

# PROCEEDINGS COUNTY COMMISSIONERS

## SHOSHONE COUNTY, IDAHO

BOOK 2022

**Tuesday, February 7, 2023**

Present:

Commissioners: David Dose - Chair

Tracy Casady

Jeff Zimmerman

Deputy Clerk: Jazmin Sauer

### **9:30 AM MEETING: SC Ambulance District Information**

Also, in attendance: Britney Jacobs/Deputy PA, Margi Dorchuck, Matt Beehner

The board convened to meet with Deputy Prosecuting Attorney Britney Jacobs to discuss the ambulance district. Britney began by stating that per Idaho Code, an Ambulance District can be formed in two different ways, depending on the formation date. Legal at the time (2020) recommended forming the AD, and to form it in a way that we did not need to create more elected positions within the county. The way SC set it up is that the BOCC is the governing board for the AD. At this time, the BOCC recruited assistance with the AD board, and the AD board was allowed to be making decisions kind of without the BOCC's approval. Some other counties in Idaho have adopted that way of running the AD board, by sort of relinquishing the power from the BOCC to the AD board. Shoshone County is so small that it works out for us to keep the BOCC as the governing board. The SCAD is an advisement board, in the way that they discuss matters and decisions in their monthly meetings, and then ultimately any decisions come to the BOCC for approval. The county clerk retains the funds, and the AD can utilize the funds how they see fit within the budget that was set for them. There was discussion between the BOCC and Britney about how the AD funds do not sit in the county's general funds, but in a separate account, due to the AD being a separate taxing district. The BOCC wondered about the monthly expenses for the AD being sent to them after they are paid out. Britney explained that this is how it has been done in the past, and as long as the AD is using the funds already approved by the BOCC, it should not cause any issues. Commissioner Dose wondered about contracts and what part of the budget the secretary and mechanic come out of. The BOCC signs and reviews any contracts for staff, however Britney is still drafting the contract for the mechanic that is to be hired. Britney will have the contract drafted before the next AD meeting on the 16<sup>th</sup> and will send that to the BOCC to review as well. Commissioners Dose and Zimmerman questioned whether anyone writing checks or doing work for the AD should be bonded to protect SC from liability. Britney concurred, that anyone doing work for the AD should be bonded/insured and in compliance. Commissioner Dose asked if purchases such as new ambulances should be presented to the BOCC and if they need to receive three (3) bids and go through the state procurement process. Britney confirmed that is the process. There was question about the AD hiring someone to do their accountant, the BOCC wondered if the clerk could do it, to which Britney confirmed it could come to the county to take care of. After further discussion of contracts and structure, Commissioner Dose made note to review the ambulance district's contracts with individuals. *The floor was opened for public comment*, Matt Beehner spoke to several things. He says the AD was formed before July 1, 2020. He referred to the AD board as a "full-fledged board" in which he says the county's legal at the time advised the BOCC to set it up as. He spoke to Idaho Code having two different codes for AD's, just as Britney mentioned in the beginning of the meeting. He says the AD is a "component of" Shoshone

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County, and not its own taxing district. Matt thinks the AD's funds should be in the county "coffers", and that Lori Teeters does the accounts payable and that he disagrees with the BOCC seeing the prepaids after they have been paid. Matt said the auditor named Tony even referred to the AD has a component, and there is also no money in the budget for their separate audit that has to occur this year. He also questioned the \$3,000 spent from the 'legal' fund for the AD, Matt thinks their legal counsel should come from the county's attorneys, not an outside source. Following further discussion between the BOCC and Britney, everyone was in agreeance that some research needs to be done about contracts and anyone spending county money being bonded/insured. Adjourned at 10:13 AM.

**11:30 AM MEETING: Discuss concerns with minutes/records of BOCC meetings -Minde Beehner**  
Also, in attendance: Tamie Eberhard/Clerk, Scott Sergeant/Deputy PA, Colleen Rosson/GA, Jay Huber, John Hansen, Margi Dorchuck, Matt Beehner

Commissioner Dose called the meeting to order and invited Minde to present her information. After handing the BOCC a packet of information Minde began by stating that she is not here to get anything changes or amended, but to bring light to concerns about past meeting minutes and agendas. Minde explained that she and Matt began bringing their own personal recording device to BOCC meetings after they began to feel misinformation was being published. According to Minde's recordings, there have been plenty of mistakes in minutes over the years, but she only wants to talk about some from the past year. She referenced Idaho Code 74-205 about Open Meeting Law, and the minutes should not include any factual falsities. Minde referenced several minutes and agendas during the meeting, beginning with July 18, 2022 and August 3, 2022. She has no recording of the July meeting, but says there was no motions made. The August meeting was in regard to ARPA fund and subrecipient agreement, the City of Kellogg and the SFD Dist. #1's requests show no record of being voted on in the minutes. The Shoshone County Crisis Center is approved in the minutes, but was not actually talked about according to Minde's recording. In Sept 2022, two public hearings were held about the Ambulance District and the County's budget, Minde submitted a PRR to listen to the recordings, the County Clerk responded that the recorder was not on, so the record doesn't exist. The minutes show that Ellen Masterson was present, she was not. September 7, 2022 business meeting says the previous weeks minutes were incorrect, and she noted that it's a 50/50 shot on whether the BOCC votes on the old business separately or not. Same day, a public hearing was held for updating Transfer Station Fees, the resolution voted on for October 1, 2022 was dated incorrectly (Jan 2023), this is not an accurate reflection of the meeting. June 14, 2022 meeting, Minde does not have a recording for this one, but that an RFP for the consulting process with HMM does not exist that she has been able to get. Sept 13, 2022 proposed service contract for consulting services – cancelled rescheduled on Sept 20, 2022. Minde does not have a recording of this one, but that there is no motion made or details of the contract or dollar amount. October 25, 2022, Minde says there was no motion made out of executive session, but that amended minutes will be voted on during the next day's consent agenda. She wonders how that was put on the agenda if a conversation hadn't already taken place around those minutes. October 26, 2022, no vote was taken on the old business (past minutes). She mentioned that these minutes from the 26<sup>th</sup> have been amended several times already to show the discrepancy in the lack of quorum voting to approve the consent agenda. Next, Minde says the commissioners went into an executive session under 74-

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206(d) to discuss the previous minutes (Sept 26-29, 2022) even though there is no Idaho Code pertaining to minutes, with no Roll Call vote taken. When they exited executive session, Commissioner Hansen noted that they made a mistake when calling out the Idaho Code, said it should have been 74-206(b), which also does not pertain to minutes or amending them. Minde says there were several mishaps in this meeting, and then Matt had let Ben know about the issues and they thought the previous BOCC should fix their mistakes. January 4, 2023, a ratification took place for the Oct 26 meeting, with advisement from county legal. The minutes need to reflect the correction of the consent agenda. She notes that in a few of these meetings, it says a commissioner's name recorded as voted or present in the minutes, when that was not the case. Minde is concerned with the accuracy of the County's records; she says the prosecuting attorney has told her in the past that the BOCC was advised to record their meetings but that they did not wish to do so. She is happy to see that in the past few months they have been recorded that they are now being video recorded for the public to see. Some issues she mentioned today are minor and some are major, but she thinks its not a matter of degree of correctness, but a matter that this is the record of the BOCC. She gave some of her ideas: online should show and state amended minutes, amended agendas should be numbered or highlight the amendments, she thinks that the present commissioners' names should appear on every meeting rather than the top of the page. Minde thinks that if the commissioners hear the term "historically" that they should "run the other way", just because something was done that way, doesn't mean it was correct or that it can't be done another way. Minde said that she is not asking the BOCC to change these items, but that she wants them to keep an eye on these issues moving forward. No public comment was presented. Commissioner Dose thanked Minde for her time and ideas, there was discussion around adjusting the Oct 26 minutes as well. Adjourned at 12:07 PM.

#### **1:00 PM MEETING: Discuss subdivision regulation concerns – Edward Anderson**

Also, in attendance: Dan Martinsen/P&Z, Margi Dorchuck, Matt Beehner  
Ed provided a handout to the BOCC about what he wanted to discuss with them. Ed is a real estate broker licensed in Montana, Idaho, and Washington. Specializes in land, has 50 years of experience. He is a semi expert on property taxes as well. He wanted to discuss some land for sale up Bear Creek, it's 35 acres, and a mile long. He has discussed the idea of buying it from the sellers, and wants to split it into three ten-acre parcels. He would keep the ten (10) acres closest to his property and sell the other two parcels. After discussing with P&Z, a lot of work goes into what he wanted to do (i.e. septic, fish and game, panhandle health, etc.) Ed thinks Shoshone County hinges on Kootenai County w/subdivision regulations, which he believes are overreach in regulations. If regulations get too tight, things come to a screeching halt, and it becomes hard to move forward. He suggests the BOCC look into updating SC subdivision laws. Ed talked about several examples, such as some property up Bumblebee, he says we are always one BOCC meeting away from different regulations. Ed says in his dream world, subdivision rules would be easy to follow and aren't due to subjective different opinions. There was discussion about Idaho Law regarding landowner parcels, and Ed told the BOCC that all he has presented today is food for thought. Ed praised Dan Martinsen, said he's the best P&Z administrator he's worked with in all three states he works in. Dan Martinsen said he is always happy to help and answer any questions. Dan discussed that built into Idaho Code, the state has a 20-acre split code. County

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code has been changed a couple of times throughout the years. Processes need to be the same for everyone. Adjourned at 1:26 PM.

#### **3:00 PM MEETING: Discuss/decide action for Silver Valley Road blight**

Also, in attendance: Britney Jacobs/Deputy PA, Margi Dorchuck, Matt Beehner, Minde Beehner. The blight in question can be seen from the freeway and has been a topic of discussion from many people, both on social media and in our offices. There are two options on dealing with a blight: either a criminal action (jail time and fines, minimal under county code), or a civil complaint through the courts (county can come in and clean it up, and then assess cost to responsible party). Currently, we have filed that civil complaint and the individuals did not respond within their 21-day period. Now, SC can file a default judgement, which gives us the opportunity to have the court order them to clean it up in a reasonable amount of time before the county moves in to do it. Britney needs the BOCC to decide if we still want to move forward with this action or not. If so, who will we have conduct the cleanup of the blight. In the past, we have used a contractor, and our roads department (who would need notice). Commissioner Casady asked that if we go through with the clean up ourselves, how are we sure that we will get reimbursed? Britney says through the court system we can assess the fee through judgement or apply it to the tax roll. The Commissioners wondered if SC could place a lien on the property if they do not repay the debt. Commissioner Zimmerman asked if the responsible party had been talked to in person before we filed the complaint? Britney explained that yes, the deputy assigned to the complaint had contacted the party, asked them to clean up and gave them a notice. The resident came to the first default hearing and indicated that they were working on it, so the resident is aware of the action and has stated he is making progress on it. Commissioner Casady asked if photos had been taken before / after? Britney said not that she is aware of, but we could send the deputy back out to take pictures. Commissioner Dose asked what makes a "blight"? Britney says county code is broad, but its usually when a property has become so dilapidated that it affects property value (i.e. excessive cars, random debris, unkept vegetation). Britney double checked that code **does** in fact allow for a property lien. The deputy going to check on the progress will take pictures and submit an affidavit to the court with their findings. Commissioner Casady made a motion to file the default judgement, seconded by Commissioner Zimmerman. The motion carried unanimously. The BOCC agreed that a "reasonable" amount of time is thirty (30) days. Commissioner Dose asked for public comment – Matt Beehner: When Keisha set up this blight order there was all kinds of problems. Complaints can be submitted to several different departments, this gets confusing. Britney explained that it can sometimes be difficult to determine which department a complaint belongs to, but ultimately all are involved anyways so it's good to have a necessary chain of command. Adjourned at 3:25 PM. There being no further business the meeting adjourned.

ATTEST: Tamie J. Eberhard  
County Clerk

Approved: \_\_\_\_\_

  
Chairman

By: \_\_\_\_\_

  
Deputy Clerk

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#### Wednesday, February 8, 2023

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

Present:

Commissioners: David Dose - Chair

Tracy Casady

Jeff Zimmerman

Deputy Clerk: Jazmin Sauer

Also, in attendance: Colleen Rosson/GA, Tamie Eberhard/Clerk, Margi Dorchuck, Matt Beehner

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

PUBLIC COMMENT: Matt Beehner – wonders why he was put on the spot about meeting minutes from first week of January, he hadn't seen them before they were approved. He also said that people who have their back to the public need to speak up, they are sometimes hard to hear.

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, January 23, 2023 to, Thursday, January 27, 2023. Consideration and Decision of the Minutes of the Commissioners' Public Agenda Session dated Monday, January 30, 2023 to Thursday February 2, 2023.  
A motion was made by Commissioner Zimmerman to approve the meeting minutes, seconded by Commissioner Casady. The motion carried unanimously.

#### 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.)
  - Shoshone County Pre-Pays – This item was tabled for further review. Motion by Commissioner Casady, seconded by Commissioner Zimmerman. Passed unanimously.
  - Beer, Wine & Liquor Licenses  
2023 Beer, Wine & Liquor Licenses  
#82 SMT LLC – Kingston – Beer/Retail Wine
  - Cancellations/Homeowner's Cancellations
  - Shoshone Funeral Home Services Agreement
  - Hodges Funeral Home Services Agreement
  - Sign opioid settlement participation forms: Allergan, CVS, Teva, Walgreens & Walmart

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- Shoshone County Treasurer Statement of Cash Balances as of January 2023

County Clerk Tamie Eberhard was in attendance to go over the new service agreements between Shoshone County and the Shoshone Funeral Home and Hodge Funeral Home. When SFH sold, Tamie reached out to the new owner, Mark, to meet with him and go over the current contract. With the fact that we sometimes have needs in outlier areas (like the St. Joe), she also reached out to Hodge Funeral Home to create a similar contract as well. The county cost has risen from \$1200.00 per case to **\$1400.00** per case. These agreements will be reevaluated each year. SC Grants Administrator Colleen Rosson was in attendance to explain the signing of the opioid settlement participation forms. Our funds from these settlements will be allocated to Panhandle Health District, to be used within our community.

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

Public comment – Matt Beehner: How much was the opioid settlement? Colleen explained that the State received \$301,047.70 and certain percentages were allocated to counties. Commissioner Casady addressed Matt Beehner's comment from the beginning of the meeting. She said that she had asked Matt if he'd seen the minutes (week of Jan 2), since she was the only one approving them, just to avoid any issues or potential amendments.

2. Executive Session: Indigent Cases: Consideration and Decision.  
Executive Session ID Code 74-206(d). A motion was made by Commissioner Zimmerman, seconded by Commissioner Casady to go into Executive Session per Idaho Code 74-206(d). Roll call vote: Commissioner Casady – Aye, Commissioner Dose – Aye, Commissioner Zimmerman – Aye. The motion carried unanimously. The Board adjourned from Executive Session at 9:49 AM and a motion was made by Commissioner Casady to approve Indigent cases #2023-3, #2023-1, #2023-4, seconded by Commissioner Zimmerman. Motion passed.

#### **10:30 AM MEETING: Idaho DEQ – Andy Helkey & Terry Harwood**

Also, in attendance: Jessica Stutzke/PWD, Stephanie Featherstone/PW, Margi Dorchuck, Matt Beehner

Terry Harwood began by giving some background on his work and 57 years of experience and noted that he has been involved with the clean up of the superfund established in 1983. The site was originally a 21-mile area in Kellogg, divided into operable units. Operable unit 1 and unit 2 were that originally 21-mile area, and in about 2000, the EPA expanded the superfund site including operable unit 3. After Terry retired, he volunteered to be on the citizens coordinating council for the basin commission. Once the EPA created the superfund site, the State of Idaho set out to have Idaho residents have a say in what will happen on the superfund site. Terry was asked 19 years ago to apply for the chair position on the basin commission. A complete inventory of the areas infrastructure took place (water lines, sewer lines, roads, streets, gas lines,

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treatment plans, etc.). In the past, over \$150 million dollars' worth of work has gone into our area's infrastructure. Then work was done with the communities to have the roads paved, so since 2009 roughly 150-175 million dollars in improvements have been done. The Basin Commission was created by the State of Idaho and included Shoshone County, Benewah County, Kootenai County and the State of Idaho. Later, the federal government, the State of Washington, and the tribe joined by memorandum of understanding. The commission coordinates all efforts for the superfund, one of the only ones made up of local people from each entity getting a say. Terry is soliciting the BOCC to partake in the Basin commission, and needs a letter to be sent to the Governor indicating which commissioner will sit on the basin commission and which commissioner will be the alternate. The next basin commission meeting is March 15, 2023 and without the letter appointing the position from the Governor, SC BOCC cannot attend. Terry went over the annual work plan for the Basin commission, consisting of many things like cleanup, budget, and a "report card" for the previous month. Terry is currently working on the 2022 annual report, which will be presented in the March meeting. Terry prefers a commissioner from either Shoshone, Kootenai or Benewah to be the chairman of the basin commission. It was previously SC's Mike Fitzgerald, so a new chairman must be appointed in March too. He provided the BOCC with a briefing book/binder full of information such as an organization chart, committees, etc.). There was discussion around settlements with Hecla and ASARCO and how those monies were spent. Andy Helkey discussed the several upcoming projects, including some work out north part of county airport, as well as the available funds. Following further discussion around FEMA remapping of the floodplain being in the works and how strenuous of a process that is, Terry thank the BOCC for their support on this matter. Andy can be reached about air quality issues and solid waste, but he does mostly deal with the superfund. There was no public comment presented, adjourned at 11:22 AM.

#### **11:30 AM MEETING: RE: Shoshone County Airport – Trey Dail with Ardurra**

Also, in attendance: Colleen Rosson/GA, Margi Dorchuck, Matt Beehner, Dawn Wiksten  
Trey began by following up on the last meeting he had with the BOCC. When they left off, he was needing the commissioners to make some decisions regarding the plans for the airport. First part is the pavement improvement plan, this one needs to be done sooner rather than later. The second part is the environmental assessment plan, this one is a little more flexible on time. As a matter of fact, the FAA has concerns with the EA being from 2016. It's a little outdated, so it is possible that the county's EA will have to be updated before we can move forward with that piece. Commissioner Zimmerman brought up the fact that other grants cannot be used as the county's match. Trey concurred, but mentioned that the CARES grant funds *can* be used for other things at the airport (i.e., electricity bill, maintenance). That leaves potential to submit expenses over the last two years to the FAA and maybe get reimbursed, last time the county attempted that it failed, so Colleen is looking into that. The county's match to move forward on the outstanding items is approx. \$26,000 and that was not budgeted for. Following discussion about how the county can use the CARES grant funding to recoup some of what is needed, Trey let the BOCC know that he would need to know at the end of next week at the VERY latest if we can move forward with at least the pavement improvement plan portion. Commissioner Dose asked for public comment – Dawn Wiksten: asked if Trey had heard about a grant from the State Aeronautics Board. Trey had not heard of that but can investigate it. Adjourned at 11:49 AM.

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**1:00 PM MEETING:** To discuss, review and consider 2023 Tax Exempt Applications pursuant to Idaho Code 63-602.

Also, in attendance: Terri Wild/Assessors Office, Margi Dorchuck

There are no new applicants this round, so these entities were tax exempt or partially tax-exempt last year as well. List as follows:

Silver Valley Fuller Center – Smelterville – Parcel #A-0100-00D-010A, #A-0100-00D-007B, #A-0100-00D-008A, #C-3350-006-032-0, #C-0450-006-002A, #C-0500-015-006-0, #O-3350-006-007-0, #O-3350-006-006-0, #A-0100-00D-000A – Approved with no changes from last year

West Shoshone Hospital District – Kellogg – Parcel #D-0000-031-555-0, #D-0000-031-525-0, #D-0000-031-520-0, #D-0475-000-002-0, #49N03E-30-8150, #03150001002A, #D-1000-001-017A – **67% tax exemption**, #O-1950-001-003-0 – **75% tax exemption**, #G-0050-050-000D, #D-0000-006-242-5 – **41% tax exemption** – Approved with no changes from last year

United Church of Christ – Wallace – Parcel #B-0050-014-002A – Approved with no changes from last year

New Life Baptist Church – Pinehurst – Parcel #G-0000-005-5215, #G-0000-008-3175 – Approved with no changes from last year

Shoshone Masonic Lodge #25 – Wallace – Parcel #B-0050-022-005A – **60% tax exemption, 2/3 nonprofit use, 1/3 is a rental**

Sixth Street Melodrama – Wallace – Parcel #B-0050-17-019A – Approved with no changes from last year

First Baptist Church of Kellogg – Kellogg – Parcel #D-1800-001-011A – Approved with no changes from last year

Prichard Volunteer Fire Dept – Prichard – Parcel #50N04E-32-4600, #O-2400-006-005-0, #49N05E-05-3330 – Approved with no changes from last year – **BOCC is investigating auto exempt for this entity**

B.P.O.E. Wallace Elks Lodge #331 – Wallace – Parcel #B-0050-015-017A – Approved with no changes from last year

Our Savior Lutheran Church – Pinehurst – Parcel #G-0750-001-001A, #G-0750-002-029C, #G-0050-061-000A – Approved with no changes from last year

Upper Columbia Mission Seventh Day Adventist – Osburn – Parcel #C-0050-029-007A – Approved with no changes from last year

St. Vincent DePaul Salvage Bureau – Osburn – Parcel #C-0500-023-001A – Approved with no changes from last year

Church of God – Wallace – Parcel #48N04E-27-3300, #48N04E-27-2250 – Approved with no changes from last year

Shoshone County Fire Dist #2 – **Automatically exempt**

Church of Nazarene – Kellogg – Parcel #D-0000-006-8940, #D-0000-006-8930, #D-0000-006-8920 – Approved with no changes from last year

Molly B Damn, Inc – Murray – **Tabled for further review**

Following review and discussion, Commissioner Zimmerman made a motion to approve this this round of 2023 tax exemptions, seconded by Commissioner Casady. Passed unanimously.

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#### **1:30 PM MEETING: Discuss/review HMH contracts – Jessica Stutzke, PW Director**

Also, in attendance: Tamie Eberhard/Clerk, Margi Dorchuck, Matt Beehner, Dawn Wiksten

When Jessica found out the previous PW Director was leaving, she began looking into our general contracts to find if anything needed changed or updated, especially with HMH. After digging into some of them and meeting with legal to check on the county's compliance, she realized the general engineering contracts kind of fell through the cracks. All the other contracts we have had went out for RFP. There was an attempt at signing an annual general contract each year, between HMH and SC, but according to Idaho Code, that doesn't really stand up. For general engineering contracting, it has to go out for RFQ (Request for Qualification). The current general services contracts were mostly specific to P&Z. After discussing with legal, Jessica thinks SC should have an umbrella type contract, rather than have a bunch of department specific contracts. With county legal recommendation, Jessica thinks that the general services contract should be put out for RFQ, and this needs to happen once every five years. She wants to see the county's contracts tidied up, and communication between everyone in the county is needed and necessary. The BOCC should be the ones signing the contracts, and everyone could use a refresh on practices with our county contracts, especially with so many new people in certain positions. The process for RFQ will require some help from legal, we'd advertise, conduct interviews with those who respond, and enter a contract with whomever is chosen. Jess thinks it's time for us to move forward and become fully compliant and to get started on this process, and the first step should be meeting with legal to do the RFQ. Following further discussion and review, Commissioner Dose suggested to have an interdepartmental meeting around contracts, including County Legal, Public Works, Solid Waste, County Clerk, and SC Sheriff's Office, as they might/will be affected by entering this type of contract. Commissioner Dose opened the floor for public comment – Matt Beehner: says he's been asking for contracts for 2 or 3 years and that it's unbelievable that no contract exists. He says we have spent \$1.6 million dollars on HMH in the last 4 years or more. Where is it hidden in the budget to pay for HMH? Jessica explained that the job specific contracts have been out for RFP. Funds can be project specific, it would not be put under a general fund if its project specific. Matt thinks SC will have a hard time doing an umbrella contract.

There being no further business the meeting adjourned.

ATTEST: Tamie J. Eberhard  
County Clerk

Approved: \_\_\_\_\_

  
Chairman

By: \_\_\_\_\_

  
Deputy Clerk

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**Thursday, February 9, 2023**

Present:

Commissioners: David Dose - Chair

Tracy Casady

Jeff Zimmerman

Deputy Clerk: Jazmin Sauer

### **9:00 AM MEETING: Panhandle Health Quarterly Update – Don Duffy, District Director**

Also, in attendance: Colleen Rosson/GA, Margi Dorchuck, Jennifer Sieg, several PHD employees

Don began the meeting by introducing himself and the team he brought with him. He wanted to give an overview of Panhandle Health's provided services and what influence they are having in Shoshone County. Don typically meets with the BOCC on a quarterly basis to update them on how they are using county money. He provided the BOCC with an info packet, and talked about how the Board of Health has a representative from each of the five (5) northern counties, Shoshone County's representative being Commissioner Tracy Casady. They meet seven (7) times a year, and their main function is policy. The district director (Don) reports to the commissioners. There are a series of division heads: environmental health & protection, health services, clinical services, CFO, communications manager, and human resources. Most of PHD's funding (81%) comes from grants and fees. The other 19% comes directly from the counties, it's a county appropriation to help fund PHD. The FY23 budget was \$13 million. While it sounds like a lot of money, PHD is 1 of 7 health districts in the state, and other counties in comparison are providing 26% funding to their health districts. PHD works very diligently to keep the expenses and county burden as low as they can. Shoshone County citizens touch PHD's services often, for example in FY21, SC residents utilized PHD services over 6,000 times. Kim Young (health services) talked about the parents as teachers program that Commissioner Dose inquired about. Don talked about the nurse in home program, in which a nurse works with a new mom and visits until the child is two years old, there is no charge for this program. Mary Renberg discussed her work, which is unique to our county. Her team is boots on the ground small stuff with the superfund sites. They issue permits, inspect sites, there are three inspectors always out and about doing this part. They lead health K-3 training, attend colleges and high schools with booths, sample lead and paint, and provide an annual weeklong blood lead tests. Mary's office is located in Kellogg near Silver Mountain. PHD is working on the FY24 budget, which begins July 1<sup>st</sup>, and the commissioners will vote on that budget. Although Commissioner Casady is the BOCC member apart of the board, the chairman of all county commissions must attend to vote on that one, so Dave will need to attend that one. Don will come with the CFO to present the budget to SC BOCC for review before it is voted on at the PHD meeting. Next, Don discussed the opioid settlement funding, which all states received, 60% of the funds went to the state, and 40% went to cities, counties, and health districts. Shoshone County has allocated their funds to PHD, along with Post Falls, Coeur D'Alene, Hayden, and Bonner County, what this means is that PHD will received roughly \$700,000 a year for the next sixteen (16) years as apart of this settlement. A team was put together to make sure these funds are being used efficiently, and during the quarterly meetings PHD will update the BOCC on how those funds are being spent. Kelsey Orlando is the project manager, and Mckenna Hetzinger is a health education specialist,

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they are both working closely with these funds. The team is comprised of six people total, which are mostly health education specialist, and one psychosocial rehabilitation specialist, funded by a state grant, a federal grant, and now opioid settlement funds. The goal is prevention, harm reduction, treatment, and recovery from all substances other than nicotine and tobacco. They also do a lot of outreach and education in schools and more, and they are essentially working on making sure help is accessible in many forms. Kelsey talked about many facets of this team, but made a point to reiterate that recovery is a lifelong process, and they are working a lot on destigmatizing addiction. PHD says it's a huge honor that SC has allocated their settlement funds has allocated their funds, and they do not take that lightly. Commissioner Dose asked if Shoshone County is a hotspot. Kelsey answered that historically, SC has a higher prescribed opioid rate. PHD holds two "drug take back days" a year, so people can responsibly dispose of their prescriptions. There has been a lot of overdoses in SC, PHD works with county legal and fire chief Dietrich on these issues. Commissioner Casady asked Don to please explain the benefit of SC allocating the funds to PHD. Don explained that it is simply community need, and PHD will ensure that its spent well, the funds are managed correctly, and reported on accurately. Adjourned at 9:36 AM.

#### 10:30 AM MEETING: Control Solutions Northwest – Gary Roylance

Also, in attendance: Undersheriff Stutzke Max Dugger/Maint., Margi Dorchuck, Matt Beehner. Roughly 6-8 months ago, Shoshone County approached CSN in regard to the safety building's control system. It runs on pneumatics and is 10-15 years outdated. Gary gave some information on the system and how it will help utilize as much free air as possible. Air flow was limited and dirty, so CSN took a couple of weeks to clean that part up as well. Lance said the air flow has increased but now the heat needs to be disbursed to where it is supposed to go. Maintenance will be needed regularly, so the county may want to establish a maintenance plan with the new system. Along with the building automation piece, two new air chillers will be installed. One will be set on the sally port roof per the previous Sheriff's request, condensing barrel will be piped down into the basement. The courthouse's chiller will be near the back of the building by the sidewalk, piped to the basement as well. CSN will take care of the removal of the old equipment as well. The chillers delivery date has been delayed again, they are now expected in March, but Gary doesn't put much faith into that expected date. CSN will be using a telehandler to move the equipment where it needs to go, the main street should only be closed down for a couple of minutes, and a truck will be parked outside the safety building for a couple of hours. The automation piece of this project will begin on Monday the 13<sup>th</sup>, cooling side first. The system is electric, it's the latest and greatest that is offered, and it can be controlled from a phone. The county can assign whomever to have that access to adjust it with the phone and how many users can. So, Gary explained one tech will be in on Monday, and there will be two techs in on Tuesday, beginning to do wiring pulling, and changing valves and actuators. Control work needs to be done first, and the chillers are set to take one day. The new systems will reduce water usage significantly, the current system is as old as the building, it's well past it's time to be replaced. There was discussion around the boilers we have, they are maybe twenty (20) years old, and would cost roughly \$180,000 to replace two of them. The new chillers coming in weigh significantly less than the old ones, and Max will work alongside the techs while they are here, and they will check in with either him or Lance and the BOCC if necessary, when they need

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access to certain parts of the buildings. Gary gave a bit of background information about Control Solutions Northwest to the Commissioners. After further review and discussion, Commissioner Dose opened the floor for public comment – Matt Beehner: wanted to know if the jail were to expand, will the system be able to expand or is it maxed out? Gary said they are not even close to capacity, so yes that it can be expanded to whatever the needs may become. Adjourned at 10:53.

**11:30 AM Executive Session:** Idaho Code 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 – Maverik Commissioner Zimmerman made a motion to enter executive session, seconded by Commissioner Casady. Roll call vote – Commissioner Casady – Aye. Commissioner Dose – Aye. Commissioner Zimmerman – Aye. Passed.

The board exited executive session at 11:51 AM. Commissioner Dose explained to the members of the public present that there was communication from Maverik regarding the possibility of leasing the land rather than buying it. Commissioner Casady made a motion to have county legal respond to the inquiry, and to move forward with the sale of the land, seconded by Commissioner Zimmerman. The motion carried unanimously. Commissioner Dose opened the floor for public comment – Joe Avery: wanted to know if the Maverik is backing out of the deal? Commissioner Dose explained that was not said in the correspondence. Jennifer Sieg: Does this mean they want to have a choice between leasing the land as opposed to building on the property? Ben explained that the public can submit a public records request to view the communication received. Matt Beehner: Says this deal has been a mess from the beginning, says it was a public auction rather than a hearing, should have been sold as-is like a tax deed sale. The past BOCC set terms, should not have. The railroad property has conditions, he though legal or the past BOCC would have checked with EPA or DEQ before we put money down on the land. Says the past BOCC put the new BOCC in a bind with the annexation of the land and being burdened with plowing the land. Adjourned at 11:58 AM.

#### **1:00 PM MEETING: Dustin Wise – To discuss Shoshone County Airport**

Also, in attendance: John Hansen, Randy Cloos, Margi Dorchuck, Karen Dose, Jennifer Oertli, Jeramie Oertli, Matt Beehner, Bryan Becker

Commissioner Dose explained that Dustin has approached him a couple of times on some matters that the entire board should discuss all together. Dustin wanted to know who the airport manager is, and Commissioner Dose explained there is no budget for a manager, but that he is the Commissioner in charge of the airport, although decisions are made by the whole board. Dustin's next question was who is going to be doing the maintenance at the airport, to which Commissioner Casady responded and asked Dustin if he has read his lease, because it says in there, he is responsible for it. Dustin thinks the lease agreement he was given by the BOCC is unfair. He thinks he is physically and financially responsible for the airport and that he cannot keep up with it on his own. The County has always historically paid for all maintenance supplies needed, so the BOCC does not agree. Dustin pays \$100 a month to lease the three (3) bedroom house at the airport, and in his lease, it is agreed that he would do the basic maintenance (i.e. mowing the lawn, changing lightbulbs, etc.). Dustin told the BOCC he wants to see the lease renegotiated. Dustin runs his personal business at the county airport out of a hangar he subleases.

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Dustin thinks the airport has “taken the back burner” on county priorities and that maintenance hasn’t been done as of late. Commissioner Dose commented that the BOCC was under the impression that Dustin had been taking care of the maintenance. Again, Dustin said he feels financially responsible for the airport, Both Commissioners Dose and Casady explained that no one expects him to pay for anything out of pocket, the county pays for it, and he is it accomplish the task with the supplies provided to him. In the past, Dustin has reached out to the BOCC member in charge of the airport when something needs fixed or purchased. There was discussion about the previous BOCC telling Dustin there was a potential airport manager position he could apply for, but that has never happened. Dustin says he has had to go out of town in the past for work because of his own personal financial struggles, and that he feels as though he is in “limbo” because he doesn’t know his future with the airport. Commissioner Dose reiterated that the county thinks Dustin’s signed and executed airport lease is fair, and although the BOCC hears Dustin’s concerns today, that he needs to be fair on his end of the deal and follow through with the signed lease. Commissioner Zimmerman talked about how the county pays for utilities at the house Dustin and his family lives in, a house that size could easily be rented for \$1300-\$1800 a month, yet Dustin only pays \$100 a month for it with the small expectation of grounds upkeep on the property. Dustin thinks the fact that the county will not let him sell fuel privately is a form of public encroachment and that he cannot grow his own business. Following discussion about the sale of fuel, the BOCC will look into Dustin’s inquiry about selling fuel privately, from a legal standpoint. The BOCC explained to Dustin that if the county gets to a place where hiring an airport manager is a possibility, Dustin can apply when the time comes. However, for now he needs to hold up his end of the lease that he agreed to and signed, if he wants to be considered for that type of position. The BOCC and Dustin will both be keeping track of expenses and work performed so that they can be compared, and the data can be used in the event an airport manager position opens again. Commissioner Dose opened the floor for public comment – John Hansen: Says he was called several times to complete no-tems. Himself, Jay Huber, and Randy Cloos have had to replace lights and such over the years. Dustin is only personally responsible for what is in the house he leases, everything else is the county’s responsibility. Randy Cloos: Has been at the airport for fifty years, some stuff he agrees with, some he doesn’t, he says the BOCC can call him anytime. Brian Becker: Asked if the BOCC wants Dustin to mow the landing strip with a push mower? Is there a county manual for the airport? Is there any land available, is there a list of people waiting for hangars? Why does the county allow out of state and out of county people to lease? Some hangars are empty, why? Can he sell fuel himself?. Commissioner Dose explained he has overseen the airport for only six weeks, he does not know everything yet, he will look into the inquiries. Following further discussion about Dustin contacting Dave with any coming up issues at the airport, the meeting adjourned at 1:57 PM.

There being no further business the meeting adjourned.

ATTEST Tamie J. Eberhard  
County Clerk

Approved: 

Chairman

By: 

Deputy Clerk