sale of liquor by the drink and is entitled to receive as a license fee, twenty-five percent (25%) of the amount of the license fee collected by the Commission of Law Enforcement.

NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Shoshone County, hereby authorize the sale of liquor by the drink within Shoshone County and the incorporated cities of the County and that any licensee, who has obtained a license from the State of Idaho, in an incorporated city to sell liquor by the drink must also obtain a County license; that the license fee for the amount collected by the Commissioner of Law Enforcement for the State of Idaho; and

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2018

BE IT FURTHER RESOLVED that before a County license will be granted, the applicant must make out an application for the County license showing:

- 1ST: That he has obtained a State license giving the number of the State License.
- 2ND: That he has complied with Chapter 274 of the 1947 Session Laws in obtaining his license;
- 3RD: Payment of a sum equal to twenty-five percent (25%) of the amount paid to the Commissioner of Law Enforcement for a State permit to sell retail liquor by the drink.

-In the matter of fees for County Retail Wine Licenses for 2019:

- 1ST: Make out application.
- 2ND: THAT he has complied with the 1971 Session Laws of the State of Idaho, as set forth in Chapter 156 of the 1971 Session Laws:
- 3RD: That he has obtained a State Retail Wine License.
- 4TH: Fee - \$100.00

-In the matter of fees for County Retail Wine by the Drink Licenses for 2019: No license for the retail sale of wine by the drink shall be issued to an applicant who does not possess the qualifications set forth in Chapter 13 of Title 23 of the Idaho Code, as amended.

- 1ST: Make out an application.
- 2ND: That he has complied with the 1971 Session Laws of the State of Idaho, as set forth in Chapter 156 of the 1973 Session Laws, 41st Legislature.
- 3RD: That he has obtained a State Retail Wine by the Drink license.
- 4TH: Fee - \$100.00

-In the matter of fees for County Retail Beer/Wine Licenses for 2019, it is ordered that the following schedule for fees be and the same are hereby fixed as follows:

For Draft Beer & Bottled or Canned Beer	\$75.00
For Bottled or Canned Beer, to be consumed on the premises	\$75.00
For Bottled or Canned Beer, not consumed on the premises	\$25.00

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2018

Transfer of Beer License	\$20.00
Transfer of Wine License	\$20.00

Dated this 3rd day of October 2018.

BOARD OF COUNTY COMMISSIONERS

s/Mike Fitzgerald
Mike Fitzgerald, Chairman

ATTEST:

s/John Hansen
John Hansen, Commissioner

s/Susan K. Hendrixson
Susan K. Hendrixson
Deputy Clerk

s/Jay Huber
Jay Huber, Commissioner

The Board convened at 10:00 a.m. for a public hearing to discuss, review and consider an offer to purchase on Shoshone County Odd-lot parcel # 49N02E308750 to the adjoining property owner for fair market value. Those in attendance: Commission Chairman Mike Fitzgerald, Commissioner John Hansen, Commissioner Jay Huber, Deputy Clerk Susan K. Hendrixson, Dan Martinsen and Monica Miller with Shoshone County Planning & Zoning, Don Ross, Matt Beehner, and Bill Cropper. Commissioner Fitzgerald presided and stated that offer to purchase this odd-lot parcel was presented by Don Ross. The Board of Commissioners declared this property as odd-lot pursuant to Idaho Code 31-808(8) and accepted the offer to purchase on September 11, 2018. A motion was made by Commissioner Huber, seconded by Commissioner Hansen to open the Public Hearing. The motion carried unanimously. Matt Beehner and Bill Cropper addressed concerns on the location of the property which was clarified by the Board. The Public Hearing was closed and Commissioner Fitzgerald stated the following in support of the purchase:

- The property is not needed for public purposes and is in excess to the needs of the County.
- Meets the definition of odd-lot property pursuant to Idaho Code.
- The purchase amount of \$26,285.00 is in line with Idaho Code for fair market value.
- The property was appraised by the Shoshone County Assessor's office.

There was clarification made to the current legal description which needs to be amended. The cost of the advertisement for the hearing in the amount of \$144.67 will be included for a total purchase price of \$26,429.67. A motion was made by Commissioner Fitzgerald, seconded by Commissioner Hansen to approve the sale of the odd-lot property with amendments as presented. The motion carried unanimously.

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2018

RESOLUTION 2018-33

**A RESOLUTION APPROVING AND FINALIZING SALE OF
ODD LOT PROPERTY PURSUANT TO
ID CODE 31-808(8) SHOSHONE COUNTY, IDAHO**

WHEREAS, ID Code 31-808(8) grants the Board of Commissioners to ability to declare certain parcels of real property as odd-lot property; and

WHEREAS, odd-lot property is defined as that property than has an irregular shape or is a remnant and has value primarily to an adjoining property owner; and

WHEREAS, odd-lot property may be sold to an adjacent property owner for fair market value; and

WHEREAS, parcel #49N02E308750 has been declared as odd-lot, legal description:

A tract of land being a portion of land in the Southwest Quarter of the Southeast Quarter (SW4 SE4) of Section 30, Township 49 North, Range 2 East, Boise Meridian, Shoshone County, Idaho, more particularly described as follows:

COMMENCING at the Southeast Corner of said Section 30, monumented by a $\frac{3}{4}$ inch diameter rebar as referenced by Corner Perpetuation and Filing Record No. 452275 thence on the South line of said Section 30, North $88^{\circ}45'20''$ West, a distance of 2644.12 feet to the South Quarter Corner of said Section 30, marked by a 2 inch diameter aluminum cap on $\frac{3}{4}$ inch diameter rod as referenced by Corner Perpetuation and Filing Record No. 353358 and the TRUE POINT OF BEGINNING;

Thence North $0^{\circ}27'04''$ West, on and along the north-south centerline of said Section 30, a distance of 131.85 feet, more or less, to the southerly ordinary high watermark of the South Fork Coeur d'Alene River;

Thence along said southerly high water mark the following three courses:

North $67^{\circ}51'03''$ East, a distance of 43.95 feet;

North $77^{\circ}58'34''$ East, a distance of 306.44 feet;

South $83^{\circ}37'33''$ East, a distance of 183.06 feet, more or less, to the westerly right of way of existing Forest Highway No. 9;

Thence South $36^{\circ}35'27''$ West, on said westerly right of way, a distance of 249.12 feet to the South line of said Section 30;

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2018

Thence North 88°45'20"West, a distance of 372.90 feet to the POINT OF BEGINNING;

Said Tract contains 84,309 total square feet (1.935 total acres), more or less; and

WHEREAS, an Offer to Purchase has been received and accepted from Don Ross, Two Forks LLC on the above reference property in the amount of \$26,285; and

WHEREAS, a Notice of Sale was advertised in the Shoshone News Press on Wednesday, September 19, 2018 with fifteen (15) days to object in writing to the Board of Commissioners; and

WHEREAS, a Public Hearing was scheduled for Wednesday, October 3, 2018 at 10:00 am; and

WHEREAS, no written objections were received.

NOW THEREFORE BE IT RESOLVED that the Shoshone County Board of Commissioners declares this odd-lot property is not needed for public purpose and is excess to the needs of the County.

BE IT FURTHER RESOLVED, the above odd-lot property be sold to Don Ross, Two Forks LLC in the amount of \$26,285.00, included advertising in the amount of \$144.67 for a total amount of \$26,429.67.

DATED this 3rd day of October 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

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2018

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	\$121,021.98
002	Road	\$122,033.65
004	Ambulance/EMS	\$6,500.00
006	District Court	\$9,656.46
010	Self Insurance Fund	\$9,067.30
012	Historical Society	\$81.18
016	Indigent	\$3,079.27
018	Park	(18.33)
020	Appraisal	\$885.54
023	Solid Waste	\$13,695.96
027	Weed	\$319.96
037	Snowmobile	\$19.80
038	Waterways	\$200.00
052	Airport	\$875.29
055	Fish Hatchery	\$273.84
056	Emergency 911	\$1,672.38
9101	Auditor's Trust	\$15,389.44
9110	Title III Trust – New 2009	\$19,307.71
9183	Support Trust	\$1,578.17
9186	Motor Vehicle Trust	\$6,203.50
9220	Stop Grant	\$2,500.00
9227	Veterans Van	\$100.00
9230	50 Basin-Road Funds	\$23,389.31
9235	ITD Express Bus	\$570.76

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2018

	TOTAL:	\$358,403.17
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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 10/03/18

s/Mike Fitzgerald
Commissioner

s/John Hansen
Commissioner

s/Jay Huber
Commissioner

Thereafter, the meeting adjourned.

ATTEST Peggy White
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2018

Thursday, October 4, 2018

The Board met pursuant to recessing Wednesday, October 3, 2018.

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 2018

Friday, October 5, 2018

Not a regular meeting day of the Board of Commissioners.

Present:

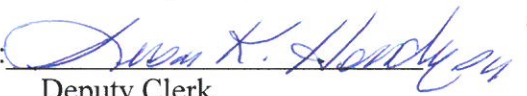
Commissioners:

Deputy Clerk:

The following proceedings were had to-wit:

ATTEST Peggy White
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk