

**PROCEEDINGS COUNTY COMMISSIONERS**

**SHOSHONE COUNTY, IDAHO**

**BOOK 2019**

Monday, September 16, 2019

The Board met pursuant to recessing Thursday, September 12, 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 9:00 a.m. to discuss, review and consider the change of solid waste fees with Resolution 2019-34 Amending the Establishment of Commercial and Residential Solid Waste Fees. Also in attendance was Matt Beehner. The Board reviewed and discussed the proposed changes to the resolution and a motion was made by Commissioner Hansen, seconded by Commissioner Fitzgerald to approve the resolution as presented. The motion carried unanimously.

**RESOLUTION 2019-34**

**A RESOLUTION AMENDING THE ESTABLISHMENT OF COMMERCIAL AND RESIDENTIAL SOLID WASTE FEES**

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

WHEREAS, Shoshone County does operate a solid waste disposal system pursuant to the provisions of Idaho Code Title 31 Chapter 34.

WHEREAS, it is necessary to periodically adjust the fees charged for various services provided by Shoshone County in order to help defray the costs of such services; and

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Shoshone County, as follows:

1. That a solid waste disposal user fee in the amount of \$84.00 is hereby established for each occupiable dwelling unit in Shoshone County that has not notified Shoshone County of their intent to utilize a competing service commencing on October 1, 2019.
2. Any household qualifying for a "Circuit Breaker" relief on their property tax bill shall be billed for 50% of the single household rate set forth in item 1 above.

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3. That solid waste disposal user fees for commercial and industrial accounts shall be the greater of \$21.00 per calendar quarter or \$7.50 per cubic yard for usage exceeding 2.8 cubic

yards per calendar quarter. Quantities for calculation at the cubic yard rate shall be based upon records provided by solid waste haulers authorized to do business in the County, by verification from business and property owners as necessary pursuant to Solid Waste Department inquiring or on a basis of estimate if information is not received from either of the previous two sources. The Solid Waste Department is authorized to meet with business and property owners in order to obtain accurate information about quantities of solid waste generated and shall provide reports of such determinations to the Board of Commissioners for approval.

3. That the Solid Waste Department is authorized to work with any City in the County to provide municipal payment of solid waste obligations in conjunction with municipal collection systems at a rate reflecting the avoided costs where assistance is provided by the city.

4. All fees billed pursuant to this resolution shall be due and payable on or before December 20 of each year for residential accounts.

5. For Commercial accounts, solid waste fees will be due and payable 30 days after the date of billing.

6. Payment adjustments may be made by the Solid Waste Department, with concurrence by the Board of County Commissioners, in order to achieve a fair and just billing for all solid waste disposal system users.

DATED this 16th day of September 2019.

BOARD OF COUNTY COMMISSIONERS

s/Mike Fitzgerald  
Mike Fitzgerald, Chairman

s/John Hansen  
John Hansen, Commissioner

s/Jay Huber  
Jay Huber, Commissioner

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ATTEST:

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

The Board met with Andy Short, Mineral County Planning and Mineral County Commissioners via conference call at 9:45 a.m. to discuss and review Lookout and State Line boundary line.

Items discussed included the following:

- The concern with Mineral County is the actual defined border at Lookout.
- Mineral County has a draft Certificate of Survey from 2005.
- The draft Certification of Survey from 2005 will be forwarded to the Shoshone County Board of Commissioners for their review and for review by the Shoshone County Assessor.
- Another meeting will be scheduled within a month for further review and discussion.

The Board convened at 1:00 p.m. to discuss, review and consider the Shoshone County Public Safety Building Election Resolution 2019-45 Calling for a Special Election to be Held November 5, 2019 Providing for the Submission to the Qualified Electors of Shoshone County a Proposition Authorizing the Issuance of General Obligation Bonds in the Amount not to exceed \$22,444,685. The Board reviewed Resolution 2019-45, the Table of Contents for the resolution that is not a part of the resolution but included only for convenience, and the official ballot. All documents were sent to legal for review and recommended changes or additions. Following review, a motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to approve Resolution 2019-45, the resolution index and the official ballot as presented. The motion carried unanimously.

SHOSHONE COUNTY  
Idaho

**GENERAL OBLIGATION. BONDS**

**RESOLUTION. NO. 2019-45**

A RESOLUTION. of the Shoshone County Board of Commissioners, describing certain improvements to be made within the County; ordering a special election to be held in said County for the issuance of general obligation bonds in the principal amount of not to exceed \$22,444,685; setting the date, time, and place of said election; adopting a notice of election; and providing for other matters properly relating thereto

**BOOK 2019-09-25**

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Adopted on September 16, 2019

**SHOSHONE COUNTY  
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**RESOLUTION NO. 2019-45**

A RESOLUTION OF THE SHOSHONE COUNTY BOARD OF COMMISSIONERS, SHOSHONE COUNTY, IDAHO, CALLING A SPECIAL ELECTION TO BE HELD NOVEMBER 5, 2019; PROVIDING FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF SHOSHONE COUNTY A PROPOSITION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$22,444,685 FOR THE PURPOSE OF CONSTRUCTING A NEW PUBLIC SAFETY AND LAW ENFORCEMENT FACILITY, AND PAYMENT OF ARCHITECTURAL AND OTHER FEES, CONTINGENCIES; ADMINISTRATIVE COSTS, LEGAL FEES AND ALL OTHER COSTS INCIDENTAL THERETO; INCLUDING ALL APPURTENANCES NECESSARY TO MAINTAIN AND OPERATE SAID FACILITY IMPROVEMENTS; FOR OTHER CAPITAL PURPOSES RELATED THERETO AS DEEMED NECESSARY BY THE BOARD; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS RESOLUTION; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

BE IT RESOLVED BY THE SHOSHONE COUNTY BOARD OF COMMISSIONERS, SHOSHONE COUNTY, IDAHO, as follows:



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WHEREAS, it is hereby determined by the Shoshone County Board of Commissioners that it is necessary and in the best interest of the citizens of Shoshone County to undertake the acquisition, construction, installation, and equipping of new public safety facility for the purpose of a jail and sheriff's office (hereinafter further defined as the "Project"); and

WHEREAS, the County does not have sufficient funds available for such purposes, and it is the decision of this Board that funds should be raised through the issuance of General Obligation bonds of the County; and

WHEREAS, Idaho Code § 31-1903 provides that the question of issuing such bonds must be submitted to the qualified electors of the County;

WHEREAS, the Shoshone County Sheriff is required by law to fulfill his duties pursuant to Idaho Code § 31-2202 including but not limited to his obligations to enforce the penal laws of the State of Idaho and take charge of and keep the county jail and prisoner's therein; and

WHEREAS, the Shoshone County Sheriff is the designated official to oversee and manage the emergency communications system, including but not limited to the 9-1-1 dispatch and emergency communications operations within the County; and

WHEREAS, the Shoshone County Public Safety Building presently houses the 9-1-1 emergency communications dispatch center which supports five law enforcement agencies, first responders, Fire & Rescue, and Emergency Management services within the County, that include but may not be limited to: Shoshone County Sheriff's Office, Osburn Police Department, Kellogg Police Department, Pinehurst Police Department, Idaho State Police, Shoshone County Fire District 1, Shoshone County Fire District 2, Mullan Volunteer Fire District, Murray Volunteer Fire District, St Joe Volunteer Fire District and the Shoshone County EMS Corporation; and

WHEREAS, the present Shoshone County Public Safety Facility housing the jail and sheriff's office was opened in December 1972; and

WHEREAS, the location of the present Shoshone County Public Safety Facility was previously used as a vehicle dealership and prior to that, a hotel. The current facility was built on top of the underground garage from the dealership and on the original 1926 foundation of the hotel; and

WHEREAS, the Shoshone County Sheriff and Board of County Commissioners have identified deficiencies in the facility which include but are not limited to: present and ongoing deficiencies in the water, sewer and foundation infrastructure; outdated and inefficient HVAC

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systems; out dated computer based wiring, space and access points; undersized public lobby, office spaces, sally port, jail kitchen and jail laundry facilities; undersized 9-1-1 communications operations room; deficient technology monitoring capabilities of the jail facilities; ill-located fingerprinting and booking areas; long, narrow and linear Jail hallways which impact oversight and safety; jail cells which do not presently meet the needs of State and Federal imposed mandates for inmate housing including but not limited to protective custody needs for inmates suffering from special needs, mental health and/or protective custody related crimes; lack of communication and contact barriers between Jail cells; inadequate or deficient medical examination room, medication dispensing station, and medical records retention area; undersized and aged evidence and property storage rooms; inadequate inmate visiting and legal counsel meeting areas; and a lack of separate employee locker rooms, restrooms and showers thereby impacting privacy concerns; and

WHEREAS, the current Jail detention facility is near or at capacity; and

WHEREAS, in 2010, the certifiable capacity of the jail was reduced from 56 to 48 inmates due to Idaho Jail Standards; and

WHEREAS, in the past ten years, average daily inmate population often is at or exceeds 48 inmates and commonly reaches 60 inmates. Costs to house inmates outside the County are not financially feasible nor in the best interests of the citizens of this County; and

WHEREAS, there exists a need for increased protective custody housing units, and smaller housing units to accommodate felony inmates and/or inmates who present a risk to the safety of staff and other inmates; and

WHEREAS, for Shoshone County, the inmate population for individuals housed on felony charges is increasing which also results in these inmates being housed for longer periods of time awaiting court proceedings and/or trial; and

WHEREAS, additional inmate housing is needed for female inmates; and

WHEREAS, for Shoshone County, the total number of inmates has seen a relatively steady increase, with the most significant increase being female inmates and/or inmates who require special or protective custody facilities; and

WHEREAS, there is an increased need for jail facilities with the safest, most efficient, and most cost-effective method for inmate processing and supervision; and

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WHEREAS, in order to be in compliance with Idaho Jail Standards, the jail is designed for inmate indirect supervision, housing unit regular cell checks every half hour and aisle way video surveillance; and

WHEREAS, jail standards in Idaho are quasi-mandated through the Idaho Sheriff Association (ISA) and the Idaho Counties Risk Management Pool (ICRMP) and directly impact the County's risk and liability insurance; and

WHEREAS, failure to comply with core standards results in a reduction of insurance coverage from ICRMP. Currently, after many years of failing to comply, the Shoshone County Jail has successfully passed the ISA and ICRMP inspections the past two years; and

WHEREAS, with increasing standards, future jail compliance is uncertain if a new public safety facility is not pursued; and

WHEREAS, ISA and ICRMP non-compliance can and may result in the future, the closure of the existing is possible, leading to the need for the County to provide out-of-County inmate housing at County expense; and

WHEREAS, the extent of repair, upgrade, and remodel necessary to address all the needs of the Public Safety Facility are not financially feasible, and the most cost-effective means of addressing all the needs of the Public Safety facility is the pursuit of a new public safety facility to house the jail, law enforcement offices, and the 9-1-1 communications dispatch operations center.

WHEREAS, a marginal repair, upgrade and remodel of the existing public safety facility deficiencies is estimated to cost \$9,745,450 but will only marginally meet current inmate needs, but is unlikely to meet future inmate population demands, and will likely hinder the ability to house more inmates and impact revenue; and

WHEREAS, repairs to the existing Public Safety Facility would require, at County expense, a minimum amount of \$1,300,000, excluding travel, for the relocation of Shoshone County inmates and Sheriff Office operations for an estimated 1-year minimum; and

WHEREAS, a new facility would not only address the deficiencies outlined herein, but would also allow for increased revenue to Shoshone County by ensuring available space to house State, Federal and Out-of-County inmates, which will offset a portion of the costs associated with the construction and operation of the new facility; and

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WHEREAS, a use for the existing facility, with the construction of a new Safety Facility, has not been determined. The existing facility is determined to have a variety of alternate public and/or private uses or potential sale value which could be applied to a future bond balance; and

WHEREAS, Shoshone County has a written commitment from the Idaho Department of Corrections for the short-term housing of State inmates with the construction of a new facility. The commitment will generate at least \$246,000 per year to offset new facility costs; and

WHEREAS, Shoshone County has initiated discussions with the Federal Government and neighboring counties and states that have expressed an interest in the short-term housing of inmates with the construction of a new jail. Such entities may generate more revenue to offset new facility costs; and

WHEREAS, in order to provide part of the funds to enable the County to acquire, construct, and install the Project, it is deemed necessary and advisable that the County issue and sell its general obligation bonds in the aggregate principal amount not to exceed \$22,444,685 (the "Bonds"); and

WHEREAS, Idaho Code §31-1903 provides that the issuance of such bonds, except funding or refunding bonds, be first authorized by a vote of two-thirds (2/3) of the qualified electors of the county; and

NOW THEREFORE, BE IT FURTHER RESOLVED as follows:

Section 1. ELECTION

A special election is hereby called to be held within Shoshone County on Tuesday, November 5, 2019, for the purpose of submitting to the qualified electors of the County the question set forth in the form of ballot appearing hereof.

Section 2. PROJECT

A. Project Description. The project consists of making various capital improvements within the County (hereinafter the "Project"), consisting generally of the following:

1. Construction of a new Shoshone County public safety and law enforcement facility; and
2. Payment of architectural and other fees, contingencies; administrative costs, legal fees, and all other costs incidental thereto, together with the acquisition of sites and easement therefor, and all appurtenances and machinery necessary or useful for said Project all pursuant to the preliminary plans prepared for the County, by Lombard/Conrad Architects, Boise, Idaho.

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- B. Project Changes. The Board may make changes in the plans described herein prior to or in the course of actual construction, provided such changes are found necessary and desirable by the Board. In the event the County has other legally available funds or there are bond proceeds remaining after the capital improvements set forth herein are completed, the Board retains the right to make additional capital improvements, the Board may apply the bond proceeds or any portion thereof to other portions of the improvements or to other capital purposes of the County or to redemption of the bonds as the Board in its discretion shall determine.
- C. Costs. The estimated cost and expense of the acquisition, installation, and construction of the Project is approximately \$22,444,685, of which up to \$22,444,685 may be paid out of the proceeds of the Bonds, including the cost of issuing and selling the Bonds as such expenses are set forth in the Municipal Bond Law. To the maximum extent available, the balance of the costs of the Facility will be paid with other legally available funds, including grant funds and other funds of the County.

#### Section 3. CONDUCT OF ELECTION BY COUNTY CLERK

Said election shall be conducted by the Shoshone County Clerk, as specified in Idaho Code, Title 34, Chapter 14.

#### Section 4. POLLING HOURS AND PLACES

- A. Polling Hours. The polls of said election shall open at the hour of 8:00 a.m. on said day and shall remain open continuously on said day until the hour of 8:00 p.m. at which time said polls shall be closed.
- B. Polling Places. The polling places within the County for the election shall be as follows:

#	PRECINCT	POLLING PLACE
01	Prichard-Murray	Murray Road Shop, 6388 Prichard Creek, Murray
02	Mullan	Mullan City Hall, 112 Earle Ave., Mullan
03	Wallace	United Church of Christ Congregational, 408 Cedar, Wallace
04	Silverton	Silverwood Good Samaritan Center, 405 W. 7th, Silverton
05	Osburn	VFW Hall Post 1675, 4th & Mullan, Osburn
06	Kellogg	Silver Valley Memorial Hall, 110 Hill St., Kellogg
07	Wardner	Mail Ballot Precinct
08	Smelterville	Smelterville Lions Club, 302 Main Street, Smelterville
09	Pinehurst	Pinehurst Lions Club, 106 Church St., Pinehurst
10	Kingston	Kingston/Cataldo Sewer Dist., 42784 Silver Valley Rd., Kingston



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11	Calder	Mail Ballot Precinct
12	Clarkia	Mail Ballot Precinct
13	Avery	Mail Ballot Precinct
14	Absentee	County Courthouse

**Section 5. BALLOT PROPOSITION**

The ballot title for said special election shall be in substantially in the following form:

**OFFICIAL BALLOT**

**SHOSHONE COUNTY PUBLIC SAFETY BUILDING  
SHOSHONE COUNTY, IDAHO**

November 5, 2019

Instructions to Voters: To vote in favor of the GENERAL OBLIGATION BONDS, the voter must make a cross [X] in the square opposite the words "IN FAVOR OF." To vote against the GENERAL OBLIGATION BONDS, the voter must make a cross [X] in the square opposite the words "AGAINST." If you change your mind, tear, or make a mistake on this ballot, request a new ballot from an election worker.

**PROPOSITION**

SHALL THE BOARD OF COMMISSIONERS OF SHOSHONE COUNTY BE AUTHORIZED TO ISSUE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT UP TO \$22,444,685 TO BECOME DUE IN SUCH INSTALLMENTS AS MAY BE FIXED BY THE BOARD OF COMMISSIONERS, THE FINAL INSTALLMENT TO FALL DUE NO MORE THAN THIRTY (30) YEARS FROM THE DATE OF ISSUE OF THE BONDS, FOR THE PURPOSE OF CONSTRUCTING A NEW PUBLIC SAFETY AND LAW ENFORCEMENT FACILITY, AND PAYMENT OF ARCHITECTURAL AND OTHER FEES, CONTINGENCIES; ADMINISTRATIVE COSTS, LEGAL FEES AND ALL OTHER COSTS INCIDENTAL THERETO; INCLUDING ALL APPURTENANCES NECESSARY TO MAINTAIN AND OPERATE SAID FACILITY IMPROVEMENTS; FOR OTHER CAPITAL PURPOSES RELATED THERETO AS DEEMED NECESSARY BY THE BOARD; ALL AS MORE FULLY PROVIDED IN RESOLUTION NO. 2019-45 ADOPTED ON SEPTEMBER 16, 2019?

The project to be financed, in part, by the sale of the proposed general obligation bonds in the amount of \$22,444,685 is for the construction of a jail and sheriff's office and includes the costs of construction management and bond issuance. The date of the election is November 5, 2019.

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The County currently has no outstanding general obligation bonded indebtedness. The maximum interest rate will be 4.2% for a period of 30 years. The estimate cost per \$100,000 of assessed value is \$75.79 per year. It is anticipated that this amount may decrease where annual revenue is received from the State of Idaho for housing out-of-county inmates.

IN FAVOR OF issuing general obligation bonds in the principal amount of not to exceed \$22,444,685 for the purpose stated in Resolution 2019-45. . . . . ☐

AGAINST issuing general obligation bonds in the principal amount of not to exceed \$22,444,685 for the purpose stated in Resolution 2019-45 . . . . . ☐

**Section 6. NOTICE OF SPECIAL BOND ELECTION; PUBLICATION AND POSTING**

Pursuant to Idaho Code § 34-602, the Clerk is hereby authorized and directed to give Notice of Special Bond Election in substantially the form attached hereto as Exhibit "A", prior to said election, by publication and posting as follows:

- A. Publication. The Notice of Special Bond Election shall be published at least two (2) times in a newspaper of general circulation within the County. The first notice shall be published at least twelve (12) days prior to the election and the second notice shall be published not later than five (5) days prior to the election.
- B. Affidavits. Proof of publication shall be upon the affidavit of the publisher of the newspaper. Such affidavits shall be filed with the Board by the Clerk prior to the date of the election.

**Section 7. QUALIFICATION OF ELECTORS; OATH**

- A. Qualifications. Each person voting at such bond election shall be at the time of the election, eighteen (18) years of age or older, and a United States citizen who has resided in the State of Idaho and the County at least thirty (30) days preceding the election.
- B. Registration. Registration requirements set forth in Title 34, Chapter 4, Idaho Code, shall be applicable to the election. Such registration laws allow for registration on the day of the election assuming that the requirements set forth in Idaho Code § 34-408A are met.



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- C. **Elector's Oath.** No person shall be permitted to vote at said election until such person shall have executed, in writing and immediately before voting, an Elector's Oath attesting that he or she possesses the qualifications of a qualified elector prescribed by Idaho Code § 34-104 and indicating the mailing address, residence address or any other necessary information definitely locating the residence of the elector. The elector may be required to furnish to the election official proof of residence, which proof shall be established by either an Idaho motor vehicle driver's license or any document definitely establishing the elector's residence within the County. The Elector's Oath shall be prepared by the Clerk of the Board.
- D. **Absentee Voting.** Any qualified elector may vote by absentee ballot by making an application to the Clerk of the County and voting in accordance with Idaho Code, Chapter 34, Title 10. The application for mail-in absentee ballot must be received by the Clerk of the County not later than 5:00 p.m. on the sixth day before the election. An application for in person absentee voting at the absent elector's polling place described in Idaho Code § 34-1006 shall be received by the Clerk of the County not later than 5:00 p.m. on the day before the election. The Clerk after receiving the application in the manner prescribed in Idaho Code § 34-1002 may deliver the absentee ballot to the absent elector in the office of the county clerk, by postage prepaid mail or by other appropriate means, including the use of a facsimile machine. The absentee ballot shall be returned to the Clerk in a sealed envelope and, together with the oath of qualification, place the ballot and oath in a sealed return envelope in the manner prescribed in the Idaho Code § 34-1005. The absentee ballot must be received by the Clerk no later than 8:00 p.m. on the day of the election before such ballot may be counted. After verification of the qualification of the elector to vote in the election, the absentee ballot shall be counted.

#### Section 8. APPROVAL; ISSUANCE OF BONDS

If, at said election, two-thirds (2/3) of the qualified electors of the County voting thereon vote in favor of the issuance of said bonds for the purposes set forth herein and designated on the aforesaid ballot, fully registered general obligation bonds of the County shall be authorized, issued, sold, and delivered. In determining whether an elector has voted on this proposition, the County shall follow Idaho Code § 34-1202A, which provides that a qualified elector is deemed to have not voted if it is impossible to determine their choice on this proposition. Said bonds will be general obligation bonds of the County, and as such, the full faith and credit of the County will be pledged for their payment as provided by Idaho Code § 31-1901. Said bonds will be paid from taxes levied upon all taxable property within said County, and may also be paid from local sales taxes approved by the voters and levied on all taxable sales within said County, will mature annually over a period which may be less than but which will not exceed ten (10) years from their date and will bear interest at such rate or rates as may be determined by the Board in the Resolution authorizing the issuance of such bonds.

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All bonds shall be issued in the form and manner, be registered, disposed of, and redeemed, in accordance with the provisions of the Municipal Bond Law of Idaho, Title 57, Chapter 2, Idaho Code, as amended.

#### **Section 9. DEBT DISCLOSURE. STATEMENT**

Pursuant to Idaho Code Section 34-439, as amended, a Debt Disclosure Statement shall be prepared and verified by the County.

#### **Section 10. ELECTION. RESULTS; CANVASS**

- A. The Clerk of the County shall conduct the election and the tabulation of results pursuant to state law and applicable state administrative regulations.
- B. Computation of Election Results. Election results shall be computed pursuant to Chapter 34, Title 12, Idaho Code and a return of election results shall be made by the Clerk of the County to the Board of Commissioners.
- C. Board of Canvassers. Pursuant to Idaho Code § 31-804, the Board of Commissioners shall thereupon canvass such returns at a special or regular meeting to be held for that purpose within seven (7) days of the election. The Board shall examine and make a statement of the total number of votes cast in the Special Bond Election, setting forth the ballot proposition and the total number of affirmative and negative votes cast. The Board shall certify that such statement is true, subscribe their names thereto, and deliver it to the Clerk of the County.

#### **Section 11. RATIFICATION**

All actions heretofore taken, not inconsistent with the provisions of this Resolution, by the Board and the officers of the County, directed toward making said acquisitions and improvements within and for the County, and the issuance of general obligation bonds of the County therefor, and for the holding of a Special Bond Election, are hereby ratified, approved and confirmed.

#### **Section 12. EFFECTIVE. DATE**

This resolution shall be effective from and after its passage.

PASSED AND ADOPTED this 16th day of September 2019.

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**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

**EXHIBIT A**

**SHOSHONE COUNTY, IDAHO**

**NOTICE OF SPECIAL BOND ELECTION**

NOTICE. IS. HEREBY GIVEN. that, pursuant to Resolution No. 2019-45, adopted on September 16, 2019, by the Shoshone Board of Commissioners (the "County"), of Idaho, a Special Bond Election will be held in said County on

**TUESDAY, NOVEMBER 5, 2019**

Between the hours of 8:00 a.m. and 8:00 p.m., for the purpose of voting upon the question and proposition of issuing general obligation bonds in the principal amount of \$22,444,685 and payable over a period of up to thirty (30) years, for the purpose of construction of improvements to Shoshone County public safety and law enforcement facilities, and payment of architectural and other fees, contingencies; administrative costs, legal fees and all other costs incidental thereto; for other capital purposes relating thereto as deemed necessary by said Board. The bonds rate maximum 4.2%, will be payable from taxes levied upon all taxable property within the County approved by the voters.

Resolution No. 2019-45 is hereby referred to for further particulars, and by reference is made part of this Notice. The total estimated cost of the Project is \$22,444,685, all of which is to be paid from the sale of the proposed bond issue.

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The question to be submitted to the electors shall be by ballot reading substantially as follows:

SHALL THE BOARD OF COMMISSIONERS OF SHOSHONE COUNTY BE AUTHORIZED TO ISSUE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT UP TO \$22,444,685 TO BECOME DUE IN SUCH INSTALLMENTS AS MAY BE FIXED BY THE BOARD OF COMMISSIONERS, THE FINAL INSTALLMENT TO FALL DUE NO MORE THAN THIRTY (30) YEARS FROM THE DATE OF ISSUE OF THE BONDS, FOR THE PURPOSE OF CONSTRUCTING A NEW PUBLIC SAFETY AND LAW ENFORCEMENT FACILITY, AND PAYMENT OF ARCHITECTURAL AND OTHER FEES, CONTINGENCIES; ADMINISTRATIVE COSTS, LEGAL FEES AND ALL OTHER COSTS INCIDENTAL THERETO; INCLUDING ALL APPURTENANCES NECESSARY TO MAINTAIN AND OPERATE SAID FACILITY IMPROVEMENTS; FOR OTHER CAPITAL PURPOSES RELATED THERETO AS DEEMED NECESSARY BY THE BOARD; ALL AS MORE FULLY PROVIDED IN RESOLUTION NO. 2019-45 ADOPTED ON SEPTEMBER 16, 2019?

The project to be financed, in part, by the sale of the proposed general obligation bonds in the amount of \$22,444,685 is for the construction of a jail and sheriff's office and includes the costs of construction management and bond issuance. The date of the election is November 5, 2019. The County currently has no outstanding general obligation bonded indebtedness. The maximum interest rate will be 4.2% for a period of 30 years. The estimate cost per \$100,000 of assessed value is \$75.79 per year. It is anticipated that this amount may decrease where annual revenue is received from the State of Idaho for housing out-of-county inmates.

IN FAVOR OF issuing general obligation bonds in the principal amount of not to exceed \$22,444,685 for the purpose stated in Resolution 2019-45. .... ☐

AGAINST issuing general obligation bonds in the principal amount of not to exceed \$22,444,685 for the purpose stated in Resolution 2019-45 ..... ☐

Qualified electors shall vote at the following polling places:

#	PRECINCT	POLLING PLACE
01	Prichard-Murray	Murray Road Shop, 6388 Prichard Creek, Murray
02	Mullan	Mullan City Hall, 112 Earle Ave., Mullan
03	Wallace	United Church of Christ Congregational, 408 Cedar, Wallace
04	Silverton	Silverwood Good Samaritan Center, 405 W. 7th, Silverton
05	Osburn	VFW Hall Post 1675, 4th & Mullan, Osburn

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06	Kellogg	Silver Valley Memorial Hall, 110 Hill St., Kellogg
07	Wardner	Mail Ballot Precinct
08	Smelterville	Smelterville Lions Club, 302 Main Street, Smelterville
09	Pinehurst	Pinehurst Lions Club, 106 Church St., Pinehurst
10	Kingston	Kingston/Cataldo Sewer Dist., 42784 Silver Valley Rd., Kingston
11	Calder	Mail Ballot Precinct
12	Clarkia	Mail Ballot Precinct
13	Avery	Mail Ballot Precinct
14	Absentee	County Courthouse

Only qualified electors eighteen (18) years of age or older, who are United States citizens and who have resided in the State of Idaho and in the County at least thirty (30) days next preceding the election, and no others, will be permitted to vote at said special election. No person so qualified and offering himself or herself at the polling place at which he or she is entitled to vote will be denied the privilege of voting at said special election.

All electors must register before being able to vote in the special election. The County Clerk of Shoshone County shall conduct voter registration pursuant to Idaho Code § 34-1402. Any registered elector of the County may make written application for an absentee ballot to the Clerk of the County not later than 5:00 p.m. on the day before the election, Tuesday, November 5, 2019.

If, at said election, two-thirds (2/3) of the qualified electors voting at such election vote in favor of the issuance of the bonds proposed therein for the purposes set forth in Resolution No. 2019-45, general obligation bonds of the County may be issued for said purposes if the local option sales tax question passes. In determining whether an elector has voted on the proposition, the County shall follow Idaho Code § 34-1202A, which provides that a qualified elector is deemed to have not voted if it is impossible to determine their choice on the proposition.

DATED this 16th day of September 2019.

/s/   
Chairman, Board of Commissioners

ATTEST:   
/s/   
Clerk, Board of Commissioners



**PROCEEDINGS COUNTY COMMISSIONERS**


**SHOSHONE COUNTY, IDAHO**

**BOOK 2019**

The meeting that was scheduled for 2:00 p.m. with Jerry White, Shoshone County Assessor and a representative from Dave Smith Motors to discuss and consider vehicle title work, was cancelled for today and moved to Wednesday, September 18<sup>th</sup> at 10:00 a.m.

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard  
County Clerk

Approved:   
Chairman

By:   
Deputy Clerk

**PROCEEDINGS COUNTY COMMISSIONERS**

**SHOSHONE COUNTY, IDAHO**

**BOOK 2019**

Tuesday, September 17, 2019

The Board met pursuant to recessing Monday, September 16, 2019.

Present:

Commissioners: Jay Huber

Mike Fitzgerald

John Hansen

Deputy Clerk:

The following proceedings were had to-wit:

The Board convened at 10:00 a.m. for a public hearing on Ordinance #160, Establishing a new Shoshone County Code Declaring Public Nuisance Conditions Unlawful. Commissioner Fitzgerald explained the Hearing procedures, cited the Shoshone News Press advertisement date of August 31, 2019, read the Ordinance title and summarized the Ordinance. A motion was made by Commissioner Hansen to enter into a public hearing, seconded by Commissioner Hansen to open the public hearing. The motion passed unanimously. Carolyn Collins, 36C Gorge Gulch Road, Burke provided public comment that included concerns with Ordinance cost, complaint validity, enforcement, potential disposal issues, extra cleanup beyond what is called for in the Ordinance and potential lien problems. Peter Crusectman and Christina Axtman, 311 2<sup>nd</sup> Street, Mullan provided public comment that included concerns with how certain items within the Ordinance were defined, passage of the Ordinance may increase the City of Mullan's regulations are interpreted and how complaint properties were to be accessed. Kathy Slack, 108 Maple, Pinehurst expressed that she liked the ability for an individual to file a complaint and an interest in providing the County with a list of properties of concern. A motion was made by Commissioner Hansen to close the public hearing, seconded by Commissioner Huber and the motion passed unanimously. A motion was made Commissioner Fitzgerald to adopt Ordinance #160 as presented, seconded by Commissioner Hansen, and the motion passed unanimously.

**SHOSHONE COUNTY  
ORDINANCE NO. 160**

AN ORDINANCE OF SHOSHONE COUNTY, STATE OF IDAHO, ESTABLISHING A NEW SHOSHONE COUNTY CODE DECLARING PUBLIC NUISANCE CONDITIONS UNLAWFUL; DECLARING AS PUBLIC NUISANCE CERTAIN CONDITIONS INCLUDING NUISANCE VEHICLES, RUBBISH, GARBAGE, OVERGROWN WEEDS, BRUSH, TREES, ANIMAL CARCASSES, AND DANGEROUS BUILDINGS OR STRUCTURES; PROHIBITING PUBLIC NUISANCES ON PRIVATE LANDS AND LANDS ADJACENT TO PUBLIC WAYS; DEFINING TERMS; PROVIDING FOR INITIATION OF COMPLAINTS; AUTHORIZING INSPECTION OF PREMISES; PROVIDING FOR NOTICE AND RESPONSIBILITY OF PROPERTY OWNERS AND/OR OCCUPANTS TO ABATE VIOLATIONS; ESTABLISHING MISDEMEANOR PENALTIES FOR VIOLATIONS;



**PROCEEDINGS COUNTY COMMISSIONERS**

**SHOSHONE COUNTY, IDAHO**

**BOOK 2019**

PROVIDING FOR APPEALS; AUTHORIZING ABATEMENT AND COLLECTION COST RECOVERY; REPEALING ORDINANCE NO. 10, AND ANY CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY SHOSHONE COUNTY BOARD OF COUNTY COMMISSIONERS, STATE OF IDAHO, AS FOLLOWS:

Section 1:      Creation of new Title 4, Chapter 1, Public Nuisance Prohibited and Conditions Unlawful.

Pursuant to the authority conferred by Article 12, Section 2 of the Idaho Constitution, and Idaho Code § 31-714, and Idaho Code § 31-801, the County does hereby take action to declare certain conditions public nuisances upon all property outside the incorporated limits of any municipal corporation, both public and private, within the county limits, thereby requiring any owner, lessee, occupant or any agent or representative of any such owner, lessee or occupant having possession or control of any occupied or unoccupied lot or parcel of land, to immediately remedy any conditions that violate the requirements of this chapter or which constitute a nuisance pursuant to the provisions of Idaho Code.

Upon the approval and publication of this ordinance as provided by law, a new Title 4, Chapter 1, shall be added to the Shoshone County Code. Said chapter shall be titled, "Public Nuisances Prohibited and Conditions Unlawful."

Section 2:      TERMS DEFINED:

The following terms shall have the following meanings when used in this chapter, unless the context of their use indicates otherwise:

- A.      Brush Pile. An accumulation of cuttings or dead portions of trees, brush or shrubs placed in a pile or allowed to lay randomly on the ground.
- B.      Costs: The expense of removing, storing, destruction, or selling of discarded items.
- C.      Dangerous Building or Structure. All buildings or portions thereof which present a risk or hazard to public health, safety, or general welfare, as determined after inspection by the Building Official or other designated agent as defined in the International Building Code, the International Existing Building Code, and/or buildings or structures which meet criteria similar to that described in the 1997 Uniform Code for the Abatement of Dangerous Buildings.
- D.      Enforcement Officer: An agent or representative of the Shoshone County Sheriff or the Shoshone County Planning & Zoning Department as designated by the official action of the Board of County Commissioners;

# **PROCEEDINGS COUNTY COMMISSIONERS**

## **SHOSHONE COUNTY, IDAHO**

### **BOOK 2019**

- E. Garbage. Putrescible animal and vegetable wastes resulting from the handling, preparing, cooking, or consumption of food.
- F. Inoperable: Incapable of being operated legally on a public highway, including, but not limited to, not having a valid, current registration.
- G. Nuisance: Any act, status, condition, substance or activity which is injurious to public health or safety, or is indecent, or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property by an individual, by an entire community or neighborhood, or by any considerable number of persons, or those acts or conditions designated to be by any ordinance of the County of Shoshone or State Law.
- H. Nuisance Tree or Shrub. Any woody perennial plant which is allowed to grow in such a manner as to obscure any traffic visibility, any traffic sign, or encroach into a public right of way in such a manner as to create a hazard to those using the right of way, or the existence of any dead or dying tree or shrub, which creates a hazard to public safety or public property.
- I. Nuisance Vehicles: Any vehicle that does not have lawfully affixed thereto a valid, current registered license plate, or is one or more of the following for over 30 days:
  - a. Inoperable at the time of inspection
  - b. Dismantled or partially dismantled
  - c. Junked
  - d. Wrecked
  - e. Abandoned

Discarded vehicles may be deemed to include major parts thereof, including but not limited to bodies, body parts, engines, engine components, transmissions and other drive train parts.

- J. Person: Any natural persons, firm, partnership, association, limited liability company, or corporation.
- K. Public Place. A building, way, place, or accommodation, whether publicly or privately owned, open and available to the general public.
- L. Refuse. Putrescible and non-putrescible solid wastes (except body waste) including garbage, rubbish, ashes, street cleanings, dead animals, and solid market and industrial wastes.

# PROCEEDINGS COUNTY COMMISSIONERS

## SHOSHONE COUNTY, IDAHO

### BOOK 2019

- M. Responsible Party: The person responsible for curing or remedying a nuisance and includes:
  - a. The owner of the property, or the owner's manager, agent or other person in control of the property on behalf of the owner, as established by evidence gathered from the Enforcement Officer.
  - b. The person controlling the property including bailee, lessee, tenant, occupant, or other person having possession or control;
  - c. The person who is alleged to have established or allowed the nuisance to continue.
- N. Rubbish. Non-putrescible solid waste consisting of both combustible wastes, including but not limited to, paper, wrappings, cardboard, tin, aluminum cans, yard clippings, leaves, dirt (other than natural soil, in place) wood, glass, bedding, crockery, remnants of wood; decayed, weathered or broken construction materials which may no longer be suitable for safe or approved construction, worthless and useless articles which are in such a state or such a quantity as to be unsightly, against the general welfare, unhealthy, dangerous to persons or property, or so as to interfere with the abatement of weeds and similar materials
- O. Vegetative Litter. Scattered accumulation of dead portions of plant materials.
- P. Vehicle: Any device designed to move or propel persons or property or to be drawn upon a highway or street not including a device designed to be propelled or moved by human power, such as wagons, tricycles, bicycles (excluding motorized bicycles), or to be used exclusively upon stationary rails or tracks. This shall include recreational vehicles and/or motor homes.
- Q. Vehicle Owner: Any individual, firm, limited liability company, corporation, or association with a claim, either individually or jointly of ownership or any interest, legal or equitable, in a vehicle.
- R. Weed. All uncultivated, unmown grasses, annual plants, perennial plants, noxious weeds as the same are defined by state statute and/or county code, and all other rank uncultivated vegetation over eight inches (8") tall, other than trees, shrubs, and cultivated plants, flowers and agricultural products.

# **PROCEEDINGS COUNTY COMMISSIONERS**

## **SHOSHONE COUNTY, IDAHO**

### **BOOK 2019**

#### **Section 3: CONDITIONS UNLAWFUL:**

It shall be an unlawful for any owner, lessee, occupant and/or agent or representative of any such owner, lessee, or occupant having control of any occupied or unoccupied lot or parcel of land thereof to allow, permit or maintain on any property, both public and private, or any adjacent public right of way outside the incorporated limits of any municipal corporation, and within the county limits, any of the following conditions:

- A. The growth of weeds or unmown grass or the accumulation of overgrown weeds, grass, brush, nuisance trees or shrubs, whether dead or living, over eight inches (8") in height, with the exception of an actively operated compost pile not generating nuisance odors.
- B. Any tree, shrub or other plant material or any dead or dying tree or shrub located on private property in the county which overhangs or intrudes over or upon any public street, alley, avenue, roadway, sidewalk, traffic intersection visibility triangle or traffic sign to such an extent that it interferes with the safety of the traveling public or is a hazard or hindrance to public safety or use of public property.
- C. The accumulation and/or storage of abandoned, wrecked, dismantled, inoperable or unlicensed vehicles including but not limited to recreational vehicles or motor homes, or parts thereof.
- D. The keeping, storage, or accumulation of garbage, refuse, rubbish, building materials, unused furniture and appliances, junk, trash, or debris on any property, which creates a condition tending to be injurious to public health, safety, or the general welfare which shall include but is not limited to those circumstances which reduce the value of surrounding private or public property in the vicinity of the nuisance, and/or promotes deterioration, fire hazards and/or constitutes an attractive nuisance creating a hazard to the health and/or safety of minors, or is a harborage for rodents, insects, unclaimed animals, and/or transients.
- E. An animal carcass owned or controlled by him to remain upon public property, or to be exposed on private property, for a period of time longer than is necessary to remove and dispose of the carcass.
- F. Allowing an excavation to remain unguarded by suitable barriers, including amber warning lights during hours of darkness, installation and operation of the amber warning lights shall be the responsibility of the person creating, maintaining, or in charge of such obstruction.

# **PROCEEDINGS COUNTY COMMISSIONERS**

## **SHOSHONE COUNTY, IDAHO**

### **BOOK 2019**

- G. A building or structure which exists in whole or in part in such a condition so as to constitute a dangerous building that is injurious to the public health, safety, or general welfare as defined herein.

#### **Section 4: INITIATION OF COMPLAINTS:**

Any person may file a complaint alleging a public nuisance by filing a written complaint with the County Clerk or by reporting such matters to the Shoshone County Sheriff's Department, or the Shoshone County Planning & Zoning Department where there is reason to believe that a nuisance exists. To the extent that a condition exists that can be readily observed by a law enforcement officer or appropriate building official as a public nuisance defined herein, action may be taken pursuant to this Code to enforce the same.

#### **Section 5: INSPECTION OF PREMISES:**

The Shoshone County Sheriff's Office, Building Official, or a designated enforcement agent shall have the ability to enter onto the property to determine by inspection whether such conditions exist that constitute a violation of this chapter.

It shall be unlawful for any person to interfere with any authorized staff members or agent making an inspection permitted under this section.

#### **Section 6: NOTICE TO ABATE:**

Whenever the County and/or its authorized agent finds that a violation does exist pursuant to any provisions of this chapter, he or she may initiate enforcement by giving notice as follows:

1. by posting an Abatement Warning Notice on the subject property; or
  2. by certified, first class mail to the last known address of the owner of record; or
  3. by personally serving the notice upon the owner of record or an occupant of the subject property, and if there is more than one owner of record, by such mail or personal service to any one of such owners.
- a. In the event the owner and/or occupant of the property is unknown or his or her whereabouts is unknown, notice shall be given by a combination of first-class mail and certified mail based upon the records of the county assessor.

Such notice shall specify the violations required to be abated and the manner and time limits by which the owner of the property is required to achieve compliance.

# **PROCEEDINGS COUNTY COMMISSIONERS**

## **SHOSHONE COUNTY, IDAHO**

### **BOOK 2019**

In the event said owner and/or occupant fails to abate within the time period specified in the Abatement Warning Notice, the County or its authorized agent shall take appropriate action to issue a misdemeanor citation or sworn criminal complaint to said property owner, lessee, occupant or any agent or representative of any such owner, lessee or occupant having control of any occupied or unoccupied lot or parcel of land or any part thereof. In the event the owner or occupant of the property is unknown or his or her whereabouts is unknown, law enforcement shall take appropriate action to obtain a criminal complaint and issuance of a criminal summons, or arrest warrant.

#### **Section 7: OWNER TO ABATE VIOLATION:**

It shall be the duty of the owner of private property whose use constitutes a violation of this chapter remove such violation immediately upon receipt of Abatement Warning Notice from the County, in no case less than the time frame stated in the Abatement Warning Notice, which shall provide at least ten (10) days for performance unless the County by and through its agent grants an extension, upon reasonable grounds.

#### **Section 8: PENALTY FOR FAILURE TO ABATE VIOLATION**

Any owner or other person notified to abate the public nuisance who shall fail to do so and abate such violation within the time specific in the notice, shall be deemed guilty a misdemeanor and upon conviction shall be punishable by a fine of up to \$500 or by imprisonment for not more than 6 months in jail or both a fine and imprisonment.

In addition to any other penalty, the County may recover its costs of abatement, including but not limited to attorney's fees and costs. Every day such violation continues after the date specified in the notice shall constitute a separate and distinct offense, punishable by a lawfully appropriate penalty.

#### **Section 9: APPEAL, TIME LIMITS FOR FILING, AND DECISION:**

If the property owner receiving notice to abate a violation of this chapter contests the determination that a violation of this ordinance exists, a written appeal of the notice shall be filed with the County Clerk within ten (10) days from the date of posting, mailing, or personal service of the required notice to abate a violation. A time shall be scheduled for an appeal hearing with the Board of County Commissioners, not less than ten (10) days nor more than twenty-six (26) days thereafter. Any decision of the Board of County Commissioners thereupon rendered shall be final and conclusive.



**PROCEEDINGS COUNTY COMMISSIONERS**

**SHOSHONE COUNTY, IDAHO**

**BOOK 2019**

**Section 10: ABATEMENT OF VIOLATIONS BY COUNTY AND COLLECTION OF COSTS:**

In any case where a person required under this chapter does not abate the violation, the County, through its own personnel, contractor and/or agents, may enter upon the premises to take all necessary action to abate the identified violation(s). The total cost of the abatement shall be billed to the owner of the property for payment. In the event payment is not made within sixty (60) days or if the owner or whereabouts of the owner is not known, the cost of abatement may be certified and forwarded to the county treasurer for inclusion in the county property tax assessment pursuant to Idaho Code. Pursuit of abatement by the County shall not prohibit prosecution for violations of this chapter.

**Section 11: REPEAL OF ORDINANCE NO. 10 AND CONFLICTING ORDINANCES.**

Ordinance No. 10 adopted in 1976 is hereby repealed. Any other such ordinances of Shoshone County in conflict with this ordinance are hereby repealed to the extent of such conflict.

**Section 12: SEVERABILITY.**

The provisions of this ordinance are declared to be severable. If any section, sentence, clause or phrase of the ordinance shall for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this ordinance, but they shall remain in effect, it being the legislative intent that this ordinance shall remain in effect notwithstanding the invalidity of any part.

**Section 13: EFFECTIVE DATE.**

This ordinance shall be effective upon its passage and a summary publication in the official newspaper of the County of Shoshone.

PASSED under suspension of the rules upon which a roll call vote was duly taken and enacted as an ordinance of the County of Shoshone at an open meeting of the Shoshone County Board of County Commissioners held on the 17<sup>th</sup> day of September 2019.

**BOARD OF COUNTY COMMISSIONERS**

s/Mike Fitzgerald  
Mike Fitzgerald, Chairman



PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2019

s/John Hansen  
John Hansen, Commissioner

s/Jay Huber  
Jay Huber, Commissioner


Attested to by:


s/Tamie J. Eberhard  
Tamie J. Eberhard, Clerk

Commissioner Huber attended a Shoshone County EMS Board meeting at 3:00 p.m. in Kellogg.

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard  
County Clerk

Approved:   
Chairman

By:   
Deputy Clerk

BOOK 2019-09-48

# PROCEEDINGS COUNTY COMMISSIONERS

## SHOSHONE COUNTY, IDAHO

### BOOK 2019

Wednesday, September 18, 2019

The Board met pursuant to recessing Tuesday, September 17, 2019.

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. The consent agenda was reviewed for consideration as follows:

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

PUBLIC COMMENT: No public comment was presented.

#### OLD BUSINESS:

1. Consideration and Decision of the Minutes of the Commissioners' Public Agenda Session dated Monday, September 9 to Friday, September 13, 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 2019-39** Certifying Delinquent Personal Property Taxes to Real Property for the 2019 Tax Year; **Resolution 2019-40** Certifying Delinquent 2010 Sub Roll Real Property to Owners Real Property; **Resolution 2019-41** Certifying Delinquent 2018 Yield Taxes to Owners Real Property; **Resolution 2019-43** Certifying Delinquent Recovered Homeowners Exemptions to Real Property; **Resolution 2019-44** Certifying Delinquent Deferred Taxes to Real Property
  - Shoshone County Treasurer Statement of Cash Balances as of August 2019

**PROCEEDINGS COUNTY COMMISSIONERS**

**SHOSHONE COUNTY, IDAHO**

**BOOK 2019**

2. Executive Session: Indigent Cases: Consideration and Decision. Executive Session ID Code 74-206(d) – Indigent Case # 2019-114/Denied, and Indigent Case #2019-95/Approved.

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

**RESOLUTION 2019-39**

**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 Mobile Home and Personal Property taxes be certified to real property for the 2019 tax year as follows:

<u>Property#</u>	<u>NAME</u>	<u>REAL PROPERTY</u>	<u>AMOUNT</u>
MH00083	Daniel Stinson	48N04E-12-6149	\$123.07
MH00507	Elizabeth Castonguay	48N02E-20-4100	\$105.30
MH00738	Matthew Benedict	48N03E-03-2010	\$52.33
MH00755	Howard Helgen/Anderson	49N02E-28-2000	\$154.83
MH00852	Kenneth Olsen	43N01E-25-6750	\$102.17

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

DATED this 18th day of September 2019.

BOARD OF COUNTY COMMISSIONERS

s/Mike Fitzgerald  
Mike Fitzgerald, Chairman

s/John Hansen  
John Hansen, Commissioner

**PROCEEDINGS COUNTY COMMISSIONERS**

**SHOSHONE COUNTY, IDAHO**

**BOOK 2019**

ATTEST:

s/Tracy Casady  
Tracy Casady  
Deputy Clerk

s/Jay Huber  
Jay Huber, Commissioner

**RESOLUTION 2019-40**

**A RESOLUTION CERTIFYING DELINQUENT  
2010 SUB ROLL REAL PROPERTY TO  
OWNERS REAL PROPERTY**

WHEREAS, Ellen Masterson, Treasurer of Shoshone County, has requested that delinquent 2010 Sub Roll Real Property be certified to the owner's real property for the 2019 tax year as follows:

<u>From#</u>	<u>NAME</u>	<u>REAL PROPERTY</u>	<u>AMOUNT</u>
SR49N02E311900T	Unknown Owner	RP49N02E311900A	\$411.58

NOW THEREFORE, BE IT RESOLVED AND ORDERED by the Shoshone County Board of Commissioners that the delinquent 2010 Sub Roll Real Property be certified to real property as presented.

DATED this 18th day of September 2019.

BOARD OF COUNTY COMMISSIONERS

s/Mike Fitzgerald  
Mike Fitzgerald, Chairman

s/John Hansen  
John Hansen, Commissioner

ATTEST:

s/Tracy Casady  
Tracy Casady  
Deputy Clerk

s/Jay Huber  
Jay Huber, Commissioner

**PROCEEDINGS COUNTY COMMISSIONERS**

**SHOSHONE COUNTY, IDAHO**

**BOOK 2019**

**RESOLUTION 2019-41**

**A RESOLUTION CERTIFYING DELINQUENT  
2018 YIELD TAXES TO OWNERS REAL PROPERTY**

WHEREAS, Ellen Masterson, Treasurer of Shoshone County, has requested that delinquent 2018 Yield taxes be certified to the owner's real property for the 2019 tax year as follows:

<u>Yield Tax Property #</u>	<u>NAME</u>	<u>AMOUNT</u>
MC0077	Western Land Collective, LLC	\$684.42
MC0589	Sunrise Lands, LLC	\$38.56
RP46N01E233700	John F. Darden	\$595.68

NOW THEREFORE, BE IT RESOLVED AND ORDERED by the Shoshone County Board of Commissioners that the delinquent 2018 Yield taxes be certified to real property as presented.

DATED this 18th day of September 2019.

BOARD OF COUNTY COMMISSIONERS

s/Mike Fitzgerald  
Mike Fitzgerald, Chairman

s/John Hansen  
John Hansen, Commissioner

ATTEST:

s/Tracy Casady  
Tracy Casady  
Deputy Clerk

s/Jay Huber  
Jay Huber, Commissioner

**RESOLUTION 2019-43**

**A RESOLUTION CERTIFYING DELINQUENT  
RECOVERED HOMEOWNERS EXEMPTIONS TO REAL PROPERTY**

WHEREAS, Ellen Masterson, Treasurer of Shoshone County, has requested that delinquent Recovered Homeowners Exemptions be certified to the 2019 tax year as follows:

**BOOK 2019-09-52**

**PROCEEDINGS COUNTY COMMISSIONERS**

**SHOSHONE COUNTY, IDAHO**

**BOOK 2019**

<u>NAME #</u>	<u>PARCEL NUMBER</u>	<u>AMOUNT</u>
Phoung H. Tran	RPD00000064580	\$1,042.99
Louis Ochoa	RP48N02E183710 2018 Tax Year	\$1,082.63
Louis Ochoa	RP48N02E183710 2017 Tax Year	\$1,194.21

NOW THEREFORE, BE IT RESOLVED AND ORDERED by the Shoshone County Board of Commissioners that the delinquent Recovered Homeowners Exemptions be certified to the 2019 tax year as presented.

DATED this 18th day of September 2019.

**BOARD OF COUNTY COMMISSIONERS**

s/Mike Fitzgerald  
Mike Fitzgerald, Chairman

s/John Hansen  
John Hansen, Commissioner

ATTEST:

s/Tracy Casady  
Tracy Casady  
Deputy Clerk

s/Jay Huber  
Jay Huber, Commissioner

**RESOLUTION 2019-44**

**A RESOLUTION CERTIFYING DELINQUENT  
DEFERRED TAXES TO REAL PROPERTY**

WHEREAS, Ellen Masterson, Treasurer of Shoshone County, has requested that delinquent Deferred taxes be certified to real property for 2019 as follows:

<u>NAME #</u>	<u>PARCEL NUMBER</u>	<u>AMOUNT</u>
Joel A. Nichols	48N04E210600	\$220.82
John Atchley	49N02E281400	\$13.75
John Atchley	49N02E284200	\$23.26
John Atchley	49N02E284250	\$38.63

**BOOK 2019-09-53**

**PROCEEDINGS COUNTY COMMISSIONERS**

**SHOSHONE COUNTY, IDAHO**

**BOOK 2019**

NOW THEREFORE, BE IT RESOLVED AND ORDERED by the Shoshone County Board of Commissioners that the delinquent Deferred taxes be certified to real property for 2019 as presented.

DATED this 18th day of September 2019.

**BOARD OF COUNTY COMMISSIONERS**

s/Mike Fitzgerald  
Mike Fitzgerald, Chairman

s/John Hansen  
John Hansen, Commissioner

ATTEST:

s/Tracy Casady  
Tracy Casady  
Deputy Clerk

s/Jay Huber  
Jay Huber, Commissioner

The Board met with Skip Robinette and Casey Figueroa of Dave Smith Motors and Shoshone County Assessor Jerry White at 10:00 a.m. regarding vehicle title data entry being removed from the County. Entry of mismatched dates was identified as a problem that the County will correct. Skip and Casey will bring the correction to their management and request returning the title work to the County.

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	\$128,721.90
002	Road	\$101,617.92
006	District Court	\$2,856.43
016	Indigent	\$6,832.20
017	Junior College	\$500.00
018	Park	\$798.89
020	Appraisal	\$199.57



**PROCEEDINGS COUNTY COMMISSIONERS**

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**BOOK 2019**

023	Solid Waste	\$33,920.84
027	Weed	\$235.84
038	Waterways Fund	\$2,901.28
052	Airport	\$14,039.99
055	Fish Hatchery	\$38.66
056	Emergency 911	\$2,073.72
9110	Title III Trust New 2009	\$4,135.66
9186	Motor Vehicle Trust	\$187,118.93
9189	Payroll Draw Trust	\$24,000.00
9219	Drug Court Program	\$338.18
9230	50 Basin Road Funds	\$810,024.58
9231	51 Box-Roads Funds	\$4,826.97
9235	ITD-Express Bus	\$1,988.45
9247	Silver Mountain Legal	\$19,723.12
9248	911 Upgrade	\$741.02
	TOTAL:	\$1,347,634.15

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 09/18/19

s/Mike Fitzgerald  
Commissioner

s/John Hansen  
Commissioner

s/Jay Huber  
Commissioner

**PROCEEDINGS COUNTY COMMISSIONERS**


**SHOSHONE COUNTY, IDAHO**

**BOOK 2019**

The Board attended a Shoshone County EMS Corporation Systems Workshop at 1:00 p.m. to discuss and review operational model. Participants included EMS Board members and staff, Fire District 1 & 2 Chiefs and Dr. Reed. The EMS Board presented financials that indicated the unsustainability of the EMS Corp under its current revenue and expense model. Following discussions included, but were not limited to: operations, manpower, management structures, the County Ambulance Fund and potential creation of an Ambulance District. A future meeting is to be scheduled to continue discussions and exploration of options.

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard  
County Clerk

Approved:   
Chairman

By:   
Deputy Clerk

**PROCEEDINGS COUNTY COMMISSIONERS**

**SHOSHONE COUNTY, IDAHO**

**BOOK 2019**

Thursday, September 19, 2019

The Board met pursuant to recessing Wednesday, September 18, 2019.

Present:

Commissioners: Jay Huber

Mike Fitzgerald

John Hansen

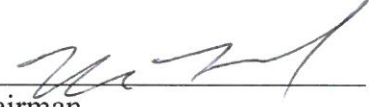
Deputy Clerk:

The following proceedings were had to-wit:

The Board convened at 10:00 a.m. to meet with Shoshone County Planning & Zoning to discuss, review and consider: File: MS-124-19 – Cedric Clark, Approval of a 2-lot Minor Subdivision in the Suburban Residential Zone. Also in attendance was Bill Drake. Monica Miller, Administrative Assistant with Shoshone County Planning & Zoning, provided a summary of the proposed minor subdivision and P&Z's recommendation for approval. No public comment was received. A motion was made Commissioner Fitzgerald to approve the minor subdivision with the conditions of approval as presented, seconded by Commissioner Hansen, and passed unanimously.

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard  
County Clerk

Approved:   
Chairman

By:   
Deputy Clerk

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2019

Friday, September 20, 2019

Not a regular meeting day of the Board of Commissioners

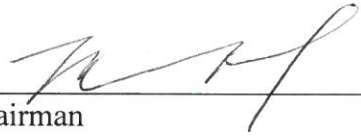
Present:

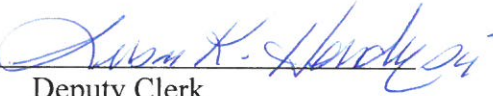
Commissioners:

Deputy Clerk:

The following proceedings were had to-wit:

ATTEST Tamie J. Eberhard  
County Clerk

Approved:   
Chairman

By:   
Deputy Clerk