

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2023

Tuesday, September 19, 2023

There were no regular business meetings scheduled this day.

1:30 PM Shoshone Benewah Forest Health Collaborative Meeting - Zimmerman

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

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SHOSHONE COUNTY, IDAHO

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Wednesday, September 20, 2023

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

Present:

Commissioners: Tracy Casady

Jeff Zimmerman

Deputy Clerk: Sydney Millard

Also, in attendance: Karey Eddy, Timmie Hunter, Matt Beehner

PUBLIC COMMENT: Matt commented that the Agreement between Owner and Contractor for Construction Contract on the agenda didn't have enough detail for the public.

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, September 11, 2023 to September 15, 2023. A motion was made by Commissioner Casady, seconded by Commissioner Zimmerman to approve the minutes. The motion carried.

NEW BUSINESS:

1. **Consent Agenda** – (These items will be enacted by one motion unless requested by a Commissioner that one of more items be removed for separate discussion.)
 - Beer, Wine & Liquor Licenses
 - Shoshone County Payables
 - Cancellations/Homeowner's Cancellations
 - Resolution 2023-23 A Resolution Authorizing the 2023 Certification of Commercial Solid Waste Billings and Delinquent Monthly Solid Waste Billings to the Tax Rolls
 - Resolution 2023-24 A Resolution Establishing Guidelines for the Shoshone County Treasurer on the Collection of Special Assessments for Local Taxing Districts
 - Resolution 2023-25 A Resolution Authorizing the Transfer of Funds from the ARPA Account to Treasurer's Pool Account for Expenses Incurred Between July 27, 2021 and September 30, 2022
 - Resolution 2023-26 A Resolution Finalizing the Transfer of County Property to Maverik, Inc., Pursuant to Idaho Code §31-808
 - Agreement between Owner and Contractor for Construction Contract
 - Resolution 2023-27 A Resolution Adopting the Ensuing Fiscal Year 2023/2024 Budget for the Shoshone County Ambulance Service District, Shoshone County, State of Idaho

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

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CHECKS

001	Current Expense	\$31,361.50
002	Road & Bridge	\$46,022.11
006	District Court	\$1,589.20
0018	Park	\$334.25
0019	Justice Fund	\$31,199.34
0023	Solid Waste	\$22,036.74
0027	Weed Control	\$558.67
0038	Waterways Fund	\$1,179.00
0052	Airport	\$383.74
0056	Emergency 911	\$1,029.05
0103	Local Assist and Tribal Consis	\$29.95
0105	Christian Aid Fund	\$46.87
0106	Drug Court Program	\$880.00
0207	ARPA Grant	\$3,189.27
0211	ITD Express Bus	\$13,922.22
0215	Title III Trust New 2009	\$1,240.00
	TOTAL:	\$155,001.91

RESOLUTION 2023-23

**A RESOLUTION AUTHORIZING THE 2023 CERTIFICATION OF
COMMERCIAL SOLID WASTE BILLINGS AND DELINQUENT MONTHLY
SOLID WASTE BILLINGS TO THE TAX ROLLS**

WHEREAS, commercial entities were billed quarterly/monthly beginning October 1, 2022; and

WHEREAS, amounts due were to be paid no later than September 30, 2023 as stated on the invoices.

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NOW THEREFORE, BE IT RESOLVED, by the Board of Shoshone County Commissioners, that the delinquent Solid Waste Commercial and delinquent monthly billings, attached Exhibit A, be certified to the Shoshone County Tax Rolls as presented.

DATED this 20th day of September 2023.

BOARD OF COUNTY COMMISSIONERS

s/Tracy Casady
Tracy Casady, Commissioner

s/Jeff Zimmerman
Jeff Zimmerman, Commissioner

ATTEST:

s/Sydney Millard
Sydney Millard, Deputy Clerk

RESOLUTION 2023-24

**A RESOLUTION ESTABLISHING GUIDELINES FOR
THE SHOSHONE COUNTY TREASURER ON THE
COLLECTION OF SPECIAL ASSESSMENTS
FOR LOCAL TAXING DISTRICTS**

WHEREAS, pursuant to Idaho Code 50-1008 the County Treasurer is authorized to certified delinquent district fees to the tax roll for local taxing districts; and

WHEREAS, Karey Eddy, Treasurer of Shoshone County, is requesting established guidelines to assist in the facilitation in the collection of the delinquent district fees.

NOW THEREFORE, BE IT RESOLVED AND ORDERED by the Shoshone County Board of Commissioners that the County Treasurer will only accept the local taxing district request for the collection of delinquent district fees in the following format:

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- Parcel Number Order;
- Name of Taxpayer;
- Physical Address and Amount;
- Lists must be in balance with a total that they are certifying including certification fee of \$25 per parcel.

DATED this 20th day of September 2023.

BOARD OF COUNTY COMMISSIONERS

s/Tracy Casady
Tracy Casady, Commissioner

ATTEST:

s/Sydney Millard
Sydney Millard
Deputy Clerk

s/Jeff Zimmerman
Jeff Zimmerman, Commissioner

RESOLUTION 2023-25

**A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM
ARPA ACCOUNT TO TREASURER'S POOL ACCOUNT
FOR EXPENSES INCURRED BETWEEN JULY 27, 2021 AND SEPTEMBER 30, 2022
(PREVIOUSLY RESOLUTION 2022-44)**

WHEREAS, the Shoshone County Treasurer has requested the transfer of funds per Idaho Code 31-1508; and

WHEREAS, the request is for the transfer of funds from the American Rescue Plan Account Fund Account for Approved Project Expenses and Payroll and Benefits into the Treasurer's Pool Account as follows:

<u>TO</u>	<u>FROM</u>	<u>AMOUNT</u>
American Rescue Plan Act #3719	Treasurer's Pool Account #1159	\$118,165.28

WHEREAS, the request is for the transfer of funds from the American Rescue Plan Account Fund Account for Earned Interest into the Treasurer's Pool Account as follows:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
American Rescue Plan Act #3719	Treasurer's Pool Account #1159	\$4,471.83

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NOW THEREFORE, BE IT RESOLVED by the Shoshone County Board of Commissioners, to authorize the transfer funds in the accounts as presented.

DATED this 20th day of September 2023.

BOARD OF COUNTY COMMISSIONERS

s/Tracy Casady

Tracy Casady, Commissioner

s/Jeff Zimmerman

Jeff Zimmerman, Commissioner

ATTEST:

s/Sydney Millard

Sydney Millard, Deputy Clerk

RESOLUTION 2023-26

**A RESOLUTION FINALIZING THE TRANSFER OF COUNTY PROPERTY
TO MAVERIK, INC., PURSUANT TO IDAHO CODE §31-808**

WHEREAS, the Board of County Commissioners of Shoshone County, had previously determined that a certain parcel of land belonging to said County and more particularly described herein was not necessary for the use of said County, and sale of the same was in the public interest; and

WHEREAS, pursuant to Idaho Code §31-808, the Board of County Commissioners have the power and authority to sell or offer for sale at public auction any real or personal property belonging to the county not necessary for its use; and

WHEREAS, notice of the intent to offer such property up for public auction was duly advertised in a newspaper, as defined in Idaho Code §60-106; and

WHEREAS, the County was unable to sell such property at a public auction for lack of responsive bids and thereafter engaged those interested parties in order to effectuate a sale of said property; and

WHEREAS, the County was able to solicit the greatest purchase price from Maverik, Inc., a Utah corporation, by and through its agent Taylor Gibbons of SVN High Desert Commercial; and

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WHEREAS, the County subsequently engaged Maverik, Inc., by and through their legal counsel, in negotiating a Purchase and Sale Agreement suitable to the County, which agreement has been attached hereto as **EXHIBIT A**; and

WHEREAS, in anticipation of the satisfaction of the obligations of each Party to the aforementioned agreement, the County does desire to proceed with closing on said property; and

WHEREAS, the Chairman of the Shoshone County Board of Commissioners has the authority to execute all contracts, leases, grants, deeds, negotiable instruments and any other legal documents on behalf of the Board, including those necessary to effectuate the sale and transfer of real property contemplated herein.

NOW, THEREFORE, BE IT RESOLVED, by the County of Shoshone and its Board of Commissioners:

1. For good and valuable consideration, and on the terms and conditions contained in **EXHIBIT A**, Shoshone County intends to remise, release, assign, transfer and forever quitclaims to Maverik, Inc., its heirs and assigns forever, all right, title and interest that Shoshone County has in that certain parcel of land, consisting of approximately 4.34 acres of land, situated in the County of Shoshone, State of Idaho, and more particularly described as:

Parcel #: 031500040010

Legal Description: Lot 1 Less 428452 Block 4(Shop) 35-49-2 Silver Valley Business Center

2. That all utility and other identified easements and encumbrances, which have not been otherwise vacated or abandoned, be attached and assigned to the applicable portions of said property.
3. That a warranty deed be executed and recorded by Shoshone County, after satisfaction and agreement of all obligations of the parties under the Purchase and Sale Agreement on or before the anticipated date of closing, September 21, 2023.
4. That proceeds from the sale of said property shall be paid into the county treasury for the general use of the county.
5. That commissioner Jeff Zimmerman of the of the Board of County Commissioners be delegated as "Authorized Signatory" to execute all legal documents on behalf of the County which may be needed to effectuate closing as contemplated herein.

DATED this 20th day of September, 2023.

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BOARD OF COUNTY COMMISSIONERS

s/Tracy Casady

Tracy Casady, Commissioner

s/Jeff Zimmerman

Jeff Zimmerman, Commissioner

ATTEST:

s/Sydney Millard

Sydney Millard, Deputy Clerk

RESOLUTION 2023-27

**A RESOLUTION ADOPTING THE ENSUING FISCAL YEAR 2023/2024
BUDGET FOR THE SHOSHONE COUNTY AMBULANCE SERVICE DISTRICT,
SHOSHONE COUNTY, STATE OF IDAHO**

WHEREAS, Idaho Code 31-1605 requires a public hearing on budget appropriations; and

WHEREAS, the Board of County Commissioners met in the Shoshone County District Courtroom on Tuesday, September 5, 2023 at 3:00 p.m. pursuant to the designated published time for the purpose of taking public comment; and

WHEREAS, the decision to approve and finalize the budget was done at the September 5, 2023 public hearing; and

NOW THEREFORE, BE IT RESOLVED that upon conclusion of said meetings, the Board of County Commissioners determined and fixed the amount of the Fiscal Year 2023-2024 budget as follows:

AMBULANCE SERVICE DISTRICT FUND

	<u>FY22-FY23</u>	<u>FY23-FY24</u>
<u>Estimated Revenue:</u>		
Fees & Other Revenue	\$807,054	\$693,986
Grants	\$ 74,237	\$541,592
Estimated Tax Revenue	<u>\$489,746</u>	<u>\$505,673</u>
Total Revenue:	\$1,371,037	\$1,741,251

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Estimated Expenses:

Personnel Expenses	\$50,890	\$50,890
Other Expenses	\$1,060,147	\$1,090,361
Capital	<u>\$260,000</u>	<u>\$600,000</u>
Total Expenses	\$1,371,037	\$1,741,251
 Balance Amount to be Levied:	 \$489,746	 \$505,673

DATED this 20th day of September 2023.

BOARD OF COUNTY COMMISSIONERS

s/Tracy Casady
Tracy Casady, Commissioner

s/Jeff Zimmerman
Jeff Zimmerman, Commissioner

ATTEST:

s/Tamie Eberhard
Tamie Eberhard, County Clerk

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.

2. Executive Session: Indigent Cases: Consideration and Decision. Executive Session ID Code 74-206(d). A motion was made by Commissioner Casady, seconded by Commissioner Zimmerman to go into Executive Session per Idaho Code 74-206(d). Roll call vote: Commissioner Casady – Aye, Commissioner Zimmerman – Aye. The motion carried unanimously. The Board adjourned from Executive Session and a motion was made by Commissioner Casady to approve case #2019-135, seconded by Commissioner Zimmerman. The motion carried.

10:00 AM Ambulance Service District Updates – Bruce Van Broeke

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Also, present: Tamie Eberhard, Timmie Hunter, Bruce Van Broeke, Matt Beehner


Bruce said he doesn't have much for updates, he needs to get Zack Ayers a copy of the agreement that was approved last week. Commissioner Zimmerman asked if he was able to find the ambulance title for the ambulance that sold at auction. Bruce said they are still looking for it. Tamie said herself and Timmie will be attending the Ambulance Service District meeting Thursday to answer any questions they may have. There being no further business the meeting adjourned.

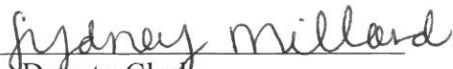
2:30 PM To Approve Public Defender Contracts

Also, present: Chris Schwartz

Commissioner Casady reviewed the public defender contracts for Chris Schwartz, Dana Bowes, Luke Crawford, Amanda Findlay, Blaine Horrocks and Katherine Merck. Commissioner Zimmerman made a motion to approve the contracts, seconded by Commissioner Casady. The motion carried. 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, September 21, 2023

There were no regular business meetings scheduled this day.


8:00 AM Silver Valley Economic Development Corporation - Casady

12:00 PM Panhandle Health District Board Meeting – Casady

6:00 PM Ambulance Service District Meeting – Casady

ATTEST Tamie J. Eberhard
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk