

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2019

Monday, April 8, 2019

The Board met pursuant to recessing Thursday, April 4, 2019.

Present:

Commissioners: Jay Huber

Mike Fitzgerald

John Hansen

Deputy Clerk: Susan K. Hendrixson

The following proceedings were had to-wit:

The Board met with Charles Assels, Jr. at in Executive Session pursuant to Idaho Code 74-206(d). Also in attendance was Shoshone County Clerk Tamie Eberhard, and Deputy Clerk with Social Services Terry Visintainer. The Board adjourned from Executive Session. A motion was made by Commissioner Fitzgerald, seconded by Commissioner Hansen to send the information presented to Shoshone County Prosecuting Attorney Keisha Oxendine for a legal opinion. The motion carried unanimously.

The Board convened at 11:00 a.m. to discuss, review and consider 2019 Tax Exempt Applications on the following. Also in attendance was Terri Wild with the Shoshone County Assessor's office. Following review and discussion, a motion was made by Commissioner Huber, seconded by Commissioner Fitzgerald to approve the tax-exempt applications as presented for the Church of Jesus Christ of Latter Saints, Sprag Pole Museum, and Mountain View Congregational Church. The motion carried unanimously. A motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to deny the Tax Exempt Application for Holy Trinity Church as presented. The motion carried unanimously.

- Church of Jesus Christ of Latter-Day Saints, parcel #G-0000-005-6160 – no change from last year.
- Sprag Pole Museum, parcel #O-2400-006-010A, #O-2400-006-012-B, #O-2400-006-012-A, #O-2400-006-009-0 – no changes from last year.
- Holy Trinity Church, parcel #B-0050-010-021-A – church closed as of June 30, 2018 and is now unoccupied.
- Mountain View Congregational Church – parcel #D-1550-010-003-A, #D-0000-031-7000 – no changes from last year.


Thereafter, the meeting adjourned.


PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2019

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

BOOK 2019-04-9

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2019

Tuesday, April 9, 2019

The Board met pursuant to recessing Monday, April 8, 2019.

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. for a Public Hearing to vacate a portion of the recorded plat for Moe's Tracts. Also in attendance were Dan Martinsen and Monica Miller and other interested parties. Dan Martinsen stated that the applicant, Marcelle Moe, is requesting to vacate and/or amend portions of text listed under survey notes on the plat known as Moe's Tracts, Lots 1-5 located in Section 31, Township 46 North, Range 2 East B.M., Shoshone County, Idaho. The applicant is requesting that the County vacate this portion of text to allow for a more effective development of the area and better use of the parcels. Several of the items listed under survey notes were taken directly from the subdivision's original Conditions, Covenants, and Restrictions, and Shoshone County cannot enforce private property CC&Rs. The applicant is proposing the removal of some of the more restrictive plat notes and the alteration of others via resolution. Dan reviewed the Findings of Fact, Conclusions of Law, Proposed Conditions of Approval, and the applicable legal standards. Rob Stratton, sub-contracted surveyor for Shoshone County, was consulted and he recommended the process of plat text revision/abandonment via resolution. Commissioner Fitzgerald opened the Public Hearing to any public comment. Written comment from Brady Womble and Cherrie Halverson was received on today's date in support of the revision and changes of the survey notes on the Moe's Tract plat. Following review and discussion, a motion was made by Commissioner Huber, seconded by Commissioner Hansen that based on the Findings of Fact and Conclusions of Law set forth in the documents presented, that this application for a request for Vacation of Plat Text, Case No. VAC 315-19, by Marcelle Moe be approved as presented. The motion carried unanimously.

RESOLUTION 2019-17

**A RESOLUTION TO VACATE/AMEND A PORTION
OF THE PLAT KNOWN AS MOE'S TRACTS
SHOSHONE COUNTY, STATE OF IDAHO**

BOOK 2019-04-10

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2019

WHEREAS, a request was filed with the Shoshone County Board of Commissioners requesting that a portion of the Moe's Tracts plat be vacated/amended; and

WHEREAS, a Notice of Public Hearing was advertised in the Shoshone County News Press on Wednesday, April 3, 2019; and

WHEREAS, a public hearing was held on Tuesday, April 9, 2019 at 10:00 a.m. in the Commissioner's conference room; and

WHEREAS, there was no adverse testimony to the proposed vacation/amendment to the Moe's Tracts Plat; and

WHEREAS, all lots located within the Moe's Tracts Subdivision shall be subject to Conditions of Approval found on The Order of Decision for Case No. VAC-315-19.

NOW THEREFORE BE IT RESOLVED by the Shoshone County Board of Commissioners that based on the Findings of Fact and Conclusions of Law set forth in the documents presented, that this application for a Request for Vacation of Plat Text, Case No. VAC 315-19, by Marcelle Moe be approved with the following:

- Moe's Tracts Plat Recording #439388 recorded on August 1st, 2007;
 - Notes: #2, #3, #6, #10, #11 shall be retained on the plat;
2. ALL LOTS ARE SUBJECT TO EXISTING CCR'S OF RECORD UNDER INST #385813.
3. ACCESS EASEMENT ACROSS LOT 3 TO THE RIVER IS FOR THE EXCLUSIVE USE OF LOT 5.
6. THE RIPARIAN BUFFER SHOWN HEREON SHALL BE LEFT IN NATURAL VEGETATION.
10. ALL SEWAGE DISPOSAL SYSTEMS AND OTHER UTILITIES RELATED THEREOF SHALL COMPLY WITH ALL APPLICABLE BUILDING AND ZONING CODES AND SHALL MEET ALL COUNTY, STATE AND FEDERAL HEALTH DEPARTMENT REQUIREMENTS.
11. LOT OWNERS ARE HEREBY NOTIFIED THAT POTABLE WATER AND FACILITIES FOR DISPOSAL OF WASTEWATER AND REFUSE ARE NOT PROVIDED TO THIS SUBDIVISION.

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2019

- Notes: #1, #4, #5, #7, #8, #9, #12, #13, #14, #15, #16, #17, #18, and #19 shall be removed/vacated from the plat.
- This Resolution shall be properly indexed to each of the affected parcels within the original plat.

DATED this 9th day of April 2019.

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

The Commissioners attended a tour of the Kootenai County Public Safety Building at 1:00 p.m. in Coeur d'Alene.

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2019

Wednesday, April 10, 2019

The Board met pursuant to recessing Tuesday, April 9, 2019.

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 Vince Peterson and Shannon Atkins with the Shoshone County Transfer Station, and Matt Beehner. The consent agenda was reviewed for consideration as follows:

CHANGES TO AGENDA: A motion was made by Commissioner Huber, seconded by Commissioner Fitzgerald to add the minutes from March 25 to March 29, 2019 that were tabled from last week to today's consent agenda. The motion carried unanimously.

PUBLIC COMMENT: Matt Beehner had a comment regarding the County Assessor's new vehicle purchase on today's agenda and the used vehicle that was recently purchased for their department and the current budget. These vehicles were included in the current FY 2018/2019 budget.

OLD BUSINESS:

1. Consideration and Decision of the Minutes of the Commissioners' Public Agenda Session dated Monday, March 25 to Friday, April 5, 2019.

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
 - Shoshone County Pre-Pays
 - Resolution 2019-15 Accepting the Quote & Financing for Shoshone County Assessor for One (1) Vehicle Pursuant to ID Code 67-2803

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2019

- Resolution 2019-16 Certifying Delinquent Personal Property Taxes to Real Property – Pulled for Separate Discussion
- Lease of County Property Parcel #49N02E-085-0760 – Jim Walcker (6 months from May 1, 2019 through October 2019 at \$100.00 per month)
- Treasurer's Statement of Cash Balances as of March 2019
- 2018 Cancellation of Taxes on Parcel #49N02E-09-3650 – Pulled for Separate Discussion
- Appointment of Rob Wuerfel to the Shoshone County P & Z Commission
- Offer to Purchase on previous Tax Deeded Property parcel #48N04E-17-6600 – Pulled for Separate Discussion
- Shoshone County Transfer Station Updated Operating Plan – Pulled for Separate Discussion

2. Executive Session: Indigent Cases: Consideration and Decision. Executive Session ID Code 74-206(d) – Indigent Cases #2019-35, #2019-28, #2019-24, #2019-34/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. Items pulled for separate discussion were as follows:

- Resolution 2019-16 Certifying Delinquent Personal Property Taxes to Real Property – the delinquent personal property taxes are on a mobile home owned by Ernest E. Kirk. A motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to approve as presented. The motion carried unanimously.
- 2018 Cancellation of Taxes on Parcel #49N02E-09-3650 – The amount is \$81.22 and there was no deferred tax owing at this time (Life Estate). A motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to approve as presented. The motion carried unanimously.
- Offer to Purchase on previous Tax Deeded Property parcel #48N04E-17-6600 – This parcel was remaining from the tax auction last year that did not sell. The minimum bid on this item was \$791.50 and the offer is in the amount of \$791.50. This parcel is for mineral rights only. A motion was made by Commissioner Huber, seconded by Commissioner Fitzgerald to accept the Offer to Purchase in the amount of \$791.50 as presented. The motion carried unanimously.

BOOK 2019-04-14

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2019

- Shoshone County Transfer Station Updated Operating Plan – The Board reviewed the changes to the revised Operating Plan. This Plan will be used to in an application process to include Polaris and Government Gulch to be part of Transfer Station and assist with wood burning. A motion was made by Commissioner Fitzgerald, seconded by Commissioner Hansen to approve the updated Shoshone County Transfer Station Operating Plan as presented.

RESOLUTION 2019-15

**A RESOLUTION ACCEPTING THE QUOTE & FINANCING
FOR SHOSHONE COUNTY ASSESSOR – ONE (1) VEHICLE
PURSUANT TO IDAHO CODE 67-2803**

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 interest of the political subdivision procuring the goods and services as determined by the governing board”; and

WHEREAS, the order for this vehicle was approved by the Board of Commissioners on March 27, 2019 with Resolution 2019-14; and

WHEREAS, a quote for one (1) Dodge Charger for the Assessor’s Department was received as follows:

Dave Smith Motors
2019 Dodge Charger
VIN #2C3CDZBG1KH572170
\$22,195.00 Total

WHEREAS, the financing through Columbia Bank for the vehicle is as follows:

Dave Smith Motors
2019 Dodge Charger
Vin: 2C3CDXBG1KH572170
Breakdown to Matching Purchase Order (\$22,195.00)
\$21,520 .00 Vehicle

BOOK 2019-04-15

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2019

\$405.00	Accessories
\$150.00	Synthetic Sealant
\$120.00	Document Fee
\$22,195.00	Total

Lease will be through Columbia State Bank 5 Years Fixed at 3.90%. Annual Payment of \$4,982.35

NOW THEREFORE, BE IT RESOLVED that the Shoshone County Board approve the financing through Columbia Bank for the Assessor's Department vehicle as presented.

DATED this 10th day of April 2019.

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

RESOLUTION 2019-16

**A RESOLUTION CERTIFYING DELINQUENT
PERSONAL PROPERTY TAXES TO REAL
PROPERTY FOR THE 2019 TAX YEAR**

WHEREAS, Ellen Masterson, Treasurer of Shoshone County, has requested that delinquent Personal Property taxes be certified to real property as follows:

BOOK 2019-04-16

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2019

Property#	NAME	REAL PROPERTY	AMOUNT
MH-00240	Ernest E. Kirk	C-0450-007-003-0	\$200.18

NOW THEREFORE, BE IT RESOLVED AND ORDERED by the Shoshone County Board of Commissioners that the delinquent personal property taxes be certified to real property as presented.

DATED this 10th day of April 2019.

BOARD OF COUNTY COMMISSIONERS

s/Mike Fitzgerald
Mike Fitzgerald, Chairman

s/John Hansen
John Hansen, Commissioner

ATTEST:

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

s/Jay Huber
Jay Huber, Commissioner

2018 Cancellation of Taxes – Lief & Sheryl Sundtrom (No deferred tax, Life Estate)

County Tax	\$30.54
School Dist.	\$40.72
Hospital Dist.	\$7.64
Library Dist	\$2.32
TOTAL:	\$81.22

**RESOLUTION 2019-18
A RESOLUTION ADOPTING THE
SHOSHONE COUNTY TRANSFER
STATION OPERATING PLAN
SHOSHONE COUNTY, STATE OF IDAHO**

WHEREAS, the Shoshone County Transfer Station Operating Plan was adopted on March 30, 2004 with Resolution 2004-16; and

BOOK 2019-04-17

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2019

WHEREAS, the Shoshone County Board of Commissioners have reviewed the revised Shoshone County Transfer Station Operating Plan.

NOW THEREFORE BE IT RESOLVED by the Shoshone County Board of Commissioners to adopt the Shoshone County Station Operating Plan dated April 10, 2019.

DATED this 10th day of April 2019.

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

The Board met with Ellen Masterson, Shoshone County Treasurer at 10:00 a.m. to discuss, review and consider three (3) tax deeded parcels #48N02E-30-2075, #MC0234, and #A-0100-00E-000B. Also in attendance was Karey Eddy with the Shoshone County Treasurer's office. Items discussed included the following:

- Parcel #48N02E-30-2075 – Susan Copeland provided a Tax Foreclosure Research Report on this parcel on April 12, 2018. This parcel was tax deeded to the County on July 24, 2018. Floyd Davis acquired a portion of the South half of Section 30 by deed recorded February 13, 1957. He subsequently conveyed portions of this grant to various parties granting easement rights over “existing” road right of way. An aerial view of Shoshone County Assessment Plats shows the property in question to be primarily that portion of county road right of way known as Ross Gulch Road. Susan Copeland suggested that the parcel be transferred to Shoshone County Road Department as a right-of-way. A motion was made by Commissioner

BOOK 2019-04-18

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2019


Fitzgerald, seconded by Commissioner Hansen to retain this parcel and transfer to County Road Department as a right-of-way.

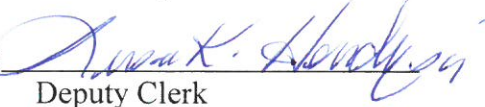
- Parcel #MC0234 – Susan Copeland provided a Tax Foreclosure Research Report on this parcel on April 12, 2018. This parcel was tax deeded to the County on July 24, 2018. Susan Copeland suggested that the taxes be cancelled and this parcel transferred to the City of Mullan Road Right-of-Way. A motion was made by Commissioner Fitzgerald, seconded by Commissioner Hansen to pull this parcel from this year's auction for further research. The motion carried unanimously.
- Parcel #A-0100-00E-000B - Susan Copeland provided a Tax Foreclosure Research Report on this parcel on April 12, 2018. This parcel was tax deeded to the County on July 24, 2018. This is an odd-lot parcel next to Sam & Kathy Davis's property in Mullan. A motion was made by Commissioner Fitzgerald, seconded by Commissioner Hansen, to pull this parcel from this year's auction for further research. The motion carried unanimously.

Tamie J. Eberhard, Clerk of the District Court, ex officio Auditor, Recorder, Clerk of the Board of County Commissioners of Shoshone County, Idaho, appointed Tammy Scheel as Deputy Clerk of the District Court, Ex Officio Auditor, Recorder, Clerk of the Board of County Commissioners in and for Shoshone County, State of Idaho, effective March 25, 2019.

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2019

Thursday, April 11, 2019

The Board met pursuant to recessing Wednesday, April 10, 2019.

Present:

Commissioners: Jay Huber

Mike Fitzgerald

John Hansen

Deputy Clerk: Susan K. Hendrixson

The following proceedings were had to-wit:


Commissioner Huber attended a Silver Valley Transportation Team meeting at 10:00 a.m. at the Health & Welfare office in Kellogg.

Sheriff Mike Gunderson, Shoshone County, Idaho, revoked the appointment of Alex Hughes, Patrol Deputy, in and for Shoshone County, State of Idaho effective April 22, 2019.

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2019

Friday, April 12, 2019

Not a regular meeting day of the Board of Commissioners.

Present:

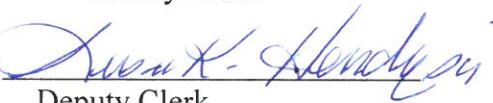
Commissioners:

Deputy Clerk:

The following proceedings were had to-wit:

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

BOOK 2019-04-21