

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2022

Tuesday, June 14, 2022

Present:

Commissioners: Mike Fitzgerald - Chair

John Hansen

Jay Huber

Deputy Clerk: Lori J. Teeters

10:00 AM The Board convened to review, discuss and consider a proposal presented by HMH to provide on-call Planning and Zoning Consulting Services.

Also in attendance: Matt Beehner

Commissioner Fitzgerald stated there were multiple interested parties, but the Commissioners only received one (1) formal proposal and it was from HMH Engineering. Commissioner Fitzgerald asked P&Z, Monica Miller, if she wanted to review some of the projects the department has pending and if HMH would fit comfortably into the department scope of work needs. He stated that the BOCC would request Monica put together a packet for the P&Z Commission and have the Commission make a recommendation to the Board for approving HMH or if they would like it to be resent out for bid. Monica stated the next P&Z Commission meeting is July and she would get back to the Board on a recommendation after that time. The meeting adjourned.

10:30 AM The Board convened to discuss and decide on hiring Susan Copeland to do a title search for Herrick Park subdivision.

Also in attendance: Matt Beehner

Commissioner Fitzgerald stated after coming out of Executive Session last week with legal, the BOCC thinks it would be a good idea to hire Susan Copeland to do a title search on the Herrick Park sub-division, so it is on record for the County on where the property lines are and who owns what. Commissioner Fitzgerald made a motion to hire Susan Copeland to do a title search at \$150 an hour, as Susan quoted at the previous meeting, seconded by Commissioner Huber. The motion carried unanimously. The meeting adjourned.

11:00 AM The Board convened to discuss and make a decision on initiating criminal and civil legal actions regarding illegal operation of a commercial campground facility at 6031 Burke Rd, Wallace, Idaho, owned by Lisa Johnston.

Also in attendance: Bryan Stepro & Matt Beehner

After meeting with legal in executive session last week, the BOCC met today to discuss and make a decision if they want to proceed with County legal initiating criminal charges.

Commissioner Fitzgerald stated that per I.C. when initiating criminal charges, you must also file civil charges as well. A letter was sent out to Lisa Johnston certified mail on 5/17/22, no response was received from her, and the Commissioners have received pictures and emails that the campground is still operating. Commissioner Hansen said he did drive up to the subject property last week and did see an RV at one of the sites. After discussion, the BOCC decided

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they need to act on having legal initiate charges. Commissioner Huber made a motion to have legal start the criminal and civil charges process against Lisa Johnston for illegal operation of a campground without a Conditional Use permit, seconded by Commissioner Hansen. The motion carried unanimously. The meeting adjourned.

1:00 PM The Board convened for a continuation meeting with the Pottsville Seven to discuss future plans for Pottsville Park, Mullan, Idaho.

Also in attendance: Shoshone News Press, Molly Roberts,

The following items were discussed:

- Name change update – nothing new on the name change
- Trail development – Sportsmen's Association approved trail usage for the loop that falls on their land; after clean-up is completed, F.S. will go in and create the GIS mapping for the park
- West Kitchen – Pottsville Seven will volunteer their time to demo the kitchen; F.S. will find the kitchen design and get costs for the remodel so grants can be applied for;
- Grills and Fireplaces – Kjell provided quotes for stand-up BBQ's and ADA compliant firepits and would like to put those in, in the next couple of weeks; looking for donations for firepits; Commissioner Hansen and Huber committed to donating money for a stand-up BBQ;
- Summer Maintenance – under the cost-share program, the F.S. will add the Pottsville Seven to the volunteer group so they can volunteer their time for mowing and weed-eating, etc.;
- Upcoming Grant Applications – discussed different grants and the deadlines for each grant.

Another meeting will be scheduled in the next month or so. 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 15, 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:

PUBLIC COMMENT: There was no public comment presented.

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 Monday, June 6, 2022 to Thursday, June 9, 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
 - Shoshone County Treasurer statement of balances for April 2022
 - Shoshone County Treasurer statement of balances for May 2022

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

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: There were no Indigent cases presented.

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9:45 AM Commissioner Huber made a motion to approve Resolution 2022-23 Declaring Certain Property as Odd-Lot pursuant to I.C. 31-808(8) Shoshone County, Idaho, Parcel #A010000C023B, seconded by Commissioner Hansen. The motion carried unanimously.

9:55 AM Commissioner Fitzgerald made a motion to approve Resolution 2022-24 Approving Credit Card Accounts for Shoshone County, seconded by Commissioner Huber. The motion carried unanimously.

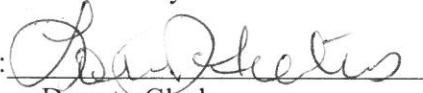
10:30 AM The Board met in Executive Session per I.C. 74-206(1)(f) – to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. Also in attendance: Shoshone County Prosecuting Attorney office, Britney Jacobs, Shoshone County Clerk, Tamie Eberhard, Shoshone County Ambulance District Board, Bruce Van Broeke, Kjell Truesdell, Jim Shields, Frank Gabriel, Mark Aamodt, Trent Haun, John Miller, Mac Pooler, Shoshone News Press, Josh McDonald and Matt Beehner. 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, items discussed but no action taken in open session were as follows: legal will create a Resolution to clarify a few processes, Bylaws will be created, the BOCC wants to thank the board members for doing a fantastic job for creating and maintaining this community service for Shoshone County residents, and wants to make clear to the Ambulance District Board that if they continue to be badgered by the same person, or if there are any questions, to please direct him to the BOCC, and they will handle him.

3:00 PM Commissioner Hansen attended the Panhandle Area Council board meeting via zoom.

There being no further business the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

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BOOK 2022

Thursday, June 16, 2022

Present:

Commissioners: Mike Fitzgerald, Chair

John Hansen

Jay Huber

Deputy Clerk: Lori J. Teeters

9:00 AM The Board convened to meet with Shoshone County Sheriff, Mike Gunderson, to discuss Fuel Expenditures for the department.

Also in attendance: Shoshone County Sheriff's Department, Holly Lindsey, Lance Stutzke, Casey Van Buskirk, Jeff Lee and Matt Beehner.

The following items were discussed:

- Fuel expenditure is up
- Negative impact on the 2022 budget
- \$50,000 was budgeted for fuel costs for the 21/22 budget year, \$45,000 has been spent to date, with the rest of June, July, August left for the fiscal year
- Sheriff Gunderson is projecting \$40,000 to \$45,000 over budget in fuel costs
- Inmate transport is a big cost of the fuel expenditures – court ordered by the Judges

Possible solutions or cost cutting were discussed:

- Commissioners will meet with the judges to see if better communication on inmate transportation could improve and to see if there are other means or more efficient ways for inmate transportation that will help with fuel costs
- All non-essential purchases will be put on hold until further notice
- See what other line items the budget has positive balances and possible shift money to make up for fuel costs

The Commissioners will meet again mid-August to look specifically at fuel costs to have a better projection of what it will look like for the 22/23 budget year. The meeting adjourned.

9:30 AM The Board convened to meet with Shoshone County Sheriff, Mike Gunderson, to discuss 22/23 budget.

Also in attendance: Shoshone County Sheriff's Department, Holly Lindsey, Lance Stutzke, Casey Van Buskirk, Jeff Lee, Shoshone County Clerk, Tamie Eberhard, and Matt Beehner.

The following items were discussed:

- Goods and Services are up, inflation is high
- Look into hiring an IT person for sheriff department, but cost sharing that person with all departments and in turn doing away with multiple IT companies;
- Safety building is falling apart, repairs and maintenance are up trying to keep it running;
- Vehicle inventory is on-going, vehicles are in and out as they age and mileage gets high;
- About \$6900 a month in fuel costs now for the department and the fuel has gone up since;
- Biggest cost for the department this year is personnel and state costs;
- The budget for the department is pretty much on target

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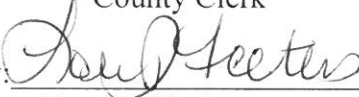
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Another meeting will be scheduled in the next week or so for a workshop, and Tamie Eberhard will meet with each of the departments mid-july with a final review by the Commissioners in August.

6:00 PM Commissioner Huber attended the Shoshone County Ambulance District Board meeting at Fire District #1.

There being no further business the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

By: 
Deputy Clerk

Approved: 
Chairman

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BOOK 2022

Friday, June 17, 2022

Present:

Commissioners: Mike Fitzgerald - Chair

John Hansen

Jay Huber

Deputy Clerk:

9:00 AM The Board convened to discuss, review and consider a Notice of Objection and request for reconsideration regarding the bid awarded to Maverik, Inc for the sale of the Smelterville Property, Shoshone County, Parcel #O31500040010.


Also in attendance: Shoshone County Clerk, Tamie Eberhard, Shoshone County Prosecuting Attorney, Ben Allen, Attorney for Ted Beamis, Laura Markham, Taylor Gibbons, Representative of Maverik, Inc, Dave Dose, Joe Avery, Ron Wood, and Matt Beehner.

Beamis Oil, through their attorneys, requested the BOCC to rescind the purported sale of the Smelterville property for \$2,161,000 to Maverik on May 31st and reopen the bidding process for two weeks, until noon on June 28th. They have concerns over Maverik's ambiguous terms of bidding \$10,000 over Beamis' bids. If the Commissioners agree to the offer and reopen the bidding, Bemis requested that no escalation clause be allowed to waive the bid closing time.

Taylor Gibbons, representing Maverik, stated that all parties agreed to continue negotiating after the noon deadline on May 31st, and that Bemis team did not ask about the escalation cause and decided to stop bidding by stating they were done. The escalation clause was not used to win the bid. The Commissioners asked for public comment and there was none. The Commissioners discussed the request and additional comments. Mike stated he did not agree with the conclusion anything was wrong with the May 31st bid process. Commissioner Huber and Commissioner Hansen agreed. Commissioner Fitzgerald made a motion to deny the request to rescind the Maverik offer and reopen the bidding process. Commissioner Hansen seconded the motion. Roll Call Vote: Commissioner Fitzgerald – Aye, Commissioner Hansen – Aye, Commissioner Huber – Aye. The motion carried to continue the sale with Maverik, Inc.

There being no further business the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk