

**PROCEEDINGS COUNTY COMMISSIONERS**

**SHOSHONE COUNTY, IDAHO**

**BOOK 2020**

Monday, March 23, 2020

The Board met pursuant to recessing Thursday, March 19, 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. for an Extension of Declaration of Emergency as a Result of Coronavirus (COVID-19) pursuant to Idaho Code §46-1002. A motion was made by Commissioner Hansen, seconded by Commissioner Huber to approve the extension of the Declaration of Emergency with Resolution 2020-10. The motion carried unanimously.

**RESOLUTION 2020-10**

**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

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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

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, the imminent threat of public health emergency is expected to affect Shoshone County's ability to protect, maintain, and deliver critical services to its citizens despite the best efforts of the County, Panhandle Health District No. 1, the municipalities within the County, and the Special Districts serving the citizens of Shoshone County;

WHEREAS, an emergency as defined by Idaho Code, Section 46-1002, is in existence in Shoshone County, which local county and private resources will be taxed to control, and State and Federal Assistance may be required, pursuant to Title 46, Chapter 10, Idaho Code, and other laws pertaining to disaster, emergencies, and assistance; 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;

WHEREAS, Section 46-1011, Idaho Code, authorizes Shoshone County, State of Idaho, to declare a local disaster emergency to authorize the furnishing of aid an assistance and to activate response and recovery aspects of any applicable local or intergovernmental disaster emergency plan; and

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WHEREAS, the Shoshone County Board of County Commissioners concur in the initial declaration of an emergency by the Board and/or Chairman;

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.
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 until such time that the Governor of the State of Idaho declares and proclaims the end to such emergency, or upon further resolution of the Board of County of Commissioners.

Adopted unanimously, in open session this 23rd day of March 2020.

BOARD OF COUNTY COMMISSIONERS

s/Mike Fitzgerald  
Mike Fitzgerald, Chairman

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2020

s/John Hansen  
John Hansen, Commissioner

s/Jay Huber  
Jay Huber, Commissioner

ATTEST:

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


The Commissioners convened at 11:00 a.m. in the 3<sup>rd</sup> 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 Chief Deputy Treasurer Chris Davis, Shoshone County Assessor Jerry White, Shoshone County Clerk Tamie Eberhard, Shoshone County Sheriff Mike Gunderson, and Shoshone County Prosecuting Attorney Keisha Oxendine. Item discussed included the following:

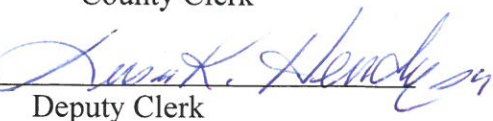
- The Shoshone County employee health fair scheduled for April 18<sup>th</sup> will be rescheduled;
- Sheriff's Department will do CDL driver's license testing by appointment only;
- Discussion took place, and a motion was made by Commissioner Hansen, seconded by Commissioner Huber to initiate the Emergency Operation Center (EOC) for Shoshone County. The motion carried unanimously. Sheriff Mike Gunderson and Emergency Manager Dan Martinsen will take care of this process.

A motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to go into Executive Session pursuant to Idaho Code §74-206(b) Personnel and (d) Exempt records. The motion carried unanimously. The meeting adjourned from Executive Session and a motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to approve less than twenty (20) hours of work per week to retain County benefits for the subject employee in the Sheriff's Department at this time. The motion carried unanimously. The meeting concluded at 11:59 a.m.

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 24, 2020

The Board met pursuant to recessing Monday, March 23, 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 10:00 a.m. for a Public Hearing for the purpose of considering and affixing a revised 2018/2019 budget from Appraisal Fund 20-0-482-0 to Silver Mountain Legal Fund 9247-0-334-15 in the amount of \$46,643.71. Also in attendance was Shoshone County Clerk Tamie Eberhard. Following review and discussion, a motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to approve Resolution 2020-08 Affixing a Revised 2018/2019 Budget. The motion carried unanimously. Additional funds will be requested for the Silver Mountain Legal Fund.

**RESOLUTION 2020-08**

**A RESOLUTION AFFIXING A REVISED 2018/2019 BUDGET**

WHEREAS, a public hearing was held on Tuesday, March 24, 2020 at 10:00 a.m. for the purpose of taking public testimony on the funds and for the purpose of considering and affixing a revised 2018/2019 budget; and

WHEREAS, the notice of public hearing was advertised Tuesday, March 17, 2020.

NOW THEREFORE, BE IT RESOLVED by the Board of Shoshone County Commissioners that the 2018/2019 fiscal year budget be revised as follows:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
2019 Appraisal Fund 20-0-482-0	Silver Mountain Legal Fund 9247-0-334-15	\$46,643.71

DATED this 24th day of March 2020.

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**BOOK 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

The Commissioners convened at 11:00 a.m. in the 3<sup>rd</sup> 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 Deputy Treasurer Chris Davis, Shoshone County Assessor Jerry White, Shoshone County Clerk Tamie Eberhard, Shoshone County Sheriff Mike Gunderson, and District Court Judge Wayman. Items discussed included the following:

- There was a new Court Order to extend the previous Court Order with a few more details on court procedures. A conference call bridge will be set up specifically for the courts and the cost is \$180 per year.
- School Districts are closed until April 20<sup>th</sup>.
- The Emergency Operation Center has been established and they will be meeting daily at Fire District #1 at 2:00 p.m.
- Silver Express may be initiating on demand door-to-door service. Over the hill service to Coeur d'Alene has been canceled at this time.

A motion was made by Commissioner Fitzgerald, 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 with no decision to be made in open session. The meeting concluded at 11:51 a.m.

Thereafter, the meeting adjourned.



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ATTEST Tamie J. Eberhard  
County Clerk

Approved:   
Chairman

By:   
Deputy Clerk

**PROCEEDINGS COUNTY COMMISSIONERS**

**SHOSHONE COUNTY, IDAHO**

**BOOK 2020**

Wednesday, March 25, 2020

The Board met pursuant to recessing Tuesday, March 24, 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. 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.

**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
  - 2020 VEBA (Voluntary Employee Beneficiary Assoc.) Disbursement Discussion/Decision – approved for annual distribution.

A motion was made by Commissioner Fitzgerald, 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: There were no Indigent Cases presented before the Board.

The Board met with Dan Martinsen and Monica Miller, Shoshone County Planning & Zoning at 9:50 a.m. to discuss, review and a decision on Shoshone County's participation in the Shoshone-Benewah Forest Health Collaborative. Items discussed included the following:

- Retain Shoshone County's active status in the collaborative;
- Minimize in-person meetings to less than three per year through prioritization of project need(s) and combing with USFS quarterly Commissioner update meetings;
- Pass group administration duties on to other collaborative participants.
- Decision is due to pressures and restrictions on staffing and budget.



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A motion was made by Commissioner Fitzgerald, seconded by Commissioner Hansen for the County to remain in the Collaborative, discontinue the County administrative component, and scale back the number of meetings. The motion carried unanimously.

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

- File: Z-056-20

Applicant: Pentaco, LLC

Parcel: 49N02E-35-5610

Location: 167 E. Commerce Dr., Smelterville

Requesting: Approval of a Zone Change from Natural Resource to General Commercial

Also in attendance: Planning & Zoning Administrative Assistant Monica Miller, Jamie Beggerly, and Chris Pfahl. 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 Fitzgerald, seconded by Commissioner Huber 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 Zone Change, Case No. Z-056-20, an application by Pentaco, LLC be approved with proposed conditions. The motion carried unanimously.

- File: MS-138-20

Applicant: Pentaco, LLC

Parcel: 49N02E-35-5610

Location: 167 E. Commerce Dr., Smelterville

Requesting: Approval of a Major Subdivision consisting of five (5) lots.

Also in attendance: Planning & Zoning Administrative Assistant Monica Miller, Jamie Beggerly, and Chris Pfahl. 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-

**PROCEEDINGS COUNTY COMMISSIONERS**

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138-20, an application by Pentaco, LLC be approved with proposed conditions. The motion carried unanimously.

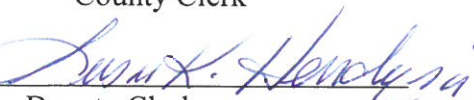
The Commissioners convened at 11:00 a.m. in the 3<sup>rd</sup> floor District Court room to discuss the Idaho Supreme Court response to COVID-19 Emergency and Emergency Declaration of the Governor, State of Idaho. Also in attendance: Emergency Manager Dan Martinsen, Shoshone County Deputy Treasurer Chris Davis, Shoshone County Assessor Jerry White, Shoshone County Clerk Tamie Eberhard, Shoshone County Sheriff Mike Gunderson, Shoshone County Prosecuting Attorney Keisha Oxendine, and Judge Wayman. 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 convened at 1:30 p.m. in the 3<sup>rd</sup> floor District Court room for an emergency meeting to discuss Idaho Governor Little's statewide stay-home order extreme emergency declaration. A motion was made by Commissioner Hansen, seconded by Commissioner Huber to amend the agenda pursuant to Idaho Code 74-204(4)(c) due to an emergency. The motion carried unanimously. Also in attendance: Emergency Manager Dan Martinsen, Shoshone County Deputy Treasurer Chris Davis, Shoshone County Assessor Jerry White, Shoshone County Clerk Tamie Eberhard, Shoshone County Sheriff Mike Gunderson, Shoshone County Prosecuting Attorney Keisha Oxendine, Shoshone County Deputy Prosecuting Attorney Ben Allen, Judge Wayman, and Judge Duggan. A motion was made by Commissioner Fitzgerald, 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 and a motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to implement a Shoshone County Courthouse plan with restricted staffing and implement the Governor's statewide stay-home order extreme emergency declaration effective immediately. The motion carried unanimously.

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 26, 2020

The Board met pursuant to recessing Wednesday, March 25, 2020.

Present:

Commissioners: Jay Huber

Mike Fitzgerald

John Hansen

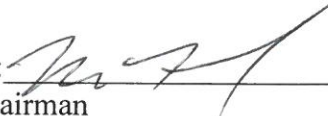
Deputy Clerk: Susan K. Hendrixson

The following proceedings were had to-wit:

The Commissioners convened at 11:00 a.m. in the 3<sup>rd</sup> 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 Deputy Treasurer Chris Davis, Shoshone County Assessor Jerry White, Shoshone County Clerk Tamie Eberhard, Shoshone County Sheriff Mike Gunderson, Shoshone County Prosecuting Attorney Keisha Oxendine, Judge Wayman, and Maintenance Director Keith Chambers. Brief department updates on restricted staffing procedures that are being implemented.

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard  
County Clerk

Approved:   
Chairman

By:   
Deputy Clerk



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**BOOK 2020**

Friday, March 27, 2020

Not a regular meeting day of the Board of Commissioners.

Present:

Commissioners: Jay Huber

Mike Fitzgerald

John Hansen

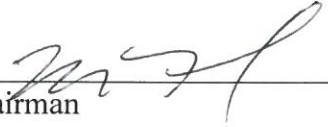
Deputy Clerk:

The following proceedings were had to-wit:

The Commissioners convened at 11:00 a.m. in the 3<sup>rd</sup> 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's Office Chris Davis, Shoshone County Assessor Jerry White, Shoshone County Clerk Tamie Eberhard, Shoshone County Sheriff Mike Gunderson, and Shoshone County District Judge Wayman. A motion was made by Commissioner Fitzgerald, 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 at 11:50 with no decision to be made in open session.

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard  
County Clerk

Approved:   
Chairman

By:   
Deputy Clerk