

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2020

Monday, March 16, 2020

The Board met pursuant to recessing Thursday, March 12, 2020.

Present:

Commissioners: Jay Huber

Mike Fitzgerald

John Hansen

Deputy Clerk: Susan K. Hendrixson

The following proceedings were had to-wit:

The Commissioners convened at 9:30 a.m. to discuss the Idaho Supreme Court response to COVID-19 Emergency and Emergency Declaration of the Governor, State of Idaho. Also in attendance: Emergency Manager Dan Martinsen, Shoshone County Treasurer Ellen Masterson, Shoshone County Assessor Jerry White, Shoshone County Clerk Tamie Eberhard, Shoshone County Sheriff Mike Gunderson, and Shoshone County Prosecuting Attorney Keisha Oxendine. A motion was made by Commissioner Huber, seconded by Commissioner Hansen to go into Executive Session pursuant to Idaho Code §74-206(b) Personnel and (d) Exempt records. The motion per roll call, Commissioner Huber – Aye, Commissioner Fitzgerald – Aye, Commissioner Hansen – Aye. The motion carried unanimously. The meeting adjourned from Executive Session to be continued at a 3:00 p.m. today.

The Board convened at 1:30 p.m. to discuss, review and consider 1. 2020 Tax Exempt Applications pursuant to Idaho Code 63-602, and 2. Allocation of Silver Mountain District Court appeal (2017 values) excess legal expense to budgetary funds of Assessor, Appraisal and/or other budgetary funds available. Also in attendance was Shoshone County Deputy Assessor Connie Holmquist, and Matt Beehner. Following review and discussion, a motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to approve the 2020 tax exempt applications for Sixth Street Melodrama and Shoshone Freemasons Lodge #25 as presented. The motion carried unanimously.

- Sixth Street Melodrama (1 Parcel)
- Shoshone Freemasons Lodge #25 (1 Parcel)

A motion was made by Commissioner Hansen, seconded by Commissioner Fitzgerald to approve the 2020 tax exempt application for Smelterville Lions Club. Commissioner Huber abstained – he has been the President of the Smelterville Lions Club since 1978. The motion carried.

- Smelterville Lions Club (1 Parcel)

Allocation of Silver Mountain District Court appeal (2017 values) excess legal expense to budgetary funds of Assessor, Appraisal and/or other budgetary funds available. A public hearing will be scheduled on this item to prepare a resolution to open the 2019 budget and move money per a JV entry. A motion was made by Commissioner Hansen, seconded by

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2020

Commissioner Huber to schedule a Public Hearing for Tuesday, March 24, 2020 at 10:00 a.m. for this item.

The Commissioners re-convened at 3:00 p.m. to continue discussion on the Idaho Supreme Court response to COVID-19 Emergency and Emergency Declaration of the Governor, State of Idaho. Also in attendance: Emergency Manager Dan Martinsen, Shoshone County Treasurer Ellen Masterson, Shoshone County Assessor Jerry White, Shoshone County Clerk Tamie Eberhard, Shoshone County Sheriff Mike Gunderson, Shoshone County Deputy Prosecuting Attorney, and Shoshone County Prosecuting Attorney Keisha Oxendine. A motion was made by Commissioner Hansen, seconded by Commissioner Huber to go into Executive Session pursuant to Idaho Code §74-206(b) Personnel and (d) Exempt records. The motion per roll call, Commissioner Huber – Aye, Commissioner Fitzgerald – Aye, Commissioner Hansen – Aye. The motion carried unanimously. The meeting adjourned from Executive Session. A motion was made by Commissioner Hansen, seconded by Commissioner Huber to 1) amend this week's agenda to add an emergency meeting to this week's agenda schedule Tuesday through Thursday at 11:00 a.m. regarding the COVID-19; 2) develop county policies for employees and County procedures for the coronavirus (COVID-19). The motion carried unanimously. A motion was made by Commissioner Huber, seconded by Commissioner Fitzgerald to approve Resolution 2020-09, Declaring an Emergency as a Result of Coronavirus (COVID-19), Shoshone County State of Idaho. The motion carried unanimously. A motion was made by Commissioner Huber, seconded by Commissioner Hansen to go back into Executive Session pursuant to ID Code 74-206(b) personnel, specific employees and (d) exempt records. The motion carried unanimously. The meeting adjourned from Executive Session and a motion was made by Commissioner Huber, seconded by Commissioner Hansen that pursuant to COVID-19, adopt an employee telework policy and specific employees addressed and #1, #2 and #3 will be out of the courthouse as follows: employee #1 – March 15 to March 30, 2020, employee #2 – March 12 to March 27, 2020, and employee #3 – March 13 to March 28, 2020. At the discretion of the Board of County Commissioners and on a case-by-case basis, County Employees shall be placed on telework and shall not enter Courthouse, Public Safety Building or other County facilities if they have:

- Visited China, Iran, South Korea, any European countries, or other high-risk countries identified by the CDC in the previous 14 days;
- Resided with or been in close contact with someone who has been identified in any of those countries within the previous 14 days;
- Traveled domestically within the United States where COVID-19 has sustained widespread community transmission;
- Been asked to self-quarantine by any doctor, hospital or health agency;
- Been diagnosed with or have had contact with anyone who has been diagnosed with COVID-19; or
- A fever, cough or shortness of breath.

Telework shall be for a duration of 15 days commencing on the day that triggering the telework. Telework shall be compensated at regular pay. Compensatory time or overtime shall not be

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2020

allowed during telework. This policy shall remain in effect until April 10, 2020, unless extended by the BOCC. The motion carried unanimously.

RESOLUTION 2020-09

**A RESOLUTION DECLARING AN EMERGENCY
AS A RESULT OF CORONAVIRUS (COVID-19),
SHOSHONE COUNTY, STATE OF IDAHO**

WHEREAS, COVID-19, is a respiratory disease caused by the SARS-CoV-2 virus, which is a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person, which can result in serious illness or death thereby threatening widespread and/or severe damage to life or property thereby creating an "emergency" as defined by Idaho Code§ 46-1002; and

WHEREAS, the CDC identifies the potential public health threat posed by COVID-19 both globally and in the United State as "high", and has advised that person-to-person spread of COVID-19 will continue to occur globally, including within the United States; and

WHEREAS, on January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the outbreak a "public health emergency of international concern"; and

WHEREAS, on January 31, 2020, Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19; and

WHEREAS, on March 11, 2020, The World Health Organization (WHO) made the assessment that COVID-19 can be characterized as a pandemic; and

WHEREAS, on March 13, 2020, the President of the United States issued an emergency declaration for the country in response to the increasing number of COVID-19 cases within the U.S.; and

WHEREAS, on March 13, 2020, Governor Brad Little entered a Proclamation and declared a State of Emergency in response to the novel coronavirus (COVID-19) emergency in the State of Idaho; and

WHEREAS, on March 13, 2020, the Idaho Department of Health and Welfare and the Idaho Health District issued recommendations for mass gatherings and public events in order to contain and slow the spread of COVID-19; and

BOOK 2020-03-20

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2020

WHEREAS, the Idaho Supreme Court of the State of Idaho issued an Order on March 13, 2020 to protect the health and safety of court employees, elected officials, and the public, and under Article V, Section 2 of the Constitution and the inherent powers of the Supreme Court, to issue guidelines to be implemented from Monday, March 16, 2020 to Friday, April 10, 2020; and

WHEREAS, a local disaster emergency may be declared by the Board of County Commissioners within a political subdivision, pursuant to Idaho Code § 46-1011 and other relevant sections of Idaho Code; and

WHEREAS, in accordance with Idaho Code, the effect of such declaration is to activate the recovery aspects of any and all applicable local or intergovernmental disaster emergency plans and to authorize the furnishing of aid and assistance thereunder; and

WHEREAS, the County may pass all ordinances and make all regulations necessary to preserve the public health; prevent the introduction of contagious diseases into the County; make quarantine laws for that purpose and enforce the same within the County pursuant to Idaho Code §50-304; and

WHEREAS, the imminent threat of public health emergency is expected to effect Shoshone County's ability to protect, maintain, and deliver critical services to its citizens despite the best efforts of the County, Panhandle Health District 1, the municipalities within the County, and the Special Districts serving the citizens of Shoshone County; and

WHEREAS, Shoshone County desires to take action in order to be proactive and help reduce the spread of this virus and encourages our community members and community businesses to do their part to prevent and limit the spreading of this virus;

NOW, THEREFORE BE IT RESOLVED THAT, the Shoshone Board of County Commissioners, do hereby proclaim and declare a local disaster emergency in the County of Shoshone, Idaho. All County departments are directed to utilize County resources as follows:

1. A disaster emergency is imminent within Shoshone County, resulting from the occurrence and imminent threat to public health and safety arising from the effects of COVID-19.
2. Such disaster may require state assistance to supplement local efforts to provide for public safety and the protection of property and to avert and lessen the threat and impact of the disaster.

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2020

3. The Shoshone County Board of Commissioners requests that the Governor of the State of Idaho, together with other appropriate state officials, make such declarations, and provide assistance within Shoshone County as is required and allowed by law.
4. To take immediate action and other reasonably necessary steps to prevent and limit the spreading of COVID-19, including, but not limited to activation of the County's Disaster Management Plan and Emergency Operations Center.
5. The County recommends the Public follow the same recommendations of the Idaho Department of Health and Welfare and that of the Public Health District by postponing or cancelling mass gatherings and public events that meet the criteria noted above.

AND THEREFORE, BE IT FURTHER RESOLVED, this Resolution shall remain in effect for a period of seven (7) days, unless extended pursuant to authorization of the Shoshone County Board of Commissioners in accordance with Idaho Code § 46-1011(1).

Adopted unanimously, in open session this 16th day of March 2020.

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

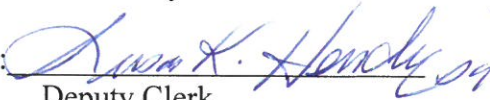
SHOSHONE COUNTY, IDAHO

BOOK 2020

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2020

Tuesday, March 17, 2019

The Board met pursuant to recessing Monday, March 16, 2020.

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. as a Board of Canvassers to canvass the votes of the Primary Election held Tuesday, March 10, 2020 pursuant to Idaho Code §34-1205. A motion was made by Commissioner Fitzgerald, seconded by Commissioner Hansen to approve the Election Abstracts for the Joint School District #391 Supplemental Levy, Joint School District #393 Supplemental Levy, and the Presidential Primary, consolidated election prepared and presented by the Shoshone County Clerk. The motion carried unanimously.

The BOCC met with Dan Martinsen, Shoshone County Planning & Zoning Administrator at 10:00 a.m. to discuss and for a decision on:

- File: MS-135-19

Applicant: Michelle Russell-Johnson

Parcel: 48N02E-20-3200/3210

Location: 3656 Pinecreek Rd. Pinehurst

Requesting: Approval of Major Subdivision allowing the creation of four (4) lots in the Natural Resource Zone

Also in attendance: Planning & Zoning Administrative Assistant Monica Miller, Michelle Russell-Johnson, Bill Drake, and Matt Beehner. Dan Martinsen reviewed the following: Course of Proceedings; Findings of Fact, Applicable Legal Standards, Staff Analysis, Recommendation, and Conditions of Approval. Commissioner Fitzgerald reviewed the Draft Conclusions of Law stating the proposal does conform with the goals and objectives contained in the Comprehensive Plan; the proposal does conform to the standards contained in Title 10 Subdivision Regulations of Shoshone County; the proposal is consistent with the purpose and intent of the existing zoning classification; surrounding use is compatible with the existing uses in the area, and the proposed use is not detrimental to public health, safety or well-being. No public comment was presented. 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, the Shoshone County Board of Commissioners order this application for a Major Subdivision, Case No. MS-135-19 Pinecreek Place, an application by Michelle Russell-Johnson be approved with proposed conditions. Roll call vote: Commissioner Huber – Aye, Commissioner Fitzgerald – Aye, Commissioner Hansen – Aye. The motion carried unanimously.

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2020

The Commissioners convened at 11:00 a.m. in the 3rd floor District Court room to discuss the Idaho Supreme Court response to COVID-19 Emergency and Emergency Declaration of the Governor, State of Idaho. Also in attendance: Emergency Manager Dan Martinsen, Shoshone

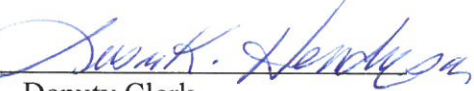
County Treasurer Ellen Masterson, Shoshone County Assessor Jerry White, Shoshone County Clerk Tamie Eberhard, Shoshone County Sheriff Mike Gunderson, and Shoshone County Prosecuting Attorney Keisha Oxendine. A motion was made by Commissioner Fitzgerald, seconded by Commissioner Hansen to go into Executive Session pursuant to Idaho Code §74-206(b) Personnel and (d) Exempt records. The motion per roll call, Commissioner Huber – Aye, Commissioner Fitzgerald – Aye, Commissioner Hansen – Aye. The motion carried unanimously. The meeting adjourned from Executive Session with no decision to be made in open session.

The Commissioners participated in an Idaho Association of Counties Legislative Conference call at 3:00 p.m.

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2020

Wednesday, March 18, 2020

The Board met pursuant to recessing Tuesday, March 17, 2020.

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 Shoshone County Assessor Jerry White, and Matt Beehner. The consent agenda was reviewed for consideration as follows:

PUBLIC COMMENT: No public comment was presented.

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

OLD BUSINESS:

1. Consideration and Decision of the Minutes of the Commissioners' Public Agenda Session dated Monday, March 2 to Friday, March 13, 2020.

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.
 - Shoshone County Pre-Pays
 - To consider waiving penalty and interest on recaptured Homeowners Exemption, Parcel #RPO1650001012A, 102 Placer Creek for 2014 – 2019. Jerry White stated that this parcel is owned by Curtis Gunderson, the Sheriff's brother, and his primary residence is Alaska. Curtis Gunderson was not aware he was receiving a homeowner's exemption in Idaho since 2014, and is willing to pay the taxes that are due. The applicant is asking the Commissioners to consider waiving the penalties and interest in the amount of \$2,841.24. Following review and discussion, a motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to waive the penalties and interest as requested. The motion carried unanimously.

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2020

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.

2. Executive Session: Indigent Cases: Consideration and Decision. Executive Session ID Code 74-206(d). A motion was made by Commissioner Fitzgerald, seconded by Commissioner Hansen to go into Executive Session per Idaho Code 74-206(d). Roll call vote: Commissioner Huber – Aye, Commissioner Fitzgerald – Aye and Commissioner Hansen – Aye. The motion carried unanimously. The Board adjourned from Executive Session and a motion was made by Commissioner Hansen, seconded by Commissioner Huber to deny indigent cases #2020-26, and 2020-11. The motion carried unanimously.

The Commissioners convened at 11:00 a.m. in the 3rd floor District Court room to discuss the Idaho Supreme Court response to COVID-19 Emergency and Emergency Declaration of the Governor, State of Idaho. Also in attendance: Emergency Manager Dan Martinsen, Shoshone County Treasurer Ellen Masterson, Shoshone County Assessor Jerry White, Shoshone County Clerk Tamie Eberhard, Shoshone County Sheriff Mike Gunderson, and Shoshone County Prosecuting Attorney Keisha Oxendine. A motion was made by Commissioner Fitzgerald, seconded by Commissioner Hansen to go into Executive Session pursuant to Idaho Code §74-206(b) Personnel and (d) Exempt records. The motion per roll call, Commissioner Huber – Aye, Commissioner Fitzgerald – Aye, Commissioner Hansen – Aye. The motion carried unanimously. The meeting adjourned from Executive Session and a motion was made by Commissioner Huber, seconded by Commissioner Hansen to amend a couple of telework policies that were approved on Monday, March 18, 2020 as follows: replace – “At the discretion of the Board of County Commissioners and on a case-by-case basis,” with “on a case-by-case basis, the Elected Official shall notify the BOCC of that employee’s telework status and provide the same notification to the County Clerk for payroll purposes. The motion carried unanimously.

Sheriff Mike Gunderson, Shoshone County, State of Idaho, appointed Anton Ferraro, Patrol Deputy, in and for Shoshone County effective March 16, 2020.

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:

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2020

CHECKS

001	Current Expense	\$47,176.32
002	Road	\$17,627.66
006	District Court	\$1,274.81
016	Indigent	\$14,144.27
018	Park	\$57.00
020	Appraisal	\$700.19
023	Solid Waste	\$20,660.79
027	Weed	\$54.95
037	Snowmobile	\$6,941.22
052	Airport	\$1,029.82
055	Fish Hatchery	\$180.43
056	Emergency 911	\$1,455.73
9110	Title III Trust – New 2009	\$6,600.00
9219	Drug Court Program	\$390.00
9235	ITD Express Bus	\$1,763.19
9242	ID Fire Mit – 17SFA	\$9,750.00
9247	Silver Mountain Legal	\$12,577.50
	TOTAL:	\$142,383.88

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 03/18/2020

BOOK 2020-03-28

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2020


s/Mike Fitzgerald
Commissioner

s/John Hansen
Commissioner

s/Jay Huber
Commissioner

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2020

Thursday, March 19, 2020

The Board met pursuant to recessing Wednesday, March 18, 2020.

Present:

Commissioners: Jay Huber

Mike Fitzgerald

John Hansen

Deputy Clerk:

The following proceedings were had to-wit:

The Commissioners convened at 11:03 a.m. in the 3rd floor District Court room to discuss the Idaho Supreme Court response to COVID-19 Emergency and Emergency Declaration of the Governor, State of Idaho. Also in attendance: Emergency Manager Dan Martinsen, Shoshone County Treasurer Ellen Masterson, Shoshone County Assessor Jerry White, Shoshone County Clerk Tamie Eberhard, Shoshone County Sheriff Mike Gunderson, and Shoshone County Prosecuting Attorney Keisha Oxendine. No public were present. A general update was shared. No actions were taken. Meeting concluded at 11:16 a.m.

Ellen Masterson, Shoshone County Treasurer, Ex-Officio Tax Collector and Public Administrator in and for Shoshone County, Idaho, appointed Chris Davis as Chief Deputy Treasurer, Ex-Officio Tax Collector and Public Administrator in and for Shoshone County, Idaho effective March 19, 2020.

Jerry White, Shoshone County Assessor, revoked the appointment of Sue Chastain as a Motor Vehicle Clerk, Assessor Department, effective March 19, 2020.

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2020

Friday, March 20, 2020

The Board met pursuant to recessing Thursday, March 19, 2020.

Present:

Commissioners: Jay Huber
Mike Fitzgerald
John Hansen


Deputy Clerk:

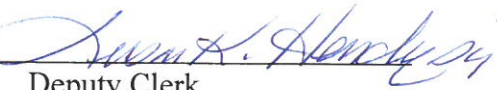
The following proceedings were had to-wit:

The Commissioners convened at 9:50 a.m. in the 3rd floor District Court room to discuss the Idaho Supreme Court response to COVID-19 Emergency and Emergency Declaration of the Governor, State of Idaho. Also in attendance: District Judge Wayman, Shoshone County Clerk Tamie Eberhard, and Public Works Director Jim Cason. A motion was made by Commissioner Huber, seconded by Commissioner Hansen to go into Executive Session pursuant to Idaho Code §74-206(b) Personnel and (d) Exempt records. The motion per roll call, Commissioner Huber – Aye, Commissioner Fitzgerald – Aye, Commissioner Hansen – Aye. The motion carried unanimously. The meeting adjourned from Executive Session at 09:54 a.m. and a motion was made by Commissioner Fitzgerald, seconded by Commissioner Hansen to recognize that there are seven additional Shoshone County employees that will be allowed to stay at home on Administrative Leave to care for themselves or family members and they will receive pay. The motion carried unanimously. The meeting concluded at 9:58 a.m.

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk