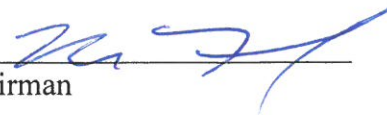


Monday, October 11, 2021

Courthouse was closed for Columbus Day Holiday

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

Tuesday, October 12, 2021

The Board met pursuant to recessing Thursday, October 7, 2021.

Present:

Commissioners: Jay Huber

Mike Fitzgerald

Deputy Clerk: Lori J. Teeters

The following proceedings were had to-wit:

The Board convened at 10:00 a.m. to discuss, review and consider declaring parcel #49N05E-05-3410 an odd-lot pursuant to Idaho Code 31-808(8). Also, in attendance was Dan Martinsen. Dan stated he was contacted by the adjacent property owner Tony McGuire and is interested in purchasing the 0.02-acre lot that encroaches on his property. Mr. McGuire owns parcel #49N05E-05-3420. Selling this property under Idaho Code 31-808(8), as an Odd-Lot Property would correct this encroachment. Mr. McGuire is willing to pay the fair market value for this parcel. A value will be determined by the Assessor's office, Mr. McGuire will be contacted and a public hearing set. A motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to declare this parcel as odd-lot pursuant to Idaho Code 31-808(8). The motion carried unanimously.

RESOLUTION 2021-33

A RESOLUTION DECLARING CERTAIN PROPERTY AS ODD LOT PURSUANT TO ID CODE 31-808(8) SHOSHONE COUNTY, IDAHO

WHEREAS, ID Code 31-808(8) grants the Board of Commissioners to ability to declare certain parcels of real property as odd-lot property; and

WHEREAS, odd-lot property is defined as that property than has an irregular shape or is a remnant and has value primarily to an adjoining property owner; and

WHEREAS, odd-lot property may be sold to an adjacent property owner for fair market value; and

WHEREAS, this odd-lot property is not needed for public purpose and are excess to the needs of the County; and

WHEREAS parcel #49N05E-053-410-A has been tax deeded to Shoshone County with the following legal description:

Government lot 31, sec 5, T. 49 N., R. 5 E.

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NOW THEREFORE BE IT RESOLVED, the Shoshone County Board of Commissioners declares the above referenced property as odd-lot pursuant to ID Code 31-808(8).

DATED this 12th day of October 2021.

BOARD OF COUNTY COMMISSIONERS

s/Mike Fitzgerald
Mike Fitzgerald, Chairman

s/Jay Huber
Jay Huber, Commissioner

ATTEST:

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

The Board convened at 11:00 a.m. to meet with Charlie Gay, Northwest Medical Transport for an update on the Silver Express bus service and Grant Applications. Also, in attendance was Bekah Gay. Charlie gave an update on the bus service with trip numbers as follows:

| <u>2021</u> | <u>Riders</u> | <u>2019 (pre-covid)</u> |
|---------------------------|------------------------|---------------------------------|
| Bus: | 1244 (avg. 57 per day) | Bus: 2095 (avg. 95 per day) |
| CDA | 85 (avg. 9 per day) | CDA: 110 (avg. 12 per day) |
| Paratransit | 64 (avg. 5 per day) | Paratransit 65 (avg. 5 per day) |
| Total: 1393 riders | | Total: 2270 |

There will be one vehicle that will need to be replaced at some point in the next year, it has almost 300,000 miles on it, the rest are good. They need to replace their full-time driver, she had to leave due to medical.

Grant applications are due at the end of this month, they are working on those to get those completed and turned in with support letters coming in with the Commissioners help on reaching out to organizations. County will do their same matching share of 20%.

The Board convened at 1:00 p.m. to meet with Dave Kriedeman and Bradley Barnett, Bunker Hill Mining Corp., for an update on the Bunker Hill Mine operations. Also, in attendance was Matt Beehner. Mr. Barnett stated that they are researching and considering a Cogen system, at which point if they are able to get funding for that, asked if the County would be interested in partnering with the BHM for County residents? Commissioner Fitzgerald stated that although the

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County would be in support of it, they would not be willing to be a partner in it. They, as the Commissioners could write a letter of support for them if needed.

The Board convened at 1:00 p.m. for Executive Session per I.C. 74-206(1)(d)(f) to communicate with legal counsel for the purpose of considering records that are exempt from disclosure as well as to communicate re: pending litigation or controversies not yet being litigated but imminently likely to be litigated. In attendance was Shoshone County Prosecuting Attorney, Keisha Oxendine and Matt Beehner. Commissioner Fitzgerald made a motion to go into executive session, Commissioner Huber seconded the motion. The motion carried unanimously. Roll Call Vote: Commissioner Huber – Aye, Commissioner Fitzgerald – Aye. The Board came out of Executive Session with no decisions or action to be taken.

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2021

Wednesday, October 13, 2021

The Board met pursuant to recessing Tuesday, October 12, 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 consent agenda.

OLD BUSINESS:

1. Consideration and Decision of the Minutes of the Commissioners' Public Agenda Session dated Monday, October 4, 2021 to Thursday, October 7, 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
 - Resolution 2021-35 Setting Fees for Retail Alcohol beverage Licenses for 2022 – approved as presented.

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 Hansen to Indigent case #2007-198, and #2020-12.

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RESOLUTION 2021-35

**A RESOLUTION SETTING THE FEES FOR RETAIL ALCOHOL
BEVERAGE LICENSES FOR 2022**

WHEREAS, the Session Laws of 1947 of the State of Idaho, as set forth in Chapter 274 of the 1947 Session Laws, authorized the retail sale of liquor by the drink in Shoshone County and incorporated cities; and

WHEREAS, the law provides in addition to a State license, the County is authorized and empowered to license the sale of liquor by the drink and is entitled to receive as a license fee, twenty-five percent (25%) of the amount of the license fee collected by the Commission of Law Enforcement.

NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Shoshone County, hereby authorize the sale of liquor by the drink within Shoshone County and the incorporated cities of the County and that any licensee, who has obtained a license from the State of Idaho, in an incorporated city to sell liquor by the drink must also obtain a County license; that the license fee for the amount collected by the Commissioner of Law Enforcement for the State of Idaho; and

BE IT FURTHER RESOLVED that before a County license will be granted, the applicant must make out an application for the County license showing:

1ST: That he has obtained a State license giving the number of the State License.

2ND: That he has complied with Chapter 274 of the 1947 Session Laws in obtaining his license;

3RD: Payment of a sum equal to twenty-five percent (25%) of the amount paid to the Commissioner of Law Enforcement for a State permit to sell retail liquor by the drink.

In the matter of fees for County Retail Wine Licenses for 2022:

1ST: Make out application.

2ND: THAT he has complied with the 1971 Session Laws of the State of Idaho, as set forth in Chapter 156 of the 1971 Session Laws:

3RD: That he has obtained a State Retail Wine License.

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4TH: Fee - \$100.00

-In the matter of fees for County Retail Wine by the Drink Licenses for 2022: No license for the retail sale of wine by the drink shall be issued to an applicant who does not possess the qualifications set forth in Chapter 13 of Title 23 of the Idaho Code, as amended.

1ST: Make out an application.

2ND: That he has complied with the 1971 Session Laws of the State of Idaho, as set forth in Chapter 156 of the 1973 Session Laws, 41st Legislature.

3RD: That he has obtained a State Retail Wine by the Drink license.

4TH: Fee - \$100.00

-In the matter of fees for County Retail Beer/Wine Licenses for 2022, it is ordered that the following schedule for fees be and the same are hereby fixed as follows:

| | |
|--|---------|
| For Draft Beer & Bottled or Canned Beer | \$75.00 |
| For Bottled or Canned Beer, to be consumed on the premises | \$75.00 |
| For Bottled or Canned Beer, not consumed on the premises | \$25.00 |
| Transfer of Beer License | \$20.00 |
| Transfer of Wine License | \$20.00 |

Dated this 13th day of October 2021.

BOARD OF COUNTY COMMISSIONERS

s/Mike Fitzgerald
Mike Fitzgerald, Chairman

S/John Hansen
John Hansen, Commissioner

Jay Huber
Jay Huber, Commissioner

ATTEST:

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

PROCEEDINGS COUNTY COMMISSIONERS

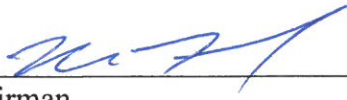
SHOSHONE COUNTY, IDAHO

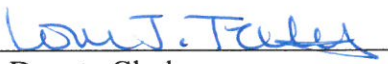
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The 11:00 a.m. site visit to Calder, Idaho was canceled due to an appointment conflict with Public Works Director, Jim Cason, who was not going to be able to attend. The Commissioner's would like him to be there to walk the property in Calder to give a recommendation on potential excavation and approach.

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2021

Thursday, October 14, 2021

The Board met pursuant to recessing Wednesday, October 13, 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 10:00 a.m. to discuss, review and consider File No. VAC-813-21 a Petition to Vacate or Abandon a portion of right-of-way adjacent to Lot 1, as described in Instrument No. 509967, Records of Shoshone County, Block 6, Herrick Park Subdivision filed as Instrument No. 203899; located in Section 5, Township 45 North, Range 3 East B.M., Shoshone County, Idaho. The Applicant Steve Syrcle, Tristate Consulting Engineers, LLC (Buell Bros, Inc) is petitioning the County to vacate and abandon the property at 2 River Road, (Parcel #O-1850-006-001-A) Calder, Idaho and be designated as the South Corridor in the Natural Resource Zone for Residential/Recreational land. Those in attendance: Dan Martinsen, Shoshone County Planning & Zoning Administrator, Jim Cason and Stephanie Featherstone, Shoshone County Public Works, Matt Beehner, Tracy Swanson, Jack & Tonya Glinski, and Tim Mueller. Notice of public hearing was mailed to all persons within 300 ft of the subject right-of-way. It was published in the Shoshone County News Press on September 14th, 21st, and October 5th, 2021. There was no written testimony sent in, but there were 4 persons present that oppose the vacate and would like to present testimony and one in support. Shoshone County Public Works Director, Jim Cason, provided a comment response that the Public Works determination is that it would not be in the best interest of the County. Due to concerns with maintaining access to the St. Joe River/Big Creek for water resource for road maintenance. Also access and the right-of-way for future bridge maintenance. The County Deputy Appraiser, Katie Murray, submitted a determination of value to be at \$29,655.65. The Applicant's stance is that the public has taken advantage of the right-of-way and misused that portion of the county property and it has resulted in a situation that the adjacent property owner, Jack Buell has had to deal with, as it spills over onto his property. Upon recommendation of the Planning and Zoning Administrator, Dan Martinsen, and the submitted application materials, agency comments and public testimony, the Commissioner's feel they should further research the issues presented by the Public Works Department and continue the hearing to a later date. A motion was made by Commissioner Hansen to table the decision today and continue the hearing for Tuesday October 26th, 2021 at 10:00 a.m., seconded by Commissioner Huber. The motion carried unanimously. The public hearing adjourned at 10:42 a.m.

The Board convened at 10:30 a.m. to discuss, review and consider File No. VAC-831-21 a Petition to Vacate or Abandon a portion of right-of-way adjacent to Lot 7, as described in Instrument No. 503470, Records of Shoshone County, Block 6, Herrick Park Subdivision filed as Instrument No. 203899; located in Section 5, Township 45 North, Range 3 East B.M., Shoshone County, Idaho. The Applicant Jeff and Gina Cope is petitioning the County to vacate and

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SHOSHONE COUNTY, IDAHO

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abandon the property at 80 Scofield Dr., (Parcel #O-1850-006-007-0) Calder, Idaho be designated as the South Corridor in the Natural Resource Zone for Residential/Recreational land. Those in attendance: Dan Martinsen, Shoshone County Planning & Zoning Administrator, Matt Beehner, John Walters, and several members of the public. Notice of public hearing was mailed to all person owning property within 300 ft. of the subject right-of-way. It was published in the Shoshone County News Press on September 14th, 21st, and October 5th, 2021. There was one letter of testimony sent in requesting from the Planning and Zoning Department to clarify the legal notice as they were confused and unclear on the exact location of the vacate. There were two persons present that gave testimony, one in support, one in opposition. Matt Beehner, who was in opposition to the vacate, pointed out during his testimony that the legal description of "Block 6" should have been notified to the public as "Block 3". Mr. Martinsen confirmed the error, and Commissioner Fitzgerald made the recommendation, that if an approval was made on the vacate, that it be on the condition of legal reviewing the error made and approved only if the error was inconsequential. Shoshone County Public Works Director, Jim Cason, submitted a comment response/recommendation that the County keep 15 ft of road right-of-way from the edge of asphalt or slope of road. Shoshone County Assessor, Katie Murray, submitted a determination of property value to be at \$29,212.00. The applicant, Jeff Cope stated that they are the adjacent property owner, the area they are asking the County to vacate has been maintained by him up to this point. They would like to put some landscaping in the area to keep the dust down and make some minor improvements for fire safety, make it look nice and to use it. Commissioner Huber made a motion that any decision made today needs to be pending legal review of the typographical error that was made on the legal notice, seconded by Commissioner Fitzgerald. Roll Call: Commissioner Huber – Aye, Commissioner Fitzgerald – Aye, Commissioner Hansen – Aye. Based on the Findings of Fact and Conclusions of law determined during the Public Hearing process, that the proposal does conform with the goals and objectives, the proposal does conform to the standards contained in the "Applicable Standards", the proposal is consistent with the purpose and intent of the zoning classifications, the proposed use is compatible with the existing surrounding uses in the area, that the proposed public right-of-way is not located on land owned by the State of Idaho, nor does it provide the only means of access to such public lands, and the proposal is not detrimental to the public health, safety or well-being and is in the public interest. Commissioner Fitzgerald made a motion to approve the petition for vacate and abandonment of public right-of-way with conditions of approval for Parcel #O-1850-006-007-0, seconded by Commissioner Hansen. The motion carried unanimously. Roll Call Vote: Commissioner Huber – Aye, Commissioner Huber – Aye, Commissioner Hansen – Aye. The hearing adjourned at 11:12 a.m.

The Board convened at 11:20 a.m. for a Solid Waste Department Bid Opening for One (1) Tractor/Truck pursuant to Idaho Code:67-2806(2). Those in attendance: Richard Brenner and Shelby Wilcox from the Shoshone County Solid Waste Department, and James Knott with Tractor Truck Transport. Three (3) bids were received as follows:

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SHOSHONE COUNTY, IDAHO


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- 1) Freightliner Northwest
2023 Freightliner 114SD
\$120,090.00
- 2) Tractor Truck Transport
2023 Volvo VH064FT300
\$171,000.00
- 3) Freightliner Northwest
2023 Western Star
\$130,395.00

A motion was made by Commissioner Hansen, seconded by Commissioner Huber to turn the bids over to the Solid Waste Department staff for their review and a recommendation to the Board. A decision will be scheduled for next week's Consent agenda. 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 2021

Friday, October 15, 2021

The Board met pursuant to recessing Thursday, October 14, 2021.

Present:

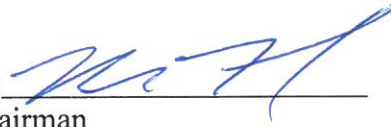
Commissioners: Jay Huber
Mike Fitzgerald
John Hansen
Deputy Clerk: Lori J. Teeters

The following proceedings were had to-wit:

The BOCC attended the IAC meeting in CDA at the Kootenai County Administrative Building at 10:00 a.m.

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk