

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2021

Monday, March 22, 2021

The Board met pursuant to recessing Thursday, March 18, 2021.

Present:

Commissioners: Jay Huber
Mike Fitzgerald
John Hansen
Deputy Clerk: Lori J. Teeters

The following proceedings were had to-wit:

The Board convened at 11:00 a.m. to meet with Ben Davis, Alta Engineering, to discuss and review updates to the Trapper Creek project, Flood Mapping Zone, and Tomsche Ave survey. Also in attendance was Public Works Department, Director Jim Cason, Administrative Assistant Stephanie Featherstone, and Matt Beehner. The following items were discussed:

Trapper Creek:

- In the final stages of design (90% complete);
- Waiting on review and comments from the County and Restoration Partnership;
- Agreement has been sent for review, on next week's agenda for approval;
- When contract is signed, County can move forward with purchasing;

Kellogg Flood Mapping:

- Intent to publish and submit the final draft on Thursday March 25, 2021;
- The mapping project was more work than Alta had anticipated, Alta is about \$15,000.00 over budget.

Tomsche Ave:

- The survey has stalled due to Alta Engineering losing their Surveyor. Commissioner Fitzgerald recommended to Public Works Director, Jim Cason, that the County actively start looking for a new surveyor to complete the Tomsche Ave survey.

The Commissioners met with Keisha Oxendine, Shoshone County Prosecuting Attorney, at 1:00 p.m. in Executive Session per Idaho Code 74-206(f), legal options pending litigation. Also in attendance was Matt Beehner. A motion was made by Commissioner Fitzgerald, seconded by Commissioner Hansen to go into Executive Session. Roll call vote: Commissioner Huber - Aye, Commissioner Fitzgerald - Aye, Commissioner Hansen - Aye. The motion carried unanimously. The Board adjourned from Executive Session and there was no decision to be made in open session.

The Board convened at 3:00 p.m. for review/decision on an appeal filed by Dawn Wiksten, from a decision approved by the Shoshone County Planning and Zoning Commission on July 8th, 2020 for approval of a 10-space RV campground, 1268 Coeur d' Alene River Road, Kingston, File CU-252-20, Applicant Ericka Kerr. Also in attendance was Dawn Wiksten, Sid Clark and Matt and Minde Beehner. Following further discussion and review, a motion was made by Commissioner Huber, seconded by Commissioner Hansen, to uphold the Planning and Zoning's decision made on July 8th, 2020 and deny Mrs. Wiksten's appeal based on the following Findings of Fact and Conclusion:

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BEFORE THE SHOSHONE COUNTY BOARD OF COUNTY COMMISSIONERS

In the matter of: AN APPEAL BY DAWN WIKSTEN REGARDING APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW OPERATION OF A CAMPGROUND IN THE SUBURBAN RESIDENTIAL ZONE	Agency Case No. AP-CU-252-20 FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER OF DECISION
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The Appeal of the Planning & Zoning Commission's APPROVAL of the Application of Erika Kerr for a Conditional Use Permit Allowing a 10-space RV campground facility in the Suburban Residential Zone came before the Shoshone County Board of Commissioners on a public hearing on March 16, 2021. The Appellant at the time of hearing requested either (1) denial of the Conditional Use Permit thereby overturning the decision of the Planning & Zoning Commissioner, or (2) remanding the matter to the Planning & Zoning Commission for rehearing and the imposition of additional conditions.

FINDINGS OF FACT AND CONCLUSION

FINDINGS OF FACT

If any of these Findings of Fact are deemed Conclusions of Law, they are incorporated into the Conclusions of Law section.

PROCEDURAL HISTORY

- A. The Board finds the record is comprised of:
 - 1. Those items described in the "Exhibit Inventory List" as prepared and submitted at or prior to the hearing on March 16, 2021, to the Board of County Commissioners, including but not limited to a transcript of the proceedings held before the Planning & Zoning Commission;
 - 2. Testimony and evidence presented at the time of the public hearing on March 16, 2021, by the Appellant through Counsel of Record, Scott Poorman, and other individuals who were present and gave testimony.
 - 3. All other information contained in the Shoshone County Planning & Zoning File for File CU-252-20;
- B. A Pre-application meeting between applicant and planning staff occurred on or before May 5, 2020.
- C. On May 8, 2020, a Conditional Use Permit Application was submitted and accepted by Shoshone County Planning and Zoning Administration.
- D. Based on a completed application and agency response information, The Shoshone County Planning and Zoning Administration issued a Notice of Public Hearing on this application,

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Case No. CU-252-20, with the hearing to be held on July 8, 2020, at 7:00 p.m. On June 23, 2020, a legal notice was published in the *Shoshone News Press*. On June 22, 2020, a notice was physically posted on the property. On June 22, 2020, legal notice was sent to the adjacent property owners within 300 feet of the subject property via United States Postal Service.

- E. On July 8, 2020 a public meeting was held before the Shoshone County Planning & Zoning Commission where the Administrator presented the application and explained the course of proceedings. The applicant then presented his/her proposal and stood for questions. Public testimony was given: none in support; none neutral; and four (4) in opposition. The applicant rebutted the concerns and again stood for questions of the Commission. The Administrator rebutted/clarified concerns related to administrative process. Chairman Thomas closed the public hearing to further public comment. The Commission deliberated. Member McMillan offered a motion to approve with the recommended conditions of approval outlined in the staff report and Member Schram seconded the motion. The motion was approved by unanimous vote. Chairman Thomas gave the order to approve per the motion and vote, then directed the Administrator to prepare an Order of Decision.
- F. On July 13, 2020, Dawn Wiksten of 1000 CDA River Rd. Kingston, ID 83839 submitted an email with subject line reading, Letter to Appeal Hearing on Case # CU-252-20. In the email, Ms. Wiksten called for a “new hearing” on case CU-252-20. On July 13, 2020, the request was forwarded to Keisha Oxendine, Shoshone County Prosecuting Attorney for review.
(Exhibit A-1; Email “Letter to Appeal Hearing on Case # CU 252-20”)
- G. On July 23, 2020, a response letter from the Administrator was conveyed via email to Ms. Wiksten regarding her request. After reviewing the request and consulting, the Administrator and prosecutor determined the following:
 - 1. The county does not have a provision for a new hearing however, there is a process for request for appeal. The section of Shoshone County Code pertaining to appeals was referenced.
 - 2. Presently, Ms. Wiksten does not meet the definition of an applicant or affected person and therefore does not have standing to submit a request for appeal.
 - 3. Ms. Wiksten’s request stated she had additional testimony, and evidence to present. It was explained throughout email responses that even if she did meet that definition, the Board of County Commissioners would be limited to the information already presented.
(Exhibit PZ-1; Administrator response to “Letter to Appeal Hearing on Case # CU 252-20”)
- H. After further review and consultation between the requestor (Wiksten), PA Oxendine, and the Administrator, it was decided that letter of appeal [request for new hearing] should be presented to the Board of County Commissioners as a written appeal requiring a hearing.
- I. A hearing on the request for appeal was originally scheduled before the Board of County Commissioners on October 19th, 2020. The Planning Administration issued a Legal Notice of Hearing that was published in the Shoshone News Press on October 2, 2020. Legal notice was also sent via USPS to the original applicant, adjacent property owners and the requestor.
- J. On October 5, 2020, legal counsel for the requestor, Scott Poorman, requested a continuance of the scheduled hearing. This request was forwarded to the Prosecuting Attorney Oxendine

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and the BOCC. They agreed to a continuance and new hearing was scheduled for November 9th, 2020 at 10:00am.

- K. The Board of County Commissioners scheduled a continuance of the October 19, 2020 hearing to be held on November 9, 2020; at 10:00 a.m. The Planning Administration issued a Legal Notice of Continuance that was published in the Shoshone News Press on October 27, 2020. Legal notice was also sent via USPS to the original applicant, adjacent property owners and the requestor. This proceeding was later cancelled due to COVID-19 precautions put into place by the County as a result of increasing COVID-19 positivity rates within Shoshone County.
- L. The Board of County Commissioners re-scheduled the in-person public hearing on the appeal for March 16, 2021, at 3:00 p.m. once the County's COVID-19 restrictions were changed. At that time, a hearing was held.

RELEVANT FACTS

- A. That the Comprehensive Plan designates the area as **NORTH SHOSHONE DISTRICT**
- B. That the existing Zoning of the property in this request is **(SR) SUBURBAN RESIDENTIAL**
- C. That the existing land use in the area is **RECREATIONIAL, RESIDENTIAL, SOME COMMERCIAL**
- D. That the proper requirements for legal notice & advertising of the hearing have been fulfilled.
- E. That the proposal is located at: **1268 CD'A RIVER RD, KINGSTON, ID** under parcel number(s) 49N02E-30-8725 located within Section 30, Township 49N, Range 02E, Shoshone County, Idaho.
- F. That the proposal is not located within an (ACI) Area of City Impact.
- G. That the following Agencies/Districts were solicited for comments, concerns & requirements:
 - a. Panhandle Health District – Mathew Colling, EHS responded 6/11/2020 via email with comments stating that RVs cannot utilize pressurized water without an on-site wastewater disposal system; he and the applicant will work to revise plans for wastewater disposal. (See Conditions.)
 - b. Shoshone County Public Works Dept. – On 6/19/20, Jim Cason, Public Works Department Director responded with a verbal confirmation that the department had no concerns, conditions or recommendations related to the request. The site is accessed via existing commercial-type approach.
 - c. Shoshone County Fire Protection Dist. 2 – Chief Mark Aamodt responded via email on 6/19/2020. He said that Fire Dist. 2 had no issues or additional conditions.
 - d. Institutional Controls Program (ICP) – On 6/8/2020, Director Andy Helkey responded to request for comment. He said that the applicant has an open permit with ICP. The permit outlines specific job requirements such as protecting personal property and reducing dust. ICP has advised the property owners to

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notify all persons utilizing the campground that parts of it are contaminated. (See Conditions.)

- e. Idaho Parks and Rec. – Comments were solicited on 6/4/2020. No response has been received.
 - f. Central Shoshone County Water Dist. – CSC was not solicited for comment because the applicant had no proposed plans for water services. However, on 6/23/2020, Director Chad Nelson responded to an Adjacent Property Owner Notification. In his email, he notes that CSC would not approve of any development on the narrow pieces to the north of the river or east of the road. After confirming with Mr. Nelson that development would be limited to the larger piece of the parcel as outlined on the site plan, he expressed satisfaction with the proposed development.
- H. **Public comment.** There were four (4) public testimonies given at the July 8th, 2020 P/Z Commission hearing. None expressed support, none expressed opposition, and four (4) expressed opposition.
- a. Exhibit PC-1: Vickie Blackburn, 9486 CDA River Rd. Kingston, ID 83839. submitted comments of opposition and gave verbal testimony with concerns regarding garbage requirements, and septic/wastewater systems.
 - b. Exhibit PC-2: Steven Blackburn, 9486 CDA River Rd. Kingston, ID 83839 submitted comments of opposition and gave verbal testimony. He deferred to the Clarks (Dawn Wiksten and Cedric Clark).
 - c. Exhibit PC-3: Cedric Clark 1000 CDA River Rd. Kingston, ID 83839 submitted comments of opposition and gave verbal testimony. He expressed concerns regarding Army Corp permit requirements, code violations, flood zone designation of the area, and septic system approval and requirements.
 - d. Exhibit PC-4: Dawn Wiksten, 1000 CDA River Rd. Kingston, ID 83839 submitted comments of opposition with a written list of concerns. She gave verbal testimony where she stated concerns from the list (Exhibit PC-4).
- I. At the time of the public hearing on the appeal, Attorney Scott Poorman, as well as the Appellant on behalf of the Appellant, submitted information outlining the excessive levels of lead and arsenic associated with the property, photographs depicting the area of the proposed conditional use, copies of the lease utilized by the Kerr's with respect to the property, and submitted that the conditions placed upon the property were insufficient for purposes of enforcement. More specifically, the Appellant submitted that additional specific conditions were necessary including:
- a. Signage requirements to notify the public and any occupants or visitors to the premises of its contamination status;
 - b. Language in the lease agreement with any occupants that specifically notifies them of the contamination and provides advisories related to risks associated with the contamination.

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- J. The Appellant sought that the Planning & Zoning Commission's approval be reversed, and remanded for further proceedings, to consider whether denial or additional conditions was appropriate.
- K. At the time of the public hearing, Mary Rehnborg from Panhandle Health District appeared at the public hearing, and clarified for purposes of the record that there was once signage in that vicinity and/or within the area adjacent to the property, which provided notice of contamination. She indicated the signage had been removed due to lack of property owner permission. She indicated that based upon her personal knowledge, the Kerr's had been working with Panhandle Health since the granting of their conditional use permit, had designed signage for the purpose of notice, and the Kerr's had picked up the signage for use at the property.

APPLICABLE LEGAL STANDARDS

The Board relies upon the following legal authority in support of its decision:

- Shoshone County Zoning Code Title 9, Zoning Regulations
- Chapter 6, Section 9-6-2-1, District Regulations; Chapter 9, Section 9-9-1, Conditional Use Permits, Section 9-9-3, General Standards and Section 9-9-9, Appeal to the Board.
- Shoshone County Comprehensive Plan (1996)
- Idaho Code §67-6512, Special Use Permits; §67-6519 and §67-6520, Permit Process; §67-6521, Actions by Affected Persons; §67-6535, Approval/Denial Requirements; §67-2343, Notice of Meetings

CONCLUSIONS

STANDING TO APPEAL

In review of Shoshone County Code re: "Who Can Appeal" (9-9-7(d)), Shoshone County Code re: Persons entitled to Notice (9-9-6), Idaho Code § 67-6521 (Actions by Affected Persons), and Shoshone County Code re: Appeals to the Board of County Commissioners (9-9-7(E) and 9-9-9), it is determined that the facts do not support that DAWN WICKSTEN meets the criteria to appeal given the following:

DAWN WIKSTEN lacks standing to appeal the decision granting the conditional use permit. Wiksten does not meet the definition of "affected person" entitled to direct notice as outlined in Shoshone county code because she does not own property within 300 feet of the subject property. In addition, she has not presented or articulated any specific facts in her written appeal to support that she is aggrieved by the decision.

DAWN WIKSTEN was not an "affected person" entitled to specific direct notice as that term is defined in Shoshone County code, but the record shows she was not only provided sufficient notice of the public hearing, her claim concerning lack of notice is not supported by the record because: (1) She acknowledges she was aware of the July 8, 2020 public hearing and (2) She appeared at and presented public comment in opposition at the July 8, 2020, public hearing.

Without waiving any objection as to Wiksten's standing to appeal to the Board of County Commissioners, the Board intends to also address the merits of her appeal.

MERITS OF THE APPEAL

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After review of the transcript, record on appeal and evidence presented at the time of public hearing on appeal, it is further determined, that the Shoshone County Planning & Zoning Commission engaged in sufficient analysis and level of evidence to support its decision.

The record indicates that the Planning & Zoning commission acted within the applicable state and local in conducting a review of the application for conditional use permit. More specifically, the Planning & Zoning Commission reflected upon the standards set forth within Title 9, Chapter 9, when making its decision. Further, the Planning & Zoning Commission took action to require specific conditions that address the concerns of the Appellant among other voices of opposition expressed at the July 8, 2020 hearing.

It is further determined that Shoshone County code 9-8-5 does not appear to have any relevancy to the permit in this case and to the extent that it does, this claim is related to failure to obtain an ICP permit which does not impact the P&Z commission decision to grant or deny an application as the conditions require compliance with any ICP permitting regulations.

A review Shoshone County Code 9-9-7(c) indicates that the Planning & Zoning Commission may require studies prior to granting an application, but the same are not mandatory. Failure of the Planning & Zoning Commission to require studies is not a basis to deny the application under the facts and circumstances presented.

A review of the record and information submitted in aid of appeal indicates that the Planning and Zoning Commission was made aware of concerns over contamination of the property, and although specific contamination levels were not discussed at the time of their decision, the Board finds that the concerns for notice of contamination was considered and addressed through the conditions set by the Planning & Zoning Commission.

It is apparent from the record and testimony that the Applicant has taken action since the conditional use permit was granted to further address the conditions and the concerns of the Appellant by working with Panhandle Health to obtain signage sufficient to notify the public and/or occupants of their premises.

Shoshone County Code 9-9-9 provides that the Board of County Commissioners on appeal may either (1) uphold the decision, (2) conditionally uphold the decision, or (3) overrule the decision of the Commission. The Code does not provide an avenue for rehearing through a reversal and remand to the Planning & Zoning Commission.

Based upon the record as a whole, the Board of Commissioners of Shoshone County hereby determine that the decision of the Planning & Zoning Commission to approve with conditions the application in CU-252-20 is **UPHELD**.

YOU ARE FURTHER NOTIFIED THAT any affected person aggrieved by a final decision may seek judicial review to the District Court of Shoshone County within twenty (28) days after all remedies have been exhausted under local ordinance pursuant to Idaho Code § 67-6521(1)(d), and Idaho Code Chapter 52, Title 67, and the procedures outlined therein.

DATED this 22nd day of March 2021.

s/Mike Fitzgerald
Mike Fitzgerald, Chairman

s/Jay Huber
Jay Huber, Commissioner

s/John Hansen
John Hansen, Commissioner

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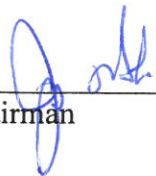
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The motion carried unanimously. A roll call vote was as follows: Commissioner Huber – Aye, Commissioner Fitzgerald – Aye, Commissioner Hansen - Aye. A motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to adjourn the meeting.

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

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Tuesday, March 23, 2021

The Board met pursuant to recessing Monday, March 22, 2021.

Present:

Commissioners: Jay Huber

Mike Fitzgerald

John Hansen

Deputy Clerk: Lori J. Teeters

The following proceedings were had to-wit:

The BOCC met with Dan Martinsen, Shoshone County Planning & Zoning Administrator at 11:00 a.m. to discuss and for a decision on:

- File: MS-142-21 Parcel: 42N02E-05-5900
Applicant: Doug Stout
Requesting: Approval of Major Subdivision consisting of two (2) lots in the Natural Resource Zone

Also in attendance: Planning & Zoning Administrative Assistant Monica Miller. Ms. Miller presented 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 Major Subdivision, Case No. MS-142-21, an application by Doug Stout be approved with proposed conditions. The motion carried unanimously.

The BOCC met with Dan Martinsen, Shoshone County Planning & Zoning Administrator at 11:30 a.m. to discuss and for a decision on:

- File: MS-137-20 Parcel: 50N03E-23-9900
Applicant: Larry Runkle/David Baslington
Requesting: Approval of Minor Subdivision consisting of five (5) lots in the Natural Resource Zone

Also in attendance: Planning & Zoning Administrative Assistant Monica Miller and Larry Runkle. Ms. Miller presented 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

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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-137-20, an application by Larry Runkle/David Baslington be approved with proposed conditions. The motion carried unanimously.

The Board convened at 2:00 p.m. for a Public Hearing to discuss, review and consider a petition presented by Lenae Tatman – Case #P-100-20 to vacate and abandon all real property shown as road right of way adjacent to Blocks 21 and 22 on the Plat of Canyon Addition to the City of Wallace, lying with the East ½ of Section 26 in Township 48 North, Range 4 East, Boise Meridan, Shoshone County, Idaho, and lying southerly of Tomsche Ave, being 40' wide. Also in attendance: Shoshone County Planning & Zoning department, Administrator Dan Martinsen, Administrative Assistant Monica Miller, Shoshone County Prosecuting Attorney Keisha Oxendine, the applicants Charles and Lanae Tatman, and other members of the public. Martinsen provided a synopsis of Case No. P-100-20 Findings of Fact, Applicable Legal Standards, Administrator Recommendation, and Draft Conclusions of Law. Following the synopsis, Commissioner Fitzgerald stated that six (6) letters for public comment were provided as follows: Doug McManamy/opposition, Jessica Beehner/opposition, Rich Mathews/opposition, Chris Bischoff/opposition, Jordan Beehner/opposition, and Rich Uhl/opposition and letter from Shawn Glen, Attorney with Macomber Law, on behalf of Brookside Development LLC/opposition. Commissioner Fitzgerald then opened the hearing for public testimony. Public testimonies were given in support, neutral, and opposition. There were two in support, none for neutral, and 15 in opposition. In support, the Applicant, Mrs. Tatman states if their petition to vacate F Street was denied, it would cause substantial financial burden for them by having to tear the garage down, relocate it and then the costs to build another. It would impact their property value and negatively impact tax amounts. She states it would benefit the County by them taking on the tax liability for the vacated property, adding that to what they currently pay on their home, increasing the County's taxable real property income. Those in opposition and that presented testimony according to the Public Hearing Sign in sheet are as follows: Robin Haak, Anita Stevenson, Donna Trundell, Robert Lees, Patrick Kinzy, Chris Bischoff, Shawn Glen on behalf of Brookside Development LLC, Emma Stayduhar, Minde Beehner, Kurt Coe, Judy Gropper, Dawn Wiksten and Matt Beehner. Based on opposition testimony to vacate F Street, some of points made were as follows:

- the decision would set a precedent for future petitions with County vacations and encroachments,
- the cost to bring in utilities would negatively affect any future development in that area,
- vacating F street effects more than one landowner and would not be in the best interest of the County or other current residents that live in that area,
- regulations for permits need to be better regulated and consistent, the County cannot just give property away or let people build at will.
- Mrs. Glen on behalf of Brookside Development set forth concerns related to open meeting law violations by commissioner action to consider a land swap and/or surveying with county resources the area proposed to be vacated, email communications, and an

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overall concern for bias by the Board. She stated that the portion of F Street that the petitioner proposes to vacate was and remains a public right-of-way and once encroaching structures were built, it prevented vehicles from accessing the alley between Tomsche Ave. and Brookside Ave. via F Street. She requested that the Board deny the petition, or in the alternative, consider the petition by Brookside Development to re-route F street and dedicate land for that purpose. Absent an alternative or "re-route" the Tatman petition serves only one citizen, but not the public as a whole and as a result, is not in the public's best interest.

The public hearing was concluded, and no decision on the petition was made. A motion was made to continue the matter and set it for further discussion on the Board's agenda. It was seconded, and carried. The meeting was adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

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SHOSHONE COUNTY, IDAHO

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Wednesday, March 24, 2021

The Board met pursuant to recessing Tuesday, March 23, 2021.

Present:

Commissioners: Jay Huber
Mike Fitzgerald
John Hansen
Deputy Clerk: Lori J. Teeters

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.

OLD BUSINESS:

1. Consideration and Decision of the Minutes of the Commissioners' Public Agenda Session dated Monday, March 15 to Friday, March 19, 2021.

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
 - Lease Agreement between Shoshone County and Richard Good for parcel #49N01E-36-1540, July through September 2021.
 - Lease Agreement between Shoshone County and Jim & Michelle Walcker for parcel #49N02E-08-0760, May through October 2021

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: Consideration and Decision. Executive Session ID Code 74-206(d). A motion was made by Commissioner Hansen, 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 motion was made by Commissioner Huber, seconded by Commissioner Fitzgerald to deny Indigent case #2021-11.

The Board convened at 10:00 a.m. to discuss, review and consider 2021 Tax Exempt Applications on the following. Following review and discussion, a motion was made by

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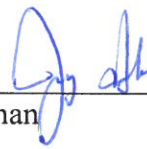
Commissioner Fitzgerald, seconded by Commissioner Hansen to approve the tax-exempt applications as presented. The motion carried unanimously.

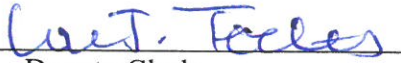
- Lutherhaven Ministries – Parcel #50N04E-05-7900, #52N02E-01-1300, #52N02E-01-1500, #52N02E-01--1400;
- Shoshone Golf & Tennis Club Inc – Parcel #48N03E-10-1400, #48N03E-10-2800, #48N03E-10-3805 - There were no changes since last year;
- West Shoshone Medical Center – Parcels #RPD1000001017AA, # RPO019500010030A, #RPD00000062425A -There were no changes since last year.
- Kingston Baptist Church – Parcel #49N01E-35-7390 – There were no changes since last year;
- The Solomon Foundation – Parcels #45N03E-05-3700, #45N03E-05-2400, #45N03E-05-4250 – There were no changes since last year.

The Board convened at 1:00 p.m. to meet with Shoshone County Prosecuting Attorney, Keisha Oxendine. Also in attendance was Matt Beehner. Mrs. Oxendine was not able to make the meeting, so the Board did not go into Executive Session, however, they did review and discuss the Airport Hangar purchase agreement and bill of sale in the amount of \$33,000.00 that Mrs. Oxendine drew up. Commissioner Hansen made a motion to proceed with the purchase agreement and present the offer to Mr. Shepard as presented by Mrs. Oxendine, Commissioner Huber seconded the motion. The motion carried unanimously.

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

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Thursday, March 25, 2021

The Board met pursuant to recessing Wednesday, March 24, 2021.

Present:

Commissioners: Jay Huber

John Hansen

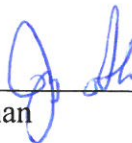
Deputy Clerk: Lori J. Teeters

The following proceedings were had to-wit:

Commissioner Fitzgerald attended the Panhandle Health Board Meeting at 12:30 p.m.

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk