

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2020

Monday, June 1, 2020

The Board met pursuant to recessing Thursday, May 28, 2020.

Present:

Commissioners: Jay Huber

Mike Fitzgerald

John Hansen

Deputy Clerk: Susan K. Hendrixson

The following proceedings were had to-wit:

The Commissioners met with Ben Davis with Alta Engineering at 10:00 a.m. to discuss and review Restoration Partnership and Landfill Permitting Projects. Also in attendance was Matt Beehner. Restoration Partnership Project discussion included the following:

- Funding for the Restoration Partnership/Trapper Creek Project won't be received for a month or two – it is taking a while to get project funding;
- This will work well for the Public Works Department project timeline;
- Ben will work out the details with the BLM and keep BOCC update;
- The project is a bridge replacement at Trapper Creek;
- The match for the County is equipment and labor.

Landfill Permitting Project discussion included the following:

- Ben passed out a Non-Municipal Solid Waste Landfill (NMSWL) Site map at Big Creek for review;
- Need to know where the burn pile/lay down area will be located;
- This will be an annex site to the Transfer Station;
- Commissioner Fitzgerald asked Ben to schedule a meeting next week with one (1) Commissioner and the Transfer Station Director to conduct a project site visit.

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 Deputy Treasurer Karey Eddy, Shoshone County Assessor Jerry White, Shoshone County Clerk Tamie Eberhard, Shoshone County Sheriff Mike Gunderson, and Matt Beehner. Items discussed included a general letter from Governor Little thanking elected officials during this COVID-19 process. Dan Martinsen & Tamie Eberhard are waiting to determine when to apply for PPE COVID-19 reimbursement. The process should be quick and easy.

The Commissioners met with Jon Groth and Robin Hei with the Kingston/Cataldo Sewer District for a Sewer District update. Also in attendance was Dan Martinsen with Shoshone County Planning & Zoning. Items discussed included the following:

- They currently have an agreement with the South Fork Sewer District;
- Working on a rate structure and coming to terms;

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- There are three options for the Kingston/Cataldo Sewer District to consider: 1) consolidate with South Fork Sewer District; 2) stay with South Fork Sewer District under contract with new rates; and 3) go out on their own;
- They have thirty-one (31) pump stations.
- South Fork Sewer District is opposed to taking over maintenance of their pump stations;
- If they continue with South Fork Sewer District with their new rates, it would be an increase of approximately \$18,000 per year and they can't afford the increase;
- If they unhook from South Fork Sewer District and go on their own, they would need at least thirty (30) acres;
- Kingston/Cataldo Sewer District Board has hired Welch Comer for analysis;
- They may request support from the Commissioners in the future.

The Board convened at 2:15 p.m. as a Board of Equalization for an appeal hearing on the following:

RPD0175002001A Michael & Annie Russell Homeowner's Exemption

The amount of the tax due for 2013, 2014, 2015, 2016, 2017, 2018, and 2019 is: \$4,718.25.

Those in attendance: Commission Chairman Mike Fitzgerald, Commissioner John Hansen, Commissioner Jay Huber, Deputy Clerk Susan Hendrixson, Shoshone County Assessor Jerry White, Shoshone County Prosecuting Attorney Keisha Oxendine, and Michael Russell. Jerry White and Michael Russell were sworn into present testimony. The hearing was turned over to Michael Russell who stated that the document he presented today as Exhibit #1 is his position on the situation with the homeowner's exemption on 26 Railroad Ave in Kellogg. His conclusion and requests are: 1) they can't afford the time or expense to defend the right to receive two (2) homeowner's exemptions; 2) they will accept the penalty as calculated and retain 26 Railroad as a residential property without a homeowner's exemption; 3) voter registration for H.M. Russell will be changed back to Kootenai County; 4) Shoshone County will use 26 Railroad Ave. as the subject's mailing address; 5) a revised letter accurately representing the homeowner's exemption value will be provided to the owners; 6) the Prosecutor's office will be instructed to table the suggested lien allowing the owners time to seek resolution of the back taxes; and 7) Kootenai County Assessor's office will be instructed that a claim of a homeowner's exemption in Shoshone County has been resolved. Mr. Russell is requesting that the lien on the property be removed. He would like more time to meet with his mortgage company before a lien is placed on the property, and does not want the lien to affect his credit. The hearing was turned over to Shoshone County Assessor Jerry White stated that their office will put 26 Railroad Ave in Kellogg as residential, change their mailing address, notify Kootenai County, and send out a new assessment notice. Jerry passed out a rate structure calculation entered as Exhibit #A, and stated that the lien protects Shoshone County. Keisha Oxendine also stated that the lien procedure applies equally

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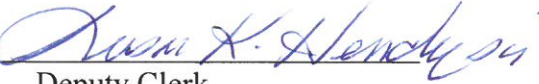
to all homeowners. Following review and discussion, a motion was made by Commissioner Fitzgerald, seconded by Commissioner Hansen that the appeal of the denial and

recoup is denied on parcel #RPD0175002001A and the lien will remain in place until the tax amount due of \$4,718.25 is paid. Roll call vote: Commissioner Huber – aye, Commissioner Fitzgerald – aye, Commissioner Hansen – aye. The motion carried unanimously.

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

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Tuesday, June 2, 2020

The Board met pursuant to recessing Monday, June 1, 2020.

Present:

Commissioners: Jay Huber
Mike Fitzgerald
John Hansen
Deputy Clerk: Susan K. Hendrixson

The following proceedings were had to-wit:

Commissioners Fitzgerald and Hansen met with Bill McLeod, Shoshone County Fire Mitigation Director at 10:00 a.m. to discuss, review and a decision on the 19HFR1 Western Fire Managers Grant in the amount of \$95,000. Also in attendance was Shoshone County Clerk Tamie Eberhard. Bill reviewed the 19HFR1 MOU for the West Terror Project. Idaho Department of Lands is interested in awarding Shoshone County a grant not to exceed \$95,000 and the funds are to assist in the completion of wildfire hazard fuels reduction in Shoshone County. A motion was made by Commissioner Fitzgerald, seconded by Commissioner Hansen to approve the 19HFR1 MOU grant application as presented. The motion carried.

The Board met with Dan Martinsen, Shoshone County Planning & Zoning and Chris Bischoff at 11:00 a.m. to discuss review and consider an update and implementation of the Shoshone County Comprehensive Plan. Also in attendance Planning & Zoning Administrative Assistant Monica Miller and several members of the public. Chris Bischoff and Courtney Frey discussed and presented the following:

- Asking the County to amend its Comprehensive Plan to include goals and policies that encourage hillside preservation and protection;
- County adopt a Mountain Overlay zone to give the County more control to protect and enhance scenic values;
- Blaine County and the City of Ketchum adopted mountain protection ordinances that work in tandem with each other and have successfully minimized impacts to scenic values;
- Amending the Comp Plan is a prerequisite for the County adopting protective zoning such as a Mountain Overlay District;
- Overlay Districts do not ban all development;
- Citizens are concerned about unfettered, piecemeal development on the hillside.

Dan Martinsen discussed information including the following:

- The Planning & Zoning Commission is currently working on updating the Zoning Code for clarification in certain sections;
- The Planning & Zoning Commission has been working on the Zoning Code update for approximate one (1) year and are eighty percent (80%) complete;
- Area of City Impact agreements have been in place for some time;

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- The County has an old Comprehensive Plan that does need updated, and will be worked on following the Zoning Code update;
- There are very few Overlay Districts in the County;
- The process that is being presented before the Commissioners needs to go through the Shoshone County Planning & Zoning Commission – it is designed for this type of process;
- This process will include a Public Hearing with a recommendation presented to the Shoshone County Board of Commissioners;
- To begin the process with the Shoshone County Planning & Zoning Commission, a letter of proposal from the Applicant is presented to the Planning & Zoning Commission.

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	\$43,673.46
002	Road	\$5,148.38
004	Ambulance/EMS	\$1,500.00
006	District Court	\$3,531.35
010	Self Insurance Fund	\$4,716.03
016	Indigent	\$437.90
018	Park	\$159.05
020	Appraisal	\$28.19
023	Solid Waste	\$7,444.16
027	Weed	\$207.95
037	Snowmobile	\$539.20
038	Waterways	\$176.00
052	Airport	\$160.74
056	Emergency 911	\$7,645.86
8911	Drug Task Fund	\$2,646.00
9101	Auditor's Trust	\$2,977.95

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9109	Title III Trust – 2008 & Prior	\$2,400.00
9110	Title III Trust – New 2009	\$275.00
9186	Motor Vehicle Trust	\$14.00
9219	Drug Court Program	\$810.00
9230	50 Basin-Road Funds	\$23,545.60
9242	ID Fire Mit – 17SFA	\$4,500.00
	TOTAL:	\$112,536.82

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 06/02/2020


s/Mike Fitzgerald
Commissioner

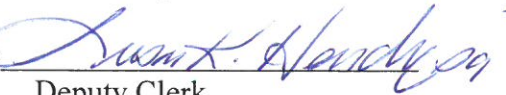
s/John Hansen
Commissioner

s/Jay Huber
Commissioner

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

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BOOK 2020

Wednesday, June 3, 2020

The Board met pursuant to recessing Tuesday, June 2, 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 Matt Beehner. The consent agenda was reviewed for consideration as follows:

PUBLIC COMMENT: Matt Beehner stated that he received his assessment notice for Brookside Development, and he has does not have access to this property. Mr. Beehner cited that the County previously stated that the fence would be moved and it has not been completed.

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, May 25 to Friday, May 29, 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
 - Shoshone County Pre-Pays

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

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 Huber to go into Executive Session per Idaho Code 74-206(d). Roll call vote: Commissioner Huber – Aye, Commissioner Fitzgerald – Aye, Commissioner Hansen – Aye. The motion carried unanimously. The Board adjourned from Executive Session and a

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motion was made by Commissioner Huber, seconded by Commissioner Hansen to deny Indigent Case #2020-34. The motion carried unanimously.

The Commissioners met with Jim Cason, Shoshone County Public Works Director and Grant Brackebusch at 10:00 a.m. to discuss, review and consider the haul tonnage on Highwater Road. Also in attendance was Shoshone County Public Works Supervisor Shane Scuichetti, and Herb Zanetti. Items discussed included the following:


- Highwater Road that goes to New Jersey Mining, is not designed as a haul road;
- The trucks and tonnage along with the weather have damaged this road;
- The Highwater Bridge is also not holding up that well, and is being assessed every year by ITD;
- What can be done to maintain this road and cost share with Brackebusch and Zanetti as the main users;
- Paving this road is costly for maintenance – gravel is easier maintenance over a period of time;
- Would abandonment of this road be an option;
- Costs to repair this road will be compiled along with checking into the option of abandonment will be reviewed and another meeting will be scheduled.

The Commissioners met with Dan Martinsen, Shoshone County Planning & Zoning Administrator, and Billy Johns at 11:00 a.m. to discuss, review and consider a Lease Agreement with Tam's Toilets and Shoshone County for Shoshone County property located in Smelterville at Commerce Park. Items discussed included the following:

- Reviewed the draft Lease Agreement prepared by the Prosecuting Attorney;
- Mr. Johns is interested in the purchase of the property in the future;
- The lease of the property would be as-is and used for storage;
- This property has been partially remediated – ICP/PHD monitors;
- The County will be working on the frontage road;
- The term of the agreement, assignability, and lease option will be reviewed with legal and another meeting will be scheduled.

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

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Thursday, June 4, 2020


Present:


Commissioners: Jay Huber

Deputy Clerk:

The following proceedings were had to-wit:

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

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Friday, June 5, 2020

Not a regular meeting day of the Board of Commissioners.


Present:

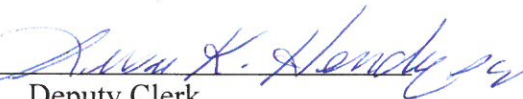
Commissioners:

Deputy Clerk:

The following proceedings were had to-wit:

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk