

**PROCEEDINGS COUNTY COMMISSIONERS**

**SHOSHONE COUNTY, IDAHO**

**BOOK 2021**

Monday, December 6, 2021

The Board met pursuant to recessing Wednesday, December 1, 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: Lori J. Teeters  
Deputy Clerk

# PROCEEDINGS COUNTY COMMISSIONERS

## SHOSHONE COUNTY, IDAHO

### BOOK 2021

Tuesday, December 7, 2021

The Board met pursuant to recessing Monday, December 6, 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 1:00 p.m. for an Executive Session pursuant to Idaho Code 74-206(a) – To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. (b) - 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 was Shoshone County Prosecuting Attorney, Ben Allen. Commissioner Fitzgerald made a motion to go into Executive Session, seconded by Commissioner Huber. Roll Call Vote: Commissioner Huber – Aye, Commissioner Fitzgerald – Aye, Commissioner Hansen – Aye. The Board came out of Executive Session at 1:50 p.m. with no action to be taken in open session.

The Board convened at 2:00 p.m. for a Public Hearing in the District Courtroom to discuss, review and consider the following: A request by Carolyn Collins and Bryan Stepro has been filed to appeal the decision to approve, made by the Shoshone County Planning & Zoning Commission decision granting a Conditional Use Permit, regarding the following application:

**File:** CU-255-20

**Parcel:** O-0800-001-008-0; 009B; 009A; 010-0; 011-0; 012-0; 015-B

**Applicant:** Lisa Johnston

**Location:** 6073 Burke Rd, Wallace

In attendance was the BOCC, Shoshone County Planning and Zoning Department, Dan Martinsen & Monica Miller, Shoshone County Prosecuting Attorney, Ben Allen, Carolyn Collins, Stephan Collins, Bryan Stepro, Matt Beehner, Carolee Allen and Douglas Thurber. Commissioner Fitzgerald opened the Public Hearing and asked Dan to present the case file. Planning and Zoning originally took in a complaint of a RV park that was operating at the location stated. The Planning and Zoning looked into the complaint, contacted the applicant, Lisa Johnston, and at that time a Conditional Use Permit was applied for and brought before the P&Z Commission. The Commission held a hearing on the application on May 12<sup>th</sup>, 2021 but tabled any decision until further review was done. The Commission met again on June 9<sup>th</sup> and approved the CUP for the applicant with stipulations that had to be met, one of those being the bathroom being decommissioned. The Appellant, Carolyn Collins presented testimony in a written statement, Exhibit A, along with a packet of evidence that she has collected over the course of the appeal process, Exhibit B, to support her claim that the Applicant was violating her permit for the campground. Mr Stepro also provided public testimony, stating the P&Z Board was given incorrect information from the Administrator at the original meeting, that they were misinformed on the layout of the campground and if there were other property owners near where the campground was operating. Also, he states the Administrator took in new evidence

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after the hearing was closed on May 12<sup>th</sup>, 2021. There were 3 other members of public that spoke in support of the appeal. After testimony was given by the public, Commissioner Fitzgerald asked the Board if there were any other questions they wanted to ask of Planning and Zoning or the Appellant, or if they wanted to review further. Commissioner Huber made a motion to table any decision made today at the hearing, so the Board could consult with Legal, seconded by Commissioner Hansen. The motion carried unanimously. A meeting would be scheduled to continue the discussion in two weeks.

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard  
County Clerk

Approved: [Signature]  
Chairman

By: [Signature]  
Deputy Clerk

# PROCEEDINGS COUNTY COMMISSIONERS

## SHOSHONE COUNTY, IDAHO

### BOOK 2021

Wednesday, December 8, 2021

The Board met pursuant to recessing Tuesday, December 7, 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, November 22 to Thursday, November 25, 2021 and Monday, November 29 to Thursday, December 2, 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 – 8 licenses were presented.
  - Shoshone County Pre-Pays
  - Cancellation of Taxes – Homeowners Exemptions
  - Annual Lease Agreement between Shoshone County and Warren Howard
  - Resolution 2021-42 Retention of County Vessel Funds from Fiscal Year 2021 Idaho Department of Parks & Recreation, Shoshone County, Idaho – approved as presented.
  - Resolution 2021-43 A resolution accepting the purchase of one (1) Tractor Load Backhoe Solid Waste Department – 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. There were no Indigent cases presented.

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2022 Beer, Wine & Liquor Licenses

#54	Mae's Market LLC	Mae's Market	Smelterville	Beer/Wine
#55	JoeMere LLC	Pizza Factory	Wallace	Beer
#56	Augustinian Brewing	Radio Brewing	Kellogg	Beer/Wine
#57	Luanne Wuerfel	Blackboard Café	Wallace	Beer/Wine
#58	Teresa Peterson	The Wheel Bar	Smelterville	Beer/Liquor
#59	Bonnie K DeRoos	The Dayrock	Wallace	Beer/Wine/Liquor
#60	Wallace Corner Hotel LLC	Wallace Corner Hotel	Wallace	Beer/Liquor
#61	James & Barbara Baker	Red Light Garage	Wallace	Beer/Wine/Liquor

Parcel #	2021 Taxable Value	HO Credit	New Value
48N01E-12-7600	81,043	40,522	40,521
49N01E-35-8625	201,787	100,894	100,893
D-1300-001-010-0	137,552	68,776	68,776
D-1600-007-002-0	5,982	2,991	2,991
A-0100-00K-007-0	144,307	72,154	72,153
D-0800-004-007-A	174,023	87,012	87,011
49N02E-04-7800	181,927	27,765	154,162

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	\$87,714.17
002	Road & Bridge	\$102,206.33
006	District Court	\$4,384.52
0010	Self-Insurance Fund	\$5,065.05
0011	Public Health District	\$15,102.50
0012	Historical Society	\$43.62
0016	Indigent	\$6,534.39

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0017	Junior College	\$500.00
0018	Park	\$35.94
0020	Appraisal	\$1,334.03
0023	Solid Waste	\$13,685.25
0037	Snowmobile	\$3,022.48
0038	Waterways Fund	\$211.24
0052	Airport	\$1,190.41
0055	Fish Hatchery	\$302.87
0056	Emergency 911	\$1,540.97
0106	Drug Court Program	\$440.00
0201	Misc Grants	\$15,000.00
0207	ARPA Grant	\$1,346.73
0208	Safety Improvement & Signag	\$6,261.19
0211	ITD Express Bus	\$12,645.51
0215	Title III Trust New 2009	\$457.17
9101	Auditor's Trust	\$13.53
9183	Support Trust	\$1,548.85
9186	Motor Vehicle Trust	\$271.40
	TOTAL:	\$280858.15

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

s/Jay Huber  
Commissioner


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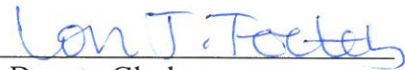
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Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard  
County Clerk

Approved:   
Chairman

By:   
Deputy Clerk



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**SHOSHONE COUNTY, IDAHO**

**BOOK 2021**

Thursday, December 9, 2021

The Board met pursuant to recessing Wednesday, December 8, 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 2:00 p.m. for a Public Hearing on the Adoption of Resolution 2021-41 setting fees for various County Administrative services to become effective January 1, 2022. Those in attendance: Commissioner Mike Fitzgerald, Commissioner Jay Huber, Commissioner John Hansen, Deputy Clerk Lori Teeters, Matt and Minde Beehner. Commissioner Fitzgerald opened the hearing and asked Matt & Minde if it was ok to do a general summary of the fees instead of listing them each out individually. Commissioner Fitzgerald also wanted it noted for the record that the fees haven't been increased for P&Z since 2008. On the recommendation of the various departments, there are new costs associated with Public Record Requests, photocopying, etc. There wasn't any written testimony sent in. There was public testimony by Matt and Minde Beehner. Matt challenged several department fee costs, including the labor cost on Public Records Requests, legal review labor costs, P&Z labor permits (cost should be included in the permitting, not on the County/taxpayer), airport hangar lease agreement prices being to low. Minde had questions on the Public Records Requests costs and why legal needs to review Public Records Requests and potentially being double charged, County Surveyor, and what the asterisks are for in the fee changes? Commissioner Fitzgerald answered each of the comments provided by Matt and Minde and closed the Public Hearing. After review and discussion on the fees, a motion was made by Commissioner Huber, seconded by Commissioner Hansen to approve Resolution 2021-41 Adopting the schedule of County fees, charges and expenses with the exception of the asterisks. The motion carried unanimously. Roll Call Vote: Commissioner Fitzgerald – Aye, Commissioner Huber – Aye, Commissioner Hansen – Aye.

**RESOLUTION 2021-41**

**A RESOLUTION OF SHOSHONE COUNTY, IDAHO, ADOPTING A SCHEDULE OF COUNTY FEES, CHARGES AND EXPENSES;**

WHEREAS, it is necessary to periodically adjust the fees charged for various services provided by Shoshone County in order to help defray the costs of such services, and where the same is authorized by Idaho Code §63-1311, per the procedures established in Idaho Code §63-1311A,

A summary of the principal provision of Proposed Resolution are as follows:

Whereas, Shoshone County desires to establish fees for certain county services pursuant to Idaho Code Sections 63-1311 and 63-1311A, which are necessary to support the actual cost of



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administering said services;

The following new and/or increased fees are being proposed:

**General Fees (\*This shall apply where no applicable fee is established by statute or regulation)** \*for general public records requests first 100 pages and 2 hours of labor are no charge

Copying less than 100 pages, 8½" x 11" paper size	No charge
Copying more than 100 pages, 8½" x 11" paper size (B/W)	\$.10/page Plus labor
Copying other than 8½" x 11" paper size (maps, blueprints, other materials)	Actual copying cost and labor rate at time of request
Copying 100 or more pages in color	\$.50 per page and labor rate at time of request
Transfer of documentation in the form of computer tapes, discs, microfilm, or similar record media	Actual Cost and labor rate at time of request \$2.00 for CD
Redacting nonpublic information from records	Labor rate of employee redacting
Legal Review by County Attorney	Labor rate of reviewing attorney based upon a 40- hour work week
Engineering or Specialist Review	Actual Cost
Information Technology Email Search	Labor rate of County's contracted IT specialist
Publication of Public Notice	Actual Cost
Adjacent Property Owner Mailing	Actual Cost
Transcripts	Actual Cost

**Shoshone County Sheriff's Office Fees**

Evictions		\$180.00
Fingerprints	\$5	\$10.00
Civil Service of Process	\$20	\$50.00
Return of Service	\$20	\$50.00
Interim	\$5	\$10.00

Dog Fees: \$27.50 first day \$7.50 each day after

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Posting Notice	\$5	\$10.00
Sale Certificate(s)	\$5	\$10.00
Notice of Levy	\$5	\$10.00
Concealed Weapons Permit:		\$59.75
Concealed Weapons Renewal:		\$37.75
Retired Law Enforcement concealed:		\$37.75

### Planning and Zoning Administration

#### MINOR Subdivision\* \*\* \*\*\*

Preliminary Plat	<del>\$750</del>	\$1,000
Final plat	\$25 per lot (up to 4); \$50 per lot (5-9 lots)	

#### MAJOR Subdivision\* \*\* \*\*\*

Preliminary Plat	<del>\$750</del>	\$1,200
Final plat	\$100 per lot	

#### ~~LARGE PARCEL Subdivision — Preliminary Application — \$300~~

#### Planned Unit Development\*\*\*\*\*

Preliminary Plat	<del>\$750</del>	\$1,200
Final plat	<del>\$50</del>	\$100 per lot

Boundary Line Adjustment (Subdivision Exemption) \$100 + applicable recording fees

RESIDENTIAL Conditional Use Permit\*\* \*\*\* ~~\$250~~ \$300

COMMERCIAL Conditional Use Permit\*\* \*\*\* ~~\$400~~ \$600

INDUSTRIAL Conditional Use Permit\*\* \*\*\* ~~\$400~~ \$1,000

Special Use Permit\*\* \*\*\* \$600

Zone Change to a Residential District\*\* \*\*\* \$500 \$600

Zone Change into Commercial or Industrial\*\* \*\*\* ~~\$750~~ \$1,000

Development Agreement \$250

# SHOSHONE COUNTY, IDAHO

<del>Variance** ***</del>	<del>\$200</del>	
Variance w/Public Hearing** ***		\$400
<del>Amended Subdivision - Replat*</del>	<del>\$250</del>	
Plat Text Amendment - Replat*		\$250
<del>Amended Subdivision - Replat*</del>	<del>\$250</del>	
Replat of Subdivision* ** ***		\$750
<del>Vacation of Plat.</del>	<del>\$100</del>	
Vacation of Plat or County R.O.W** ***	\$100	\$250
<del>Appeals** ***</del>	<del>\$100</del>	
Appeal of P/Z Decision** *** **		\$300
Appeal of Administrative Decision** *** **		\$150
<del>Sketch Plan Review/Site Visit.</del>	<del>\$50</del>	
<del>Floodplain/Floodway Review/Site Visit.</del>	<del>\$50</del>	
Floodplain Development Permit	\$65	\$100 +\$50 per site visit
Community Determined Elevation Certificate		\$65
Site Disturbance Permit.	\$65	\$100 +\$65 per site visit
<del>Addressing Fee</del>	<del>\$15</del>	
New/Change of Address		\$15
GIS Color Maps (Not accompanying an application)		\$1.00 for 8x10, \$1.50 11x17
Administrative Exception (variance to setback)		\$50 +\$50 per site visit

\*\*\*Hearing transcripts.....Actual Cost, \$200 deposit

Refer to Countywide fee schedule

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~~Comprehensive Plan Subdivision Regulations Zoning Regulations~~

~~Pick-up \$5.50 Pick-up \$5.50 Pick-up \$7.50~~

~~Mailed \$8.50 Mailed \$8.50 Mailed \$10.50~~

**Airport Hangar / Management Fees**

Lease Rate – per sq. ft. per month

Non-County Owned Hangar(s): (per square foot per month)

Aeronautical Use (50.1% tied directly to aviation)	\$0.15/sq ft	\$0.17/sq ft.
Non-Aeronautical use (less than 50.1% tied directly to aviation)	\$0.40/sq ft.	

County Owned Hangar(s) monthly:	\$100-300/month depending upon size/condition
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Sublease Application Administration	\$200
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Hangar Waitlist Deposit	\$150
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*All lessees are responsible for actual costs of any utilities or maintenance associated with their use and occupation of the facilities. All fees listed above are unless otherwise modified by contract.*

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**Shoshone County Assessor's Office**

GIS/Aerial Maps	8.5x11:	\$1.50
	11x17:	\$3.00
	24x36:	\$15.00
Plat Maps	19x22:	\$4.00
	24x36:	\$8.00
GIS shapefile CD		\$150.00
Alpha/Numeric (excel)		\$50.00
Proval CD (home sq foot, bed, bath, etc.)		\$100.00

Dated this 9<sup>th</sup> day of December 2021.

BOARD OF COUNTY COMMISSIONERS

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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

Mike Gunderson, Sheriff of Shoshone County, Idaho, revoked the appointment Corey Thompson, Reserve Patrol Deputy, in and for Shoshone County, Idaho effective December 6, 2021.

Thereafter, the meeting adjourned.

ATTEST Tamie J. Eberhard  
County Clerk

Approved:   
Chairman

By:   
Deputy Clerk