

PROCEEDINGS COUNTY COMMISSIONERS


SHOSHONE COUNTY, IDAHO

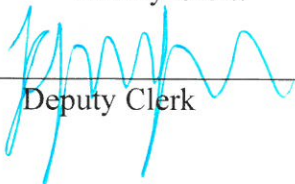
BOOK 2022

Monday, February 20, 2023

The courthouse was closed in observance of President's Day.

ATTEST: Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

BOOK 2023-02-26

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2022

Tuesday, February 21, 2023

Present:

Commissioners: David Dose - Chair

Jeff Zimmerman

Tracy Casady

Deputy Clerk: Jazmin Sauer

2:00 PM MEETING: Public Works Director, Jessica Stutzke – To discuss Forest Service Cooperative Agreement

Also, in attendance: Bruce VanBroeke, Margi Dorchuck, Minde Beehner, Matt Beehner
Jessica wanted to discuss the forest service agreement as well as Schedule A with the BOCC as our current agreement ends on April 30th. The agreements are for roads that are forest service jurisdiction but are roads that service Shoshone county residents. Schedule A is reviewed annually, and is a co-operative on shared roads, which includes scope, specs, and the financial plan. The Forest Service Agreement states that both the Public Works Department and the Forest Service intend on cooperating on said roads as well as identifying the roads and who's jurisdiction they fall under. It discusses maintenance plans on each road, and there are different levels of maintenance plans, Jessica provided the BOCC with handouts about that. The agreement has historically worked out to where one of the parties uses resources (i.e., labor and material), while the other party uses their financial resources. The agreement can be modified anytime by mutual consent and can be terminated by a 30-day termination notice. The Schedule A agreement has not been updated since 2020, due to COVID restrictions making it difficult to have in person meetings with both parties, and SC's lack of available technology made it impossible to meet virtually during this time as well. There are 9 (nine) main roads in Schedule A, list as follows: North Fork CDA River Road 209, Big Creek Road 264, Two Mile Road 271, Gold Ridge Road 374, CDA River Road 208, North Fork St. Joe-Placer Road 456, Old River Road 1-C, Montgomery-Moon Ridge Road 946, and Dry Creek Road 985. Also listed in the agreement are several other roads, but these main nine (9) are the m In reviewing the current verbiage in the agreement, Jessica would like to clean up some of the specific descriptions just to be clearer. Some of these roads are maintained year-round and some are maintained seasonally, but it's important for all of them to be listed in the agreement because they **must** be listed in order for the parties to schedule specific project agreements on said roads. Of course, emergency maintenance can be called by either party depending on the situation. Jessica explained that the Schedule A agreement is extremely important, because listed in the agreement are several other roads, but these main nine (9) account for 25% of the county's highway user miles. There is a lack of understanding for the agreements, and Jessica wants to see them used to their fullest extent and for SC to get the most benefit out of the agreements as possible. Old River Road was discussed and used as an example several times in the meeting, as that one is in the worst shape, Jessica wants to see these agreements worked in our favor to see roads like that one taken care of better. Improving county roads will not be an overnight fix, and it's understood that the BOCC is absorbing a lot of information right now, but Jessica would really like to see these agreements utilized better in the coming years. Project agreements should be well thought out, and some roads need addressed urgently while others can come up over time. Following discussion about potential grants available and what level maintenance is required on the first nine (9) roads,

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2022

Jessica's main goal in updating these agreements will be to fix up the names of the roads and descriptions, add the maintenance levels to each one, and tidy up the milage details. Once the county wants to move forward, the next step would be to draft new agreements, and schedule an in-person meeting for the parties to discuss Schedule A. It's a large meeting with many key players invited, it was decided that Commissioner Dose will liaison for the BOCC at this meeting once it is scheduled. The meeting is where all parties can discuss their approval and overall happiness with the agreement, after that meeting, Schedule A would then be presented to the BOCC for their sign off. There was further discussion around the urgency to get a project agreement going for Old River Road, as well as discussion around plowing Moon Pass vs closing it during the winters. The floor was opened for public comment – Matt Beehner: Wanted to know if we track the county's work compared to the FS's work on these jobs. Jessica noted that she will be tracking that much closer with the new agreement. Bruce VanBroeke: Wanted to let the commissioners know that Dobson Pass is in very rough shape, and that is also a future project to be thinking about. Adjourned at 2:58 PM.

3:00 PM MEETING: Public Works Department and Stratton Land Services, Inc.

Also, in attendance: Rob Stratton, Jessica Stutzke/PWD, Stephanie Featherstone/PW, Dan Martinsen/P&Z, Bruce VanBroeke, Minde Beehner, Margi Dorchuck, Matt Beehner. Rob Stratton wanted to meet in regard to the Canyon Addition he had been tasked with surveying. Rob has been doing surveying work for the county since 2007 and has always worked directly with the BOCC. A couple of years ago, county legal recruited Rob's help with this particular location, as there was issues and discussions about county right of ways, encroachments, and the possible need for vacating or opening up roads in the area. Rob explained that he reviewed many maps and three different surveyor's interpretations of this general area, and in his opinion Chris Pthal's survey was reasonable, and because he did so many surveys on this area, he has held to Chris's work. There are three different interpretations with a thirty (30) foot difference, give or take, but Ron hasn't found anything to dispute Chris's findings. Rob and Stephanie Featherstone (PW) encourage the BOCC to look at all the interpretations and then move forward with a decision that is best for all parties involved in regard to right of way and improvements. Minde and Matt Beehner reiterated their concerns that they have previously expressed to the commissioners and others who have worked on this particular matter, including a garage that sits in the supposed right of way and how much of the alley counts as right of way. Dan Martinsen also explained from a P&Z standpoint, that there are questions around structures in the right of way, and questioned that if the county chose to vacate the road, that is a process in itself, and the previous commission had denied the original vacation request. There was discussion around the county snow plows needing a place to pile the snow in that area, and that everyone involved with this issues agrees it needs attention and a resolution. Rob is trying to clean up and make sense of the several different opinions on the area, and he needs direction on how to move forward from this point, and who to talk to about his findings, as in the past he has dealt with not only the BOCC, but others within the county. Minde Beehner expressed that she has been apart of this process since the beginning, while Matt Beehner expressed concern that he thinks only half the story is being told and pointed out specific areas of concern to Rob on the map presented. Rob suggested that he work with the public works department on this, and if the BOCC wants him to continue on, he's got about 90% on the

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2022

drawings done and it still needs some labeling on the final changes. The point of this meeting was to bring the new BOCC up to speed on the situation and include the PWD more moving forward. Dan Martinsen pointed out that there are many questions as to where the roads are, where the right of ways are, and where potential encroachments are, and we need to move forward with the surveying to find these answers, so the multiple solutions to this issue can be discussed properly. There was more discussion by everyone in the room around the "original plan" which set out to identify eight monuments, and the railroad tracks that are no longer there. Rob can clean this up and submit his findings, then the BOCC could med with the multiple parties involved from there. The next steps should include determining and identifying the issues in question, followed by the remedy, whatever that might be after the findings are submitted. Dan offered to help with checking out possible encroachments and said discussing remedies with homeowners is a possibility as well. Stephanie will be running point on this matter from the PW department side, working closely with Dan in P&Z. Commissioner Dose asked the Beehner's what they would like to see done. Matt Beehner explained that they had given the county the option to abandon F St except for one end that would be a 50-foot-wide street, would like to see a "loop" created, as it would make his property more valuable. He wants the same width of one road down to the other so he is able to plow snow, or the county can plow snow. Matt said it was a no-go from the last board, and Minde said the previous BOCC chairman met with Dan Martinsen on the matter in which they "did not go for". There was discussion about the garage in question that sits in the alleged right of way blocking the intersection, and that new residents own the property in question, so there is a possibility that this can be discussed with them now as well. Stephanie reiterated that if a loop was created, that the connecting roads are county and public roads so anyone can use them. Dan and Rob discussed re-platting the affected areas vs vacation and deeded right of way, and the task of getting property owners in the area on board. Following much discussion around the concerns and ideas from each party, Commissioner Casady made a motion to have Rob continue forward with the work he is doing, seconded by Commissioner Zimmerman. The motion carried unanimously. The original scope of work is still being followed, but the BOCC will review the existing agreement to see if anything needs to be updated. Rob is getting close to the end and wanted to get everyone up to speed. Adjourned at 4:08 PM.

There being no further business the meeting adjourned.

ATTEST: Tamie J. Eberhard
County Clerk

By: 
Deputy Clerk

Approved: 
Chairman

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2022

Wednesday, February 22, 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: Matt Beehner, Margi Dorchuck

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

PUBLIC COMMENT- Matt Beehner: Says the agenda was not clear for yesterday's 3 PM meeting. Brian Becker: Asked if the BOCC had time to check out available hangar space at the airport. He also inquired about the empty hangar being condemned, and proposed that the BOCC lease the hangar to him and he will restore it himself and pay for the cost of the repairs. Has people that can help him with the restoration but can't wait until spring. The BOCC will look into his request.

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, February 13, 2023 through Thursday, February 16, 2023. Commissioner Casady made a motion to approve the minutes, seconded by Commissioner Zimmerman. Passed 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
 - Beer, Wine & Liquor Licenses
 - Cancellations/Homeowner's Cancellations
 - Sign lease agreement between Shoshone County and Silver Valley Seniors, Inc for 2008 Dodge Caravan – **Tabled for further review, Commissioner Casady made a motion to table, seconded by Commissioner Zimmerman**

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

3. Executive Session: Indigent Cases: Consideration and Decision. Executive Session ID Code 74-206(d). There were no indigent cases for review.

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2022

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:

001	Current Expense	\$583.97
002	Road & Bridge	\$36,708.69
006	District Court	\$3,403.63
0016	Indigent	\$4,300.00
0019	Justice Fund	\$20,544.23
0023	Solid Waste	\$4,438.65
0027	Weed Control	\$210.00
0037	Snowmobile	\$3,322.43
0052	Airport	\$1,816.42
0056	Emergency 911	\$1,399.13
0103	Local Assist & Tribal Consist	\$2,187.06
0105	Christian Aid Fund	\$43.09
0106	Drug Court Program	\$840.00
0209	IDL WFM North Kellogg	\$6,000.00
	TOTAL:	\$85,797.30

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 February 22, 2023

s/Tracy Casady
Commissioner

s/David Dose
Commissioner

s/Jeff Zimmerman
Commissioner

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2022

10:00 AM MEETING: Public Defense Commission Annual Review& Updates, Jennifer Roark

Also, in attendance: Jennifer Roark (VIA PHONE), Matt Beehner, Margi Dorchuck
Jennifer introduced herself to the BOCC, she helps counties with their indigent defense projects and cases. Her goal is to meet once a quarter with the BOCC to go over updates. There is an annual review each year, which the BOCC will receive on approx. April 14th of this year that breaks down their cases and caseloads. The PDC provides training to public defenders throughout the State, and several programs are offered both in person and virtually that are free to counties and attorneys. Part of Jennifer's role is to collect and share data with specific counties, and take in financial assistance applications. Commissioner Casady asked if Jennifer would be sending any of this info via email, to which Jennifer replied that she will indeed send links to the website as well as case load data information to the BOCC, and they are welcome to contact her anytime with questions or concerns. There was discussion around if it mattered what commissioner takes charge of writing up public defender contracts, it does not need to be the chairman, so Commissioner Casady is the one tasked with this. Jennifer went over specific issues that she knows about within Shoshone County. One longstanding issue is that public defenders in the county need a private meeting space to meet with their clients. Currently, the courthouse does not have a soundproof, private, safe room for these meetings to occur. On the same note, the jail also lacks accommodation as well as the limited number of jailers hindering the availability of clients being able to meet with their public defender. The BOCC needs to start thinking about finding some potential spaces for these meetings to occur, to avoid violating client's rights. Another thing is being aware of public defender's case load limits. Per Idaho State legislature, no attorney should have more than 210 felony cases or equivalent. Shoshone County had two attorneys over their case load limit last year. Jennifer suggested that the BOCC should meet quarterly with their public defenders to ensure they are on track with case load amounts. Commissioner Dose questioned whether the board assumes responsibility for the overage on case loads or how they should keep tabs on that. Jennifer explained that the county public defender's should be coming to the county to check in, but at the same time the county should be doing their part to make sure their attorneys are under the limit. Jennifer will be sending a follow up email to the BOCC with more in depth numbers from the previous year, and some educational reading on the PDC website. Following a bit more discussion, the meeting adjourned at 10:24 AM.

11:30 AM MEETING: To discuss, review and consider 2023 Tax Exempt Applications pursuant to Idaho Code 63-602.

Also, in attendance: Terri Wild/Assessors Office

There was one new applicant this round, the rest of the entities were tax exempt last year as well. List as follows:

Silver Valley Seniors Inc – Osburn – Parcel #C-0000-018-8330 – Approved with no changes from last year

Grace Evangelical Free Church – Osburn – Parcel #C-0050-033-007A – Approved with no changes from last year

First Baptist Church of Osburn – Osburn – Parcel #C-300-016-004A – **Tabled for further inspection** – Parcel #03250000001A – Approved with no changes from last year

Shoshone Memorial Gardens – Kingston - Parcel #48N02E-06-1000 – New owner / applicant, there are no changes in use from the previous year, so it was approved

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2022

Molly B Damn Inc – Murray – Parcel #O-2400-010-001A – Approved with no changes from last year

Following review and discussion, Commissioner Casady made a motion to approve this round of 2023 tax exemptions, seconded by Commissioner Zimmerman. Passed unanimously, meeting adjourned at 11:36 AM.

1:00 PM MEETING: SC Grant Administrator, Colleen Rosson – LATCF funding requests

Due to lack of requests, this meeting was postponed until further notice.

There being no further business the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2022

Thursday, February 23, 2023

Present:

Commissioners: David Dose - Chair

Jeff Zimmerman

Tracy Casady

Deputy Clerk: Jazmin Sauer

9:30 AM MEETING: Public Works Director, Jessica Stutzke – To discuss Sourcewell

Also, in attendance: Richard Brenner/SW Supervisor, Matt Beehner, Margi Dorchuck

The purpose of this meeting is for the BOCC to decide whether or not Sourcewell meets the procurement process requirements. Both the Public Works and Transfer Station have used this service in the past. Sourcewell is a government agency based out of Minnesota, that is used to alleviate some of the work and time put into the procurement process. Jessica Stutzke described the site as a “hub” that completes the procurement process for the entities that use it. It sends out an RFP (Request for Proposal) on our behalf, which saves time and resources for the county. Many other counties or entities have an entire procurement team, whereas in Shoshone County, the department heads and elected officials are mostly responsible for the procurement themselves. There is a ranking process once the bids are received and from there a contract is worked up. An entity must be a member of Sourcewell to use it, SC is a member, with Jessica and Richard Brenner being the listed contacts. There are 320 agencies in Idaho signed up as members of Sourcewell, and nationally there are 50,000 members. When the RFP is sent out, it's sent out nationally as opposed to just locally. When an agency is looking for something specific, they can reference a contract number from a previous agency's purchase, which helps keep the pricing consistent throughout. Jessica and Richard both noted that sometimes cheap on paper and cheap on the budget aren't always the quality, so using Sourcewell to get national prices, but being able to obtain that equipment locally is great. Ultimately, using Sourcewell saves both time and money, as it always provides the lowest price. Jessica and Richard are both always looking for the cheapest and best quality route to go, especially if they have no previous issues with a certain brand or machine. Sourcewell is an approved legal avenue for purchasing equipment, however, it is ultimately the BOCC who approves the final purchase, per Idaho Code. Richard noted that when we use Sourcewell, we are getting an approx. 27% discount off market prices, which is more proof that this process saves the county money. Jessica encouraged the BOCC to check out the Sourcewell website themselves, as well as giving them a handout, “The Decider Guide” with more information about cooperative purchasing in it. Richard and Jessica reiterated that there is NO FEE involved for the county to use Sourcewell, and the most local vendor is always used to complete the purchase with, even though we are getting national prices. When using Sourcewell, the department heads are adhering to Shoshone County Resolution #2021-12 which adopted procurement policies, as well as knowing it satisfies the legal requirements. The floor was opened for public comment- Matt Beehner: Wanted clarity on the BOCC seeing only one bid, so the department head just chooses one bid and presents it. Jessica explained that in the past, only one has been presented as it has went through the vetting process, but if the BOCC wishes to change that, they can. Commissioner Zimmerman noted that there is an item in Idaho Code that allows us to “piggyback” off a purchase another government entity made, referencing the other entities contract, and that also satisfies procurement procedures. Commissioner Casady

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2022


suggested that department heads should bring their explanations as to why that bid was chosen at the time it is presented to the BOCC. Jessica concurred and reminded everyone that COVID drastically changed the availability of equipment, so that is also a factor in the process. Matt Beehner wanted to know if department heads search for specific machines on Sourcewell when they are searching, and if they are only bringing one bid to the BOCC, will they be explaining why they brought that one specifically. Jessica reiterated that they will always be taking the best equipment for the lowest price, and that they can search for specific machines or even reach out to specific vendors. Commissioner Dose explained that he does see an issue with the BOCC not reviewing three bids. Jessica explained that gathering three bids from Sourcewell is still preferable to sending out our own RFP in local media. Commissioner Casady thanked Jessica and Richard for their hard work and research on this matter, and that she agrees to satisfy public concern, getting three bids is preferable. Matt Beehner asked them to clarify if we are getting national prices, will the county still be purchasing in the Northwest? Jessica confirmed that, explaining that they do not entertain options that include shipping, they will always go with local, and that service and prior experiences are factored in as well. Commissioner Zimmerman made a motion to approve Sourcewell as an avenue for receiving bids, with the department heads gathering three of those contracts/bids to present to the BOCC, seconded by Commissioner Casady. The motion passed unanimously, adjourned at 10:11 AM.

1:00 PM Executive Session: Idaho Code 74-206(1)(d) To consider records that are exempt from disclosure as provided in chapter 1, title 74 of Idaho Code – Courthouse Emergency Plan
Also, in attendance: Sheriff Holly Lindsey, Undersheriff Lance Stutzke, Jessica Stutzke/PWD, Karey Eddy/Treasurer, Ben Allen/PA, Dan Martinsen/P&Z+Emergency Services
Commissioner Casady made a motion to enter executive session, seconded by Commissioner Zimmerman. Roll Call Vote: Commissioner Casady – Aye, Commissioner Dose – Aye, Commissioner Zimmerman – Aye. The motion carried unanimously.
The board exited executive session at 2:04 PM, with no action to be taken in regular session.

There being no further business the meeting adjourned.

ATTEST Tamie J. Eberhard
County Clerk

By: 
Deputy Clerk

Approved: 
Chairman