

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2021

Monday, January 18, 2021

The Board met pursuant to recessing Friday, January 15, 2021.

Present:

Commissioners:

Deputy Clerk:

The following proceedings were had to-wit:

Courthouse was closed for the Martin Luther King Holiday.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 

Chairman

By: Lani J. Teeters
Deputy Clerk

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2021

Tuesday January 19, 2021

The Board met pursuant to recessing Monday January 18, 2021.

Present:

Commissioners:

Mike Fitzgerald

John Hansen

Deputy Clerk: Lori Teeters

The following proceedings were had to-wit:

The Board convened at 10 a.m. to discuss, review and consider participating as a project partner with the Kootenai-Shoshone Soil and Water Conservation District for improvement projects through the State of Idaho 319 Water Quality Project Grant. Also in attendance via conference call was Vice Chairman of the Kootenai-Shoshone Soil and Water Conservation Board, Bob Burke, Karla Freeman with the Kootenai-Shoshone Soil & Water Conservation District, and Idaho Soil and Water Conservation technical engineer Bill Lillibridge.

Items discussed included the following:

- There are three (3) river improvement projects that will address river erosion, bank stabilization, and the protection of public and private property.
 1. Road Bank Site #1 - Approximately .04 miles up the old side river from the Little North Fork Bridge;
 2. Road Bank Site #2 – Approximately 1.5 miles up the old side river from the Little North Fork Bridge;
 3. Everett Jennings – Approximately 1.8 miles upriver from Prichard.
- In August of 2019, the Board of County Commissioners agreed to support the 319 Grant, participate in the improvements, and provided letters of support for the application.
- In September of 2020, the paperwork for securing the grant award was completed and the funds from the grant are ready for use.
- The County's financial contribution of \$41,468 will be used for purposes of: Sourcing materials, renting equipment, and labor.
- Preliminary outline of the improvements is Spring 2021 – permitting, with construction starting in the Fall of 2021.

Commissioner Fitzgerald made the motion to participate in the improvement projects, act as the project's sponsor and provide a County Project Agent, Commissioner Hansen seconded the motion. The Motion carried unanimously.

The Board convened at 11:00 a.m. to discuss, review and consider 2021 Tax Exempt Applications on the following.

- Kellogg Senior Center parcel #D-1700-001-004-A – No changes since last year;
- Mountain View Congregational Church parcels #D-0000-031-7000, #D-1550-010-003-A – No changes since last year;
- Hunt Cemetery parcel #49N01E-35-7450 – No changes since last year;
- Silver Valley Assembly of God parcels #D-0100-027-003A, #D-0100-027-001A,

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- #D-0800-001-018A – No changes since last year;
- Wallace Church of God parcels #48-N04E-27-3300, #48N04E-27-3350 – No changes since last year;
 - Our Savior Lutheran Church parcels #G-0500-061-000-A, #G-0750-002-029C, #G-0750-001-001-A – No changes since last year;
 - Shoshone County Horsemen's Assoc. Inc parcels #49N02E084300, #49N02E084400 – No changes since last year;
 - Kellogg Elks Lodge #1841 parcel #D-1500-003-008-A – No changes since last year;
 - Veterans of Foreign Wars Post #1675 parcel #C-0500-030-005A – No changes since last year;
 - Mullan Emmanuel Lutheran Church parcel #A-0100-009-021-A – No changes since last year;
 - year;
 - Echo Pines parcel #G-0000-005-5880 – No changes since last year.


Following review and discussion, a motion was made by Commissioner Fitzgerald, seconded by Commissioner Hansen to approve the tax-exempt application as presented. The motion carried unanimously.

The Commissioners met with Keisha Oxendine, Shoshone County Prosecuting Attorney at 11:30 a.m. Also in attendance via conference call was Matt Beehner. A motion was made by Commissioner Fitzgerald, seconded by Commissioner Hansen to go into Executive Session per Idaho Code § 74-206 (f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. Roll call vote: Commissioner Fitzgerald – Commissioner Hansen – Aye. The motion carried unanimously. The Board adjourned from Executive Session at 12:00 p.m. There was no action taken.

Commissioner Fitzgerald and Commissioner Hansen attended the Idaho Association of Counties Legislative update at 3 p.m. via Zoom.

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: Lou J. Teetey
Deputy Clerk

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Wednesday January 20, 2021

The Board met pursuant to recessing Tuesday January 19, 2021.

Present:

Commissioners:

Mike Fitzgerald

John Hansen

Deputy Clerk: Lori Teeters

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 Robin Hack and Matt Beehner via conference call. The consent agenda was reviewed for consideration as follows:

PUBLIC COMMENT: Robin Hack presented public comment as well as some questions to the Board— what is the definition of a motor vehicle license; states there is a difference between Motor Vehicle and Salvage; what are the licensing and liability insurance requirements for wrecking facilities; fuels and tire disposal; how many tires are allowed at a facility; property shielding requirements; and do we monitor wrecking yard sites. Matt Beehner also presented comment, stating that he agreed with Robin, that a motor vehicle license is different than a salvage yard license.

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, January 4, 2021 to Friday, January 15, 2021. The January 18th, 2021 agenda did not reflect the correct year for the previous weeks minutes, Commissioner Fitzgerald corrected the year from 2020 to 2021 as the weekly minutes were approved on the consent 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 – There were no liquor licenses presented.
 - Shoshone County Pre-Pays
 - Wrecking Yard License Renewal for 2021 for Maverick Towing and Salvage – Approved for a Commercial License in the amount of \$150.00.

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- Wrecking Yard License Renewal for 2021 for Woodland Park Salvage – Approved for a Commercial License in the amount of \$150.00
- Resolution 2021-02 Establish Mileage Allowance for Shoshone County Employees
- Resolution 2021-04 Establishing Polling Places for the 2021 Elections
- Resolution 2021-05 Declaration of Emergency as the result of a windstorm

A motion was made by Commissioner Hansen, seconded by Commissioner Fitzgerald 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 Fitzgerald – Aye, Commissioner Hansen – Aye. The motion carried unanimously. The Board adjourned from Executive Session and a motion was made by Commissioner Hansen, seconded by Commissioner Fitzgerald to deny Indigent case #2021-4.

RESOLUTION 2021-02

A RESOLUTION TO ESTABLISH MILEAGE ALLOWANCE FOR SHOSHONE COUNTY EMPLOYEES

WHEREAS, the cost of operating a motor vehicle has decreased since the existing mileage allowance was established; and

WHEREAS, Idaho Code 31-3101 states in part, “when any such officer or deputy shall use his private car as a means of travel in the performance of his official duty, the actual and necessary expense of the use of such car shall be determined by the County Commissioners of each county.”

NOW, THEREFORE BE IT RESOLVED, that the State of Idaho Controller’s Office published an update to the State of Idaho Mileage Rate that decreases the rate from fifty-eight (.58) cents per mile to fifty-six (.56) cents per mile for each mile driven and such allowance shall be the full amount of allowable for travel expense when such car is used. Due to these changes from the IRS to the Idaho State Travel Policies and Procedures, the Board of County Commissioners will adopt this into policy for Shoshone County. The established rate of .56 cents per mile becomes effective on today’s date.

DATED this 13th of January 2021.

BOARD OF COUNTY COMMISSIONERS

BOOK 2021-01-23

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SHOSHONE COUNTY, IDAHO

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s/Mike Fitzgerald
Mike Fitzgerald, Chairman

s/John Hansen
John Hansen, Commissioner

ATTEST:

s/Lori J. Teeters
Lori J. Teeters
Deputy Clerk

RESOLUTION 2021-04

**A RESOLUTION ESTABLISHING POLLING PLACES
FOR THE 2021 ELECTIONS**

WHEREAS, Idaho Code 34-302 requires the Board of Commissioners to designate suitable polling places in each election precinct not less than 30 days before any election;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Shoshone County hereby establishes the following election polling places for the calendar year 2021;

| # | 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 | Kellogg Elks BPOE #1841, 202 McKinley Ave., Kellogg |
| 07 | Wardner | Mail Ballot Precinct |
| 08 | Smelterville | SMC Health & Wellness, 858 Commerce Dr., 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 | Shoshone County Courthouse |

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DATED this 20th day of January 2021.

BOARD OF COUNTY COMMISSIONERS

s/Mike Fitzgerald
Mike Fitzgerald, Chairman

s/John Hansen
John Hansen, Commissioner

ATTEST:

s/Lori J. Teeters
Lori J. Teeters
Deputy Clerk

RESOLUTION 2021-5

**A RESOLUTION DECLARING AN EMERGENCY
AS A RESULT OF A WINDSTORM,
SHOSHONE COUNTY, STATE OF IDAHO**

WHEREAS, a powerful windstorm has caused large-scale damage throughout Shoshone County; and

WHEREAS, certain power outages resulting from the windstorm are expected to remain for several days or longer; and

WHEREAS, the results of this windstorm are creating an imminent threat to structures, infrastructures, public utilities, private and public property and/or human life within Shoshone County; and

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SHOSHONE COUNTY, IDAHO

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WHEREAS, government and private entities are being taxed in order to provide emergency management service to those areas affected by this windstorm; and

WHEREAS, Shoshone County does not have access to resources to respond to said effects of windstorm; and

WHEREAS, the chairman of a Board of Commissioners may declare a disaster emergency on behalf of the County for seven (7) days as stated in Section 46-1101, Subsection 1, Idaho Code; and

WHEREAS, Mike Fitzgerald, Chairman of Shoshone County Board of Commissioners, finds that a disaster emergency, as those terms are defined in Section 46-1002, Idaho Code, is in existence on January 13, 2021 in Shoshone County, which local county and private resources are being taxed to control, and that State assistance may be requested, pursuant to Title 46, Chapter 10, Idaho Code, and other state laws pertaining to disaster, emergencies and assistance.

NOW, THEREFORE, BE IT RESOLVED and declared by the chairman of the Shoshone County Board of Commissioner, pursuant to the authority granted in Section 46-1101, Idaho Code, as follows:

1. A disaster emergency exists within Shoshone County, resulting from existing and imminent danger to structures, infrastructures, public utilities, private and public property and/or human life.
2. Such disaster emergency may require state assistance to supplement local emergency management efforts to provide for public safety and 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. This temporary disaster declaration may not be renewed or continued in excess of seven (7) days except with consent of the Shoshone County Board of Commissioners as found in Idaho Code Section 46-1011 (1)

Adopted this 20th day of January 2021.

BOARD OF COUNTY COMMISSIONERS

s/Mike Fitzgerald
Mike Fitzgerald, Chairman

s/John Hansen

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John Hansen, Commissioner

ATTEST:

s/Lori J. Teeters

Lori J. Teeters

Deputy Clerk

C: Dan Martinsen, Director, Office of Emergency Management

The Board convened at 11:00 a.m. to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent. Also in attendance via conference call was Matt Beehner. A motion was made by Commissioner Fitzgerald, seconded by Commissioner Hansen to go into Executive Session pursuant to Idaho Code 74-206(1)(b). Roll call vote – Commissioner Fitzgerald – Aye, Commissioner Hansen – Aye. The motion carried unanimously. The Board adjourned from Executive Session at 11:15 a.m. There was no action taken.

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 | \$27,536.92 |
| 002 | Road | \$27,873.19 |
| 004 | Ambulance/EMS | \$20,830.00 |
| 006 | District Court | \$1,480.53 |
| 009 | Liability Insurance | \$47,636.75 |
| 012 | Historical Society | \$2,250.00 |
| 016 | Indigent | \$74,054.72 |
| 020 | Appraisal | \$492.68 |
| 023 | Solid Waste | \$1,184.51 |
| 037 | Snowmobile | \$1,307.18 |

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| | | |
|------|--------------------------------|--------------|
| 052 | Airport | \$501.39 |
| 055 | Fish Hatchery | \$273.70 |
| 056 | Emergency 911 | \$1,644.08 |
| 8911 | Drug Task Fund | \$125.00 |
| 9101 | Auditor's Trust | \$4,384.11 |
| 9109 | Title III Trust – 2008 & Prior | \$5,532.50 |
| 9183 | Support Trust | \$1,523.44 |
| 9186 | Motor Vehicle Trust | \$146,975.14 |
| 9189 | Payroll Draw Trust | \$25,350.00 |
| 9219 | Drug Court Program | \$435.00 |
| 9235 | ITD Express Bus | \$1,617.15 |
| 9246 | Prop and INFR Improvement | \$3,898.75 |
| | TOTAL: | 396906.74 |

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


s/Mike Fitzgerald
Commissioner

s/John Hansen
Commissioner

Sheriff Mike Gunderson, Shoshone County, State of Idaho, revoked the appointment of Seth Meyer, Detention Deputy, in and for Shoshone County, Idaho effective January 19th, 2021.

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

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By: Con J. Tector
Deputy Clerk

BOOK 2021-01-29

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2021

Thursday January 21, 2021

The Board met pursuant to recessing Wednesday January 20, 2021.

Present:

Commissioners:

Mike Fitzgerald

John Hansen

Deputy Clerk: Lori Teeters

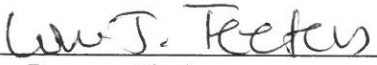
The following proceedings were had to-wit:

Commissioner Hansen attended the Shoshone County Ambulance District meeting at 6:00 p.m.

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2021

Friday, January 22, 2021

Not a regular meeting day of the Board of Commissioners.


Present:

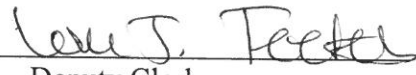
Commissioners:

Deputy Clerk:

The following proceedings were had to-wit:

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk