

# PROCEEDINGS COUNTY COMMISSIONERS

## SHOSHONE COUNTY, IDAHO

BOOK 2022

**Tuesday, February 28, 2023**

Present:

Commissioners: David Dose - Chair

Tracy Casady

Jeff Zimmerman

Deputy Clerk: Jazmin Sauer

### **9:30 AM MEETING: Monthly Department Head Meeting**

Also, in attendance: Sheriff Holly Lindsey, Jessica Stutzke/PWD, Colleen Rosson/GA, Bill Mcleod/FM, Stephanie Featherstone/PW, Margi Dorchuck

Commissioner Dose called the meeting to order and explained he would like to make it more of a round table discussion for everyone to know what is going on in each other's departments.

Sheriff Lindsey/Sheriff's Office: For the first time in a long time the SO is at mostly full staff. The SO has also been dealing with an influx of serious crimes. She spoke about a recent elder abuse case that resulted in a death and is now being investigated. The SO has dealt with a couple vehicle pursuits recently as well, which is also a bit out of the ordinary for SCSO. They are holding lots of meetings, and always busy with paperwork. Commissioner Dose asked if the pursuits have been locals or people from out of town? Holly confirmed that they were from out of town. The Guardian inmate monitoring system is entering phase 2 of installation and moving along good. Also in the works is the security/camera system, which is going to be a longer process. Undersheriff Stutzke is taking the lead on getting the plumbing fixed up, per the LATCF award.

Jessica Stutzke/Public Works Director: It's snowing, and it's a lot of snow, so all hands are on deck for that. The Smelterville will be down two (2) more employees in the coming up weeks, which will put that district understaffed by four (4) total. If the winter weather does not let up during that time, it might be necessary to issue a press release letting residents know of the limited resources. Sheriff Lindsey asked if the PW Department has been having a hard time with getting applicants due to the CDL requirement and with CDLs being a bit harder to obtain than they used to be. Jessica explained that they do require CDLs and an option to potentially explore would be to get some retired/past temp PW employees back to work temporarily. The Osburn operator position has been filled, there were some good applicants this round. Jessica talked about a potential in-house CDL training process. She has previously talked to someone about this possibility and will explore it more once the winter slows down. PW has been doing okay on equipment problems, but every pickup we have is currently being used to plow. Getting applicants, especially for temp positions, has been tough recently due to the offered wage and the way the economy has been.

Colleen Rosson/Grants Administrator: She has been busy with spreadsheets and organizing files for the upcoming audit. The new Silver Express bus came in Friday night, and they are working on getting that up and going, putting the county at a total of three (3) buses running the routes now. Quarterly, approx. five thousand (5,000) people utilize the SE Bus, so it really is imperative for residents and huge for tourism. Commissioner Dose noted that the BOCC would like to experience the bus once the weather is nicer.

Bill Mcleod/Fire Mitigation: He recently completed and submitted all paperwork to the State to get reimbursement for last years grants. Sometimes there is a bit of a back and forth with the

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State on those reports. He's keeping an eye on the upcoming round of grants that will be available, there are some the county should apply for and some that aren't feasible. Work for this department is on hold due to the weather. Commissioner Zimmerman asked if Fire Mitigation has jobs lined up. Bill explained that there are approx. thirty (30) projects on the docket right now. Jeff Zimmerman, Dist. 3 Commissioner: Commissioner Zimmerman would like to learn more about the projects upcoming for the FM department.

Tracy Casady, Dist. 1 Commissioner: Commissioner Casady had received a complaint via email yesterday, that she looped in PWD Jessica Stutzke on. The issue was resolved quickly, and everyone was pleased with the outcome. She appreciated the teamwork.

Dave Dose, Dist. 2 Commissioner: Commissioner Dose appreciates everyone's efforts. Jessica also gave a shoutout to the County's shared maintenance person, Max, for fixing a heating issue in the Courthouse's basement that has been a problem for many years. The meeting adjourned at 10:06 AM.

#### **10:30 AM MEETING: Telephone Easement Discussion/Decision RE: Property in Smelterville**

Also, in attendance: Matt Beehner, Margi Dorchuck

Commissioner Dose read the following statement: Pursuant to the request from Maverik by and through their agent, Taylor Gibbons, received by the County on or about February 10, 2023, I would entertain a motion to cooperate with Maverik's attempts to vacate said easement with the American Telephone and Telegraph Company or its successor and would authorize the Chair of the BOCC to execute those documents necessary to carry out this motion.

Commissioner Casady made the motion to cooperate with Maverik on this matter, seconded by Commissioner Zimmerman. The motion carried unanimously. Commissioner Casady explained that by doing this, it takes the county out of this part of the equation. Once the vacate documents are drawn up by the other party, it will be given to the BOCC to sign off on. The meeting adjourned at 10:33 AM.

#### **11:30 AM MEETING: Law Enforcement Memorial Group – To discuss placing the memorial pieces**

Due to the hazardous road conditions, this meeting was postponed until further notice.

#### **2:00 PM MEETING: Wrecking Yard Ordinance Discussion**

Also, in attendance: Britney Jacobs/Deputy PA, Dan Martinsen/P&Z, Robin Hack, Matt Beehner, Margi Dorchuck. Around September of 2020, Britney was tasked with updating the wrecking yard ordinance with more details around the licensing process. However, it became clear that the ordinance lacked in oversight and investigation into the applications. The original ordinance regarding wrecking yards was from 1976, so it needed updated also to include that someone not in compliance with the code could have their license revoked. Britney wanted to meet with the BOCC to see if the county still wants to go through with a revision. A couple of concerns that people have had with the ordinance are that it isn't clear which party investigates the properties, it does not allow for neighbors / public concerns to be voiced, and after the initial request from the previous BOCC for Britney to redo the ordinance, it kind of stalled out. There was discussion between the BOCC and Britney around a property owner leasing their land to someone using it as a wrecking yard. After reviewing Britney's proposed amended ordinance, Commissioner Dose stated he would like to see more in the ordinance on grounds for refusal. He also thinks that getting input from

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neighbors/public should be listed in the ordinance as well as commercial facilities needing some kind of insurance or bonding. Britney will investigate the legality of the insurance request. Commissioner's Zimmerman and Dose discussed that it should be black and white in the ordinance who does what, and that we can consider what other counties have in place for their wrecking yards. Dan Martinsen discussed hazardous materials being on site at a wrecking yard, and how he would like to see a condition/plan relating to that in the ordinance. He also mentioned "setback rules" that encompass how close a junkyard can be to a road before it becomes a bigger issue. The BOCC and Dan discussed that there is confusion on who can make the initial request or complaint and who then enforces it. Britney explained that the complaints can come from members of the community or even sometimes P&Z when they are out doing regular code violations. Everyone was in agreeance that it's not quite clear currently who investigates and that it should be spelled out in the ordinance. Britney also explained that from the legal standpoint, we must also consider search and seizure laws and that since sometimes criminal penalties can be involved, we should not just send any employee of the county to do these things. The Sheriff's Office deputies are trained for these types of conversations. We can never truly tell who needs to be involved or investigating until we have an initial report or complaint. There was discussion around shifting the licensing process to fall under P&Z responsibility rather than the BOCC directly, since it sort of falls under P&Z usual duties. The next step to this would be to have Dan and the BOCC send their ideas for revision to Britney and have her take them under advisement for the revision of this ordinance, and set another meeting to discuss/adopt it. Commissioner Dose stated that he would like to table this discussion/decision for further review from all parties. In the meantime, Dan can meet with Britney and give her the P&Z point of view, and work together to clarify a few things. Commissioner Zimmerman made a motion to table the discussion, seconded by Commissioner Casady. The motion carried unanimously. The floor was opened for public comment- Robin Hack: Applications for wrecking yards should have to be submitted by a certain date. The proof of insurance should come along with the applications. After the license is issued, there should be follow up once or twice a year on the property to check the use is still the same. The yards should have to keep history/logs of their dumping of hazardous materials. There are tons of tires on these properties, if they catch fire and the smoke makes its way into a neighbor's window it will ruin everything inside. She says the DEQ has offered to help dispose of some of the tires. It should also state whether people should be able to live in tents/trailers on the wrecking yards in the summer. When the county dubs something a blight and it gets cleaned up, no one follows up on that either and three days later it's a mess again. Matt Beehner: Agrees with the need for insurance/bonding. He says the Sheriff's Office used to check wrecking yards for compliance, and that we have a mechanism we can use with P&Z and the SO. Currently, the county says four cars is a junk yard. The meeting adjourned at 2:39 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, March 1, 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

Jeff Zimmerman

Tracy Casady

Deputy Clerk: Jazmin Sauer

Also, in attendance: Jessica Stutzke/PWD, Britney Jacobs/Deputy PA, Tamie Eberhard/Clerk, Fire Chief Miller, Fire Chief Dietrich, Jerry Brantz, Bruce VanBroeke, Zack Ayers, and several members of the public

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

PUBLIC COMMENT: Brian Becker: asked if the BOCC had a chance to look into his request to lease the empty hangar at the airport. They are still looking into it. Matt Beehner: Says the wrecking yard ordinance meeting was in May of last year. Also said the ambulance prepays should be listed as postpaid. Says that the mechanic contract does not specify insurance requirements for the mechanic.

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 20, 2023 through Thursday, February 23, 2023. Commissioner Casady made a motion to accept the minutes, seconded by Commissioner Zimmerman. 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 Payables
  - Beer, Wine & Liquor Licenses
  - Cancellations/Homeowner's Cancellations
  - Shoshone County Ambulance District Prepays
  - Shoshone County Ambulance District / Dept of Health and Welfare Subgrant Agreement
  - Sign lease between Shoshone County and Silver Valley Seniors, Inc for 2008 Dodge Caravan
  - Sign consent for access to property for CDA Trust – Public Works
  - Mechanic Maintenance Agreement for Ambulances/ Zack Ayers

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Fire Chief Dietrich was invited to talk about the AD/Health and Welfare subgrant. Chief Dietrich has been in contact with Panhandle Health District and Health and Welfare about the fact that Shoshone County has the highest percentage of drug related calls in the whole State. He has asked for their assistance in combatting this epidemic. This subgrant will help the AD and Fire Districts get a new software program that is more suitable to help them handle these calls. The software will help implement new training and help compile *required* data to PHD and H&W to get their financial assistance in this matter. It's a \$21,000 subgrant with no match required. There will be an annual fee for the software, that PHD will be funding from the opioid settlement money for the next eighteen years. Chief Dietrich will be traveling to Georgia for a conference on this, which is also covered by the grant.

PW Director Jessica Stutzke explained the CDA Trust access agreement. Remediation work is set to take place up Burke Canyon for the next several years. Their work will cross over county roadways, so the agreement is for access of those roadways during the life of the project. It also includes pavement maintenance on the roads, which have a one-year warranty.

Bruce VanBroeke explained the purpose of the mechanic agreement to the BOCC and public. The Ambulance District searched all over the Valley for dealerships or private mechanics that would work on the AD's ambulances with no luck. The cheapest rate they could find was approx. \$200 an hour and the turnaround times were very long. Zack, who already works on several county vehicles as he is a PW employee, has saved the AD thousands of dollars thus far by maintaining the emergency vehicles in the interim. That's where the agreement came about, it makes sense for everyone involved, and the vehicles would be maintained at the county's Osburn shop. Ambulance maintenance is *critical* and Zack is capable of all mechanical maintenance, apart from computerized maintenance that would need a certified dealer to repair. Zack documents all his hours and what work is done to the vehicles in detail. Commissioner Dose wanted to know if Zack had a chance to check into professional insurance. He is still looking into it but wanted clarity on what the liability insurance is needed for. Britney Jacobs explained that it would cover any breach in the contract or any issues due to the mechanical work he does, or any damages that would come from his work. Jerry Brantz commented that he spoke with ICRMP, which the AD has, and there is a coverage amount of \$100,000 for the vehicles. There was discussion around the need for a dollar amount of insurance to be stated in Zack's contract. It was agreed that a temporary contract will be put in place, ending May 31<sup>st</sup>, 2023, during which time Zack will need to carry liability insurance in the amount of \$100,000. Commissioner Casady made a motion to amend Zack's contract with those terms, seconded by Commissioner Zimmerman. The motion carried unanimously.

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.

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#### SHOSHONE COUNTY AMBULANCE SERVICE DISTRICT Checks Recorded Since Last Board Meeting 01/20/2023 - 02/16/2023

Date	Vendor / Payer	Check No	Amount
1/11/2023	Weaver's Diesel Performance	1065	(19,853.35)
1/18/2023	Goodyear Tire	1066	(3,726.37)
1/23/2023	Walmart.com	Debit Card	(52.97)
2/1/2023	WEX Fleet Services	Debit Card	3,590.30
2/2/2023	Aamodt, Mark	5154	(1,000.00)
2/2/2023	Bren, Mary	5155	(575.00)
2/2/2023	Dave Smith Motors	5156	(1,327.37)
2/2/2023	EMS Logik	5157	(6,552.00)
2/2/2023	Henry Schein	5158	(1,295.43)
2/2/2023	Loving Care & More	5159	(35.00)
2/2/2023	NAPA Auto Parts	5160	(97.45)
2/2/2023	Reed, Scott MD	5161	(1,500.00)
2/2/2023	Shoshone Cnty Fire Dist #2	5162	(27,261.89)
2/2/2023	Shoshone Medical Center	513	(1,362.58)
2/2/2023	Silver Valley Tire	5164	(197.07)
2/2/2023	Stovern Supply Co	5165	(122.95)
2/2/2023	Teeters, Lori	5166	(800.00)
2/2/2023	Arthur, Blanche	5167	(559.06)
2/2/2023	Hubert, Ilene	5168	(131.22)
2/2/2023	Mendy, Jack	5169	(3.69)
2/2/2023	Mutual of Omaha	5170	(68.84)
2/2/2023	Mutual of Omaha	5171	(136.29)
2/2/2023	Sandow, Brenda	5172	(350.00)
2/10/2023	Henry Schein	5173	(464.94)
2/10/2023	Shoshone Cnty Fire Dist #1	5174	(25,450.40)
2/10/2023	Shoshone Medical Center	5175	(352.75)
2/10/2023	Stryker Medical	5176	(867.20)
2/10/2023	Systems Design	5177	(3,456.28)
2/10/2023	Technimount System LLC	5178	(1,650.00)

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

The floor was opened for public comment once more: Brian Becker- Wondered who pays if an accident occurs in an ambulance and the county gets sued. Britney said an investigation would have to ensue to find out who is liable. Chief Miller- Zack being the mechanic on the ambulances has been a tremendous convenience, very beneficial and much better than it has been in the past. Matt Beehner- Questioned whether the access agreement allows for them to block the road off without permission. Jessica is happy to investigate that for him. Adjourned at 10:03 AM.

#### 10:00 AM MEETING: Shoshone County Ambulance District Updates

Also, in attendance: Fire Chief Miller, Fire Chief Dietrich, Tamie Eberhard/Clerk, Britney Jacobs/Deputy PA, Bruce VanBroeke/PW, Zack Ayers/PW, Matt Beehner  
Commissioner Dose explained that some budgetary items came up at the last AD meeting and asked Bruce to elaborate on them. Bruce explained that the AD is currently over budget on their maintenance line item. However, they are still under on their bottom line. Jerry Brantz explained that the budget, as always, is set on the prior years' experience. He also noted how generous it was that the remaining \$250,000 from the EMS Corp was given to the AD. They wonder if the

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AD needs to open the budget to make any changes. Tamie Eberhard explained that they do not need to reopen the budget, as long as they are still within their bottom dollar budget. Following a bit more discussion, it was agreed that next year the budget will be adjusted to account for the maintenance/mechanic contract. Zack Ayers (contracted mechanic) noted that now that he is the one doing the work, it will cost the AD less money on maintenance as well as a quicker turnaround time. The AD will also go through an audit conducted by Hayden Ross, it's separate from the upcoming county audit, but is a sub-audit conducted by the same auditors, which was budgeted for. Jerry Brantz took a moment to praise the dedicated members of the AD board and said the AD deserves to stay up and going. He presented the BOCC with his resignation from the AD, effective immediately. Jerry said he will be happy to help answer any questions when they need help. It was noted by several in the room that Jerry's shoes will be hard to fill. Fire Chief Dietrich gave a small update that the advanced paramedic classes are going to be happening sooner than was expected, so that is good news. Chief Miller took a moment to thank Jerry for his efforts serving the AD. Bruce gave several more minor updates, such as the fact that with the amount of emergency calls lately, he is thankful there are five active ambulances. He noted that when the budget discussion comes up that the county needs to consider raises for the employees we do still have serving the AD. Other priorities are keeping the equipment up and going and in good shape, and that the number AD of volunteers has dropped in the recent years. Bruce will be coming in weekly to meet with the BOCC and will try to bring a member of the AD Board with him each time to introduce them. During the next meeting Bruce would like to discuss putting the two broken down ambulances out for bids with the BOCC. The floor was opened for public comment: Matt Beehner- Wanted to know if there are warranties on the new ambulances and if the Chief's are conducting exit interviews with the employees who are leaving. The answer to both of those inquiries was yes. Tamie Eberhard addressed a PRR she received from Matt Beehner in regards to a balance sheet and invoices for legal fees from the AD. Matt received the current balance sheet at the last AD meeting, and Jerry Brantz checked that there were no invoices for legal fees in this fiscal year. The PRR will be closed and sent to Matt with those answers. The meeting adjourned at 10:40 AM.

**11:00 AM MEETING:** To discuss, review and consider 2023 Tax Exempt Applications pursuant to Idaho Code 63-602.

Also, in attendance: Terri Wild/Assessor's Office

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

LDS Church of Latter Day Saints – Pinehurst – Parcel #G-0000-005-6160 – Approved with no changes from last year

St. Alphonsus Catholic Diocese – Wallace – Parcel #B-0050-007-002A – Approved with no changes from last year

St. Michaels Catholic Church – Mullan – Parcel #A-0100-036-002A – Approved with no changes from last year

St. Rita's Roman Catholic Church – Kellogg – Parcel #D-0800-003-002A – Approved with no changes from last year

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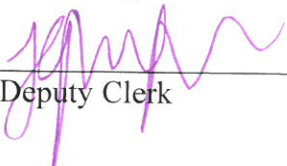
Sprag Pole Museum – Murray – Parcel #O-2400-006-009-0, #O-2400-006-010A, #O-2400-006-012B, #O-2400-006-012A – Approved with no changes from last year

Following discussion and review, Commissioner Zimmerman made a motion to accept and approve the tax-exempt applications, seconded by Commissioner Casady. The motion passed unanimously; adjourned at 11:09 AM.

There being no further business the meeting adjourned.

ATTEST Tamie J. Eberhard  
County Clerk

Approved:   
Chairman

By:   
Deputy Clerk



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BOOK 2023

Thursday, March 2, 2023

Present:

Commissioners:

Jeff Zimmerman

Tracy Casady

Deputy Clerk: Jazmin Sauer

There were no Commissioner meetings held this day.

ATTEST: Tamie J. Eberhard

County Clerk

Approved:

  
Chairman

By:

  
Deputy Clerk