

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2021

Monday, October 25, 2021

The Board met pursuant to recessing Thursday, October 21, 2021.

Present:

Commissioners: Jay Huber

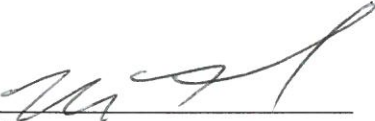
John Hansen

Deputy Clerk: Lori J. Teeters

The following proceedings were had to-wit:

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2021

Tuesday, October 26, 2021

The Board met pursuant to recessing Monday, October 25, 2021.

Present:

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

The following proceedings were had to-wit:

The Board met with Department Supervisors at 9:00 a.m. for department updates. Those in attendance: Keith Chambers, Maintenance; Dan Martinsen/Planning & Zoning and Emergency Services; Mike Smith, Probation, Jim Cason and Jessica Stutzke, Pubic Works; Richard Brenner and Shelby Wilcox, Solid Waste; Colleen Rossen, Silver Valley Economic Development and Matt Beehner. Items discussed included the following:

- Maintenance – Getting the courthouse ready for winter, checking the heating systems, the lights on the building. They were able to find another cleaning person and Keith is very happy with her.
- Planning and Zoning – Department is up 40% on building permits, revisions on few building codes are in review, and will be brought before the BOCC at some point. Big project for the County is the Grocery Outlet Store going in by the Dollar Tree in Smelterville, it is almost permitted out and ready to be finalized. They have one more P&Z Commission Board member to be interviewed and filled and they will have a complete board of seven members, something they have never had before.
- Emergency Services – End of quarter reports are almost completed and ready for signature from the BOCC, along with last years programs being closed out. The Northern 5 Counties are still working towards a joint effort of emergency services/disaster relief for the Counties as a whole. Emergency Services is working with AT&T on an increased ability for First Responders and contracting with them, so that they will have service first, if the towers go down or are not working.
- Public Works - A lot of projects completed this season. They did a paving job in August, 2 miles up Bear Creek, very happy with how that turned out. They also did a small paving project in Woodland park. Put a prefab bridge in at Trapper Creek, the only cost of that was the labor, all other equipment and misc. costs were reimbursed. They graded the road and fixed a couple of turns in the road up that way as well. Silver Bridge they added about 156 new boards to it, and looks great, but there is still a weight load issue that needs to be addressed when crossing it. The soil and water project was postponed due to permitting issues, so that will have to be addressed next year. Software upgrades are in the first phase of transition but will have to wait to completely be installed and working until the new phone system is in, probably around the first of the year.
- Solid Waste - The Transfer Station is down to 8 or 9 loads a week as opposed to 12 or 13, so they are slowing down a bit. There was a total of 949 people that came in to the

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Transfer Station last week. There have been a large number of calls for tear downs and roll-offs. There is still an opening for a driving at the Transfer Station. New stickers for next year will be ordered in December and be ready for the new year.

- Probation - Increase in crime and cases, mainly possession and DUI's. Definite increase in juvenile cases, 8 this week. Yearly state report for the Dept. of Juvenile Corrections almost completed and ready for BOCC signature. Dept. of Juvenile Corrections will be coming to do an audit of the County's Juvenile program.
- Weeds - Sprayed over 800 acres this season, mostly roadside, Sprayed County shops and Gene Day Park before opening day, Fielded numerous calls and emails, treated giant knotweed in Moon Gulch (cooperative efforts with the Forest Service), Elizabeth Park, and Prichard, Idaho Youth Corps. Pulled 224 bags of Bluewood in Beaver Creek and one day helping clean Nine Mile Cemetery. There were no big breakdowns this year, just a couple small issues that were easily addressed by Zack. The trucks have been serviced and winterized.
- Colleen Rossen from Silver Valley Economic Development would like to thank the Commissioners for participating in the LEAP meeting last week, and hopes that something will come of the meeting for affordable housing in the area.
- Commissioners – Commissioner Fitzgerald would like to thank Commissioner Huber on handling the fires this season, he did an excellent job. He also wanted to thank Commissioner Hansen for handing the airport leases, and wage matrixes. The airport tenants are getting new leases this year, the lease went from a 2-page lease to 26 pages. The tenants will also now be able to hook in sewer shortly, after discussions with the sewer district, at a cost to the tenant. The ambulance district has become an entity of their own now, with the Commissioners just overseeing the overall, not the day-to-day operations now. They have the same guy committed to plowing the airport this winter season.

The Board convened at 10:00 a.m. for a PUBLIC HEARING CONTINUATION to discuss, review and decision on information presented at a Public Hearing held Thursday, October 14, 2021 @ 10:00 a.m. in which a petition was presented by Tri-State Consulting Engineers to Vacate and Abandon a Portion of Potlatch Road in Excess of a 100' corridor, adjacent to Lot 1 as described in Instrument No. 509967, Records of Shoshone County, Block 6, Herrick Park, filed as Instrument No. 203899, Shoshone County, Idaho. Also, in attendance was the Applicant Tri-State Consulting, Steve Syrcle, Shoshone County Public Works, Jim Cason and Stephanie Featherstone, Shoshone County Planning and Zoning Administrator, Dan Martinsen, Tracy Swanson, Tonia Glinski, Tom Yeiser, Owner of True Line Surveying, and Matt Beehner. Commissioner Fitzgerald would like to make a disclosure statement for the record, that he has had various professional contractual relationships with Mr. Syrcle and his firm outside of the item that is presented before the board. He has not performed work for or on behalf of Mr. Syrcle on the item before the board. Commissioner Fitzgerald has had approximately 5 contacts with Mr. Syrcle that involved discussions on the item before the Board. Those discussion were with regards to the application process and timeliness and presentation material preparation. Commissioner Fitzgerald stated that he believes that the nature of the relationships and

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discussions do not have an impact on his ability to render a fair and impartial decision on the item before the Board. Commissioner Fitzgerald reviewed the parcel maps again and received clarification from Public Works specifically on the easement through the adjacent lots, and where the water intake was for withdrawal point. Commissioner Huber spoke with staff on some of his questions and received clarification on his questions and did not receive any new information. After review and discussion, Commissioner Fitzgerald made a motion to deny the petition to Vacate and Abandon a Portion of Potlatch Road described in Instrument No. 203899, seconded by Commissioner Huber, for the following reasons:

- The County actively uses the right of way for withdrawal of water for Public Works Department construction and maintenance purposes;
- The County possesses a documented County water right with the Idaho Department of Natural Resources for the water usage at the subject location;
- The County has utilized County forces to make improvements to the subject right of way to improve access for the use of the water right;
- Preservation of the right of way for future construction and /or bridge replacement is viewed to be in the best interest of the County long-term.

The motion carried unanimously.

The Board expressed that the issue at hand appears to be more complex than involving the abandonment of right of way for the mutual benefit of the County and an adjacent land owner. Other items that include, but may not be limited to: land use, authorized and unauthorized access, private property trespasses and/or public safety. There are other alternatives, other than private land acquisition with “gating off” undesired uses, that exist to resolve such issues.

The Board convened at 1:00 p.m. to meet with Shoshone County Planning & Zoning, Dan Martinsen and Monica Miller, Shoshone County Prosecuting Attorney, Keisha Oxendine, to discuss and review Shoshone County Ordinance #160 and its processes. Also, in attendance was Matt and Minde Beehner, Robin Hack and another member of the public. Commissioner Fitzgerald asked Keisha if she could explain the process of how the Ordinance #160 Blight/Nuisance process works. Mrs. Oxendine explained that there was a Blight form created in January of 2021 and that the first step, is to give the complainant that form to fill out, for the complainant to gather as many facts to back up the complaints, as well as have photographs and turn it in to Planning and Zoning. Monica or Dan will then determine if the complaint is a violation of any P&Z Codes and what they will need to do to address the issue and/or bring them compliant. After the initial determination from P&Z, they will send it up to Keisha if there are other issues besides codes being violated to see if there is also a potential for nuisance or blight. Keisha will determine the seriousness of the blight, and either issue a warning to the homeowner, or contact the sheriff's Department and have them follow up by appointing an officer to the case. Keisha says there are some cases that can be charged with Criminal, but others will have to be charged as Civil. The BOCC cannot view the complaints when they come in because the complaint could come before them at some point and they will have to make an impartial decision based on the complaint presented before them at that time.


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Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

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Wednesday, October 27, 2021

The Board met pursuant to recessing Tuesday, October 26, 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 18, 2021 to Thursday, October 21, 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 – There were 6 liquor licenses presented.
 - Shoshone County Pre-Pays
 - Shoshone County Treasurer statement of cash balances for September.
 - VIP Grant – New bus purchase for Silver Express Program – Approved as presented.
 - 5311 Grant – Bus Operations – 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 Huber, seconded by Commissioner Hansen to go into Executive Session per Idaho Code 74-206(d). Roll call vote: Commissioner Huber – Aye, Commissioner

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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 Huber to approve Indigent case #2018-219

2022 Beer, Wine & Liquor Licenses

#4 W.G.G. Store #103 LLC	Steins Osburn Market	Osburn	Beer/Retail Wine
#5 North Idaho Mountain Brew	North Idaho Mtn Brew	Wallace	Beer/Liquor
#6 Ingrid Neidig	Prichard Tavern	Wallace	Beer/Liquor
#7 Albi's Hilltop LLC	The Hilltop	Kingston	Beer/Liquor
#8 Michael Wuolle	Kings INN	Kingston	Beer/Liquor
#9 Pioneer Lodge LLC	Pioneer Lodge	Pinehurst	Beer/Retail Wine/Liquor

The Board Convened at 10:00 a.m. for a decision on One (1) Tractor/Truck for the Solid Waste Department. Also, in attendance Richard Brenner and Shelby Wilcox, Shoshone County Solid Waste Department and Jim from Freightliner via Conference call and . Richard from Shoshone County Solid Waste Department reviewed the three (3) bids that were presented and his recommendation to the Board was to accept the bid from Freightliner Northwest in the amount of \$120,090.00. The motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to accept the bid from Freightliner Northwest as presented. The motion carried unanimously.

RESOLUTION 2021-37

A RESOLUTION ACCEPTING THE BID FOR ONE (1) TRACTOR/TRUCK SOLID WASTE DEPARTMENT SHOSHONE COUNTY, STATE OF IDAHO

WHEREAS, pursuant to Idaho Code 67-2806(2); and

WHEREAS, sealed bids were opened at 11:00 a.m. on Thursday, October 14, 2021 for one (1) Tractor/Truck for the Solid Waste Department; and

WHEREAS, three (3) bids were received as follows:

1. Freightliner Northwest
2023 Freightliner 114SD
\$120,090.00
2. Tractor Truck Transport

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2023 Volvo VH064FT300
\$171,000.00

3. Freightliner Northwest
2023 Western Star
\$130,395.00

NOW THEREFORE, BE IT RESOLVED that the Shoshone County Board of Commissioners accepts the bid from Freightliner Northwest in the amount of \$120,090.00 for the Shoshone County Solid Waste Department as presented.

DATED this 27th day of October 2021.

BOARD OF COUNTY COMMISSIONERS

s/ Mike Fitzgerald
Mike Fitzgerald, Chairman

s/John Hansen
John Hansen, Commissioner

s/ Jay Huber
Jay Huber, Commissioner

ATTEST:

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

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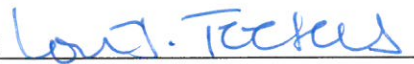
The Board convened at 11:00 a.m. in Executive Session to consider hiring/interview for the Board of County Commissioners Grants Administrator position. The Board adjourned from Executive Session with no decision to be made in open session.

The Board convened at 1:00 p.m. in Executive Session to consider hiring/interview for the Board of County Commissioners Grants Administrator position. The Board adjourned from Executive Session with no decision to be made in open session.

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 28, 2021

The Board met pursuant to recessing Wednesday, October 27, 2021.

Present:

Commissioners: Jay Huber

John Hansen

Deputy Clerk: Lori J. Teeters

The following proceedings were had to-wit:

Commissioner Huber was unable to attend the S.A.V.E. Committee meeting at 12:00 p.m.

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	\$428,892.43
002	Road	\$111,748.05
006	District Court	\$27,933.47
016	Indigent	\$8,031.96
020	Appraisal	\$18,190.30
023	Solid Waste	\$37,497.19
027	Weed	\$1,845.52
056	Emergency 911	\$6,551.43
9101	Auditor's Trust	\$8,208.08
9109	Title Trust III – 2008 & Prior	\$1,000.35
9110	Title III Trust New 2009	\$4,126.43
	TOTAL:	\$654,025.21

STATE OF IDAHO)
) ss.
County of Shoshone)

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

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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.

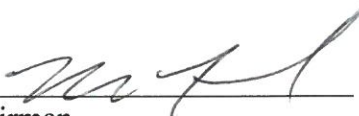
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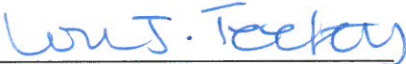
s/John Hansen
Commissioner

s/Jay Huber
Commissioner

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk