

# PROCEEDINGS COUNTY COMMISSIONERS

## SHOSHONE COUNTY, IDAHO

BOOK 2022

Tuesday, June 7, 2022

Present:

Commissioners: Mike Fitzgerald - Chair

John Hansen

Jay Huber

Deputy Clerk: Lori J. Teeters

**9:30 AM** The Board met with Shoshone County Chief Deputy Treasurer, Karey Eddy to discuss, review and consider declaring parcel #A010000C023B an Odd-Lot pursuant to I.C. 31-808(8).

Also in attendance:

Karey stated that this parcel was tax deeded to Shoshone County last year and was scheduled for the tax deed auction this year. Per Susan Copelands recommendation to Odd-Lot it, it was pulled from the Tax Deed Auction and will get a Resolution drawn up and approved on next weeks agenda and advertised for Public Auction for sale to adjacent property owner. A motion was made by Commissioner Fitzgerald to declare Parcel #A010000C023B as Odd-Lot pursuant to I.C. 31-808(8), seconded by Commissioner Huber. The motion carried unanimously.

**10:30 AM** The meeting with Rich Dickman with Gallagher Benefits was canceled. Mr. Dickman was unable to attend the meeting.

**11:00 AM** The Board convened at 11:16 am as a Board of Equilization for a Homeowners Exemption on the following:

G973000A0A30      El Mehdi El Kacemi      2022 Homeowners Exemption

Also in attendance: Safa Riadh, Attorney representing the Homeowner, Max El Kacemi, Shoshone County Assessor's Office, Terri Wild & Jerry White.

Commissioner Fitzgerald stated this a recorded event and asked the Assessors office to present their evidence. The Assessor's office said they were originally alerted to the homeowner's exemption by the State Tax Commission, that El Mehdi (who goes by Max) had multiple addresses and claimed per his Tax Return, he rented the above parcel out. Max's Attorney presented testimony prior to the meeting with the Assessors that showed proof that the client did file as an Idaho State resident that lived in the residence 365 days a year. He does show that he rents a portion of his residence, however, to his business. After review of the documents, Jerry stated that a portion of the residence would qualify for the homeowner's exemption, because of the business. He states 61% homeowner's exemption, and 39% business would be fair. Attorney for El Mehdi states on behalf of his client, that is a fair assessment. He states his client is also asking for interest and penalty fees to be waived. Commissioner Fitzgerald asked what the circumstances were for the late fees and penalties. Terri stated that although some of the fees were because of the unresolved exemption, she wanted it noted that it is the homeowner's

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responsibility to notify the assessors office of the situation. The Attorney for El Mehdi stated that he will pay the portion that is due before he leaves the courthouse today in the amount of \$408.35. Commissioner Hansen made a motion to approve the subject property for a 61% homeowners' exemption, and to waive penalty and late fees on the homeowner's portion of the property, but not the business portion, seconded by Commissioner Fitzgerald. The motion carried unanimously. The meeting adjourned.

**1 PM** The Board met with Solid Waste Department, Shelby Wilcox and Richard Brenner, Public Works, Jim Cason & Jessica Stutzke, Donnie Erikson to discuss the Murray Dump Station. Jim Cason stated that it has become such a mess, that Memorial Day was so bad, the dumpster doors were unable to be opened there was so much garbage laying outside the dumpster.

Also in attendance: Shoshone News Press, Josh McDonald

The following solutions were discussed:

- Fencing and Cameras – better surveillance,
- Out of State solid waste stickers – for those that come over Thompson Falls to use it
- Picking up the bins more often, possible twice a week – New Fee increase for the Department because of the fuel costs, and having to go pick up the bins more often;
- Put in to next years budget for an extra dumpster, more capacity;
- Redesign the dumpster lids, so they can be locked and left and only unlocked during high traffic times;
- Cleaning up and giving the dumpsters a facelift – when clean and nice people tend to respect the area more;
- Doing a 3-day winter dump for local residents in December and February to cut down on the high garbage that happens every spring time cleaning;
- Set it up to be as nice as the Rose Lake Dump Area;

The BOCC asked for everyone to put down priorities and dates and will schedule another meeting to set in motion some of the ideas brought up at todays meeting. The meeting adjourned.

There being no further business the meeting adjourned.

ATTEST Tamie J. Eberhard  
County Clerk

By: [Signature]  
Deputy Clerk

Approved: [Signature]  
Chairman

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#### Wednesday, June 8, 2022

The Board convened at 9:30 a.m. in regular business session and the meeting was called to order.

Present:

Commissioners: Mike Fitzgerald - Chair

Jay Huber

John Hansen

Deputy Clerk: Lori J. Teeters

Also, in attendance: Matt Beehner

PUBLIC COMMENT: Matt Beehner wanted it noted on record, and read from a transcript on behalf of Minde Beehner, that she feels the minutes for the meeting that was held on May 27<sup>th</sup> for the Beehner's regarding Canyon Addition Sub-division issues were inaccurate. Commissioner Fitzgerald stated that if Minde wanted to provide a copy of the transcript, Deputy Clerk, Lori Teeters, would put them in the public comment verbatim. Matt said he would ask Minde and let the Commissioners know.

- 1.) Deputy Clerk - Minde wanted to know what the status on their nuisance complaints and the survey from Stratton on E St and F St. Minde Beehner - has stated many times that the complaints are HER complaints, as she is the one that has been doing all the research and work on these issues. Minde also wanted to know why Stratton survey only listed Brookside Ave and not the whole area of concerns as the bid was supposed to be for. She never said Stratton's survey was for E and F streets.
- 2.) Deputy Clerk - Minde wanted it noted that she wasn't happy with the Findings of Fact and things are compounding in the area daily. Minde Beehner - Later in the meeting, after discussing Stratton contract, she brought up the findings of facts that came from a BOCC meeting not hearing on F st. encroachments. She pointed out that things stated as facts in the record, contradicted testimony and evidence that was presented at the F st vacate hearing. That PW made statements as facts, that he has no evidence of. Minde also stated that in the past, Mike Fitzgerald has said he would send out letter to have new projects put on hold until area is figured out. This never happened even when BOCC was notified when new things were taking place.
- 3.) Deputy Clerk - Her and Matt wanted to know how money is being spent for F street surveys and what monies have been spent on surveying to this point. Minde Beehner - Also money has been spent with Alta and HMH not Stratton and HMH to this point. Minde clearly listed what money has been spent on surveying in the area and what it was for. Alta - just over 12 thousand for two exhibit maps and two legal descriptions for someone's personal F street petition to vacate. HMH - almost 6 thousand for some visual

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aids for the site walk and a map showing a reroute of F st. This map, with the exception of the width of the road, is identical to the map that she and Frosty presented to the BOCC, prosecuting attorney, and P&Z many years ago. Total spent on surveying so far almost 18 thousand.

- 4.) Deputy Clerk - Above minutes go on to say – to this point and with HMN and Stratton and inquired if Brookside was included in the survey. Minde didn't think that Brookside was included and that it was just the Canyon Addition. Minde Beehner – Minde said bid put out by legal only says Brookside Ave and DOESN'T address E St., F St., Tomsche Ave or the alley, where 98% of the concerns and issues are. Minde stated she was fine with Brookside being included but all the other areas needed to be include like the BOCC motion states.
- 5.) Deputy Clerk - Commissioner Fitzgerald stated that they didn't have anything to do with the scheduling of the survey because they knew a decision would come before them at some point to on defining the streets and the complaints. Minde Beehner - Fitzgerald stated scheduling surveyors is difficult and he had 3 projects waiting on surveyors. He also stated, and it is nowhere in the minutes, that legal told them they had to stop being involved in the process because items would come before them. Legal handled the request for bid and PW is working with Stratton on schedule.
- 6.) Deputy Clerk - Commissioner Fitzgerald stated that the goal of the county is to have the survey completed and pins in the ground so they know the boundaries and lines they will be working on. They would like to see al the addition be surveyed including Brookside, so they can clean up the mess that has been created in the neighborhood. Minde Beehner - Mike Fitzgerald, with other BOCC agreeing, stated the survey was to further define Tomsche. Mike said, the goal sent out by legal was to capture Brookside Ave and incorporate the other so we have a final record of survey and pins in the ground for the area. Mike Fitzgerald went on to say the contract for survey is titled Brookside but the additional areas are in the scope. Mike asked Jim Cason and Jim confirmed that it was all the area. They wil pick up where Alta fell short. Minde named F st, E st and Brrookside, Tomsche and alley as being surveyed and BOCC said yes.
- 7.) Deputy Clerk - Public Works also stated that once the survey is done, they will be able to correct it on the new mapping system they are working on. Minde Beehner - This was not stated during the meeting at all.
- 8.) Deputy Clerk - Commissioner Fitzgerald has made a note to check with legal to find out if the survey had been scheduled. Minde Beehner - Mike asked Jim in PW to contact Stratton and see if he is on task not legal. Mike said this needs to get going.

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The consent agenda was reviewed for consideration as follows:

##### OLD BUSINESS:

1. Consideration and Decision of the Minutes of the Commissioners' Public Agenda Session dated Tuesday, May 31, 2022 to Thursday, June 2, 2022.

##### 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

CHANGES TO AGENDA: There were no changes to the agenda.

A motion was made by Commissioner Fitzgerald, seconded by Commissioner Huber to approve the consent agenda as presented with specific items addressed as indicated. The motion carried unanimously.

2. Executive Session: Indigent Cases: There were no Indigent Cases presented.

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	\$82,286.74
002	Road & Bridge	\$11,781.32
006	District Court	\$3,274.06
0009	Liability Insurance	\$2,500.00
0010	Self-Insurance Fund	\$10,149.58
0012	Historical Society	\$37.75
0016	Indigent	\$2,362.06
0018	Park	\$465.27
0020	Appraisal	\$289.39
0023	Solid Waste	\$64,530.82
0027	Weed	\$1,202.46

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0037	Snowmobile	\$102.86
0038	Waterways Fund	\$381.60
0052	Airport	\$6,403.11
0055	Fish Hatchery	\$270.14
0056	Emergency 911	\$719.35
0106	Drug Court Program	\$2,626.34
0207	ARPA Grant	\$21.03
0211	ITD Express Bus	\$11,649.74
0215	Title III Trust New 2009	\$49,281.10
9101	Auditor's Trust	\$6,611.03
9106	Sunshine Statue	\$128.35
9183	Support Trust	\$1,608.62
9186	Motor Vehicle Trust	\$1,285.90
9247	Silver Mountain Legal	\$7,429.27
	TOTAL:	\$267,397.89

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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**11:30 AM** The Board met for a continuation meeting on the National Flood Insurance Program (NFIP) Community Rating System (CRS) participation for Shoshone County.


Also in attendance:

After review and discussion, the BOCC decided discontinuing the CRS Program based on the program having a rigorous compliance process, the man hours that are used in trying to stay compliant and the very few benefits the program provides the residents of the County.

Commissioner Fitzgerald made a motion to discontinue the program, seconded by Commissioner Huber. The motion carried unanimously. Commissioner Fitzgerald stated a letter will be drafted and sent out to the NFIP administrator on behalf of the Shoshone County Commissioners notifying them of the County's discontinued participation.

There being no further business the meeting adjourned.

ATTEST Tamie J. Eberhard  
County Clerk

Approved:   
Chairman

By:   
Deputy Clerk



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Thursday, June 9, 2022

Present:

Commissioners: Mike Fitzgerald - Chair

John Hansen

Jay Huber


Deputy Clerk: Lori J. Teeters

**10:00 AM** The Board convened at 10:00 a.m. for the purpose of a tax deed auction that was held in the 3<sup>rd</sup> Floor District Courtroom of the Shoshone County Courthouse. Commission Chairman Mike Fitzgerald presided. Others in attendance: Commissioner Jay Huber, Commissioner John Hansen, Deputy Clerk Lori Teeters, and several members of the public. Commissioner Fitzgerald read portions of the Notice of Public Auction that was advertised in the Shoshone News Press on May 27, 2022. The tax deed auction proceeded with results as follows:

#2021-1	#D0100023024A	Minimum Bid: \$15,780.37	Sold: \$100,500.00
	To: Jason Thompson		
#2021-2	REDEEMED		
#2021-3	REDEEMED		
#2021-4	REDEEMED		
#2021-5	#O35000060040	Minimum Bid: \$12,866.07	Sold: \$110,500.00
	To: Shay Ricks		
#2021-6	REDEEMED		
#2021-7	REDEEMED		
#2021-8	#O19000020120	Minimum Bid: \$985.44	Sold: \$8,000.00
	To: Grant Avila		
#2021-9	REDEEMED		
#2021-10	#49N02E301400	Minimum Bid: \$1,012.96	Sold: \$31,500.00
	To: Colleen Roberts		
#2021-11	#49N02E308275	Minimum Bid: \$1,443.12	Sold: \$8,000.00
	To: L.J. Porter		

There being no further business the meeting adjourned.

ATTEST Tamie J. Eberhard  
County Clerk

Approved:   
Chairman

By:   
Deputy Clerk