

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2022

Tuesday, February 6, 2024

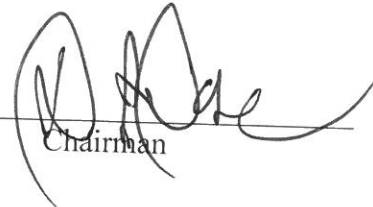
There were no regular business meetings scheduled this day.

7:00 PM Snowmobile Groomer Board Meeting – Casady

ATTEST: Timmie Hunter
Chief Deputy Clerk

By: Sydney Millard
Deputy Clerk

Approved: _____


Chairman

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Wednesday, February 7, 2024

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: Colleen Rosson, Matt Beehner, Douglas Thurber, Shawn Leroy

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

PUBLIC COMMENT: Douglas Thurber said he is concerned about voter fraud. He said both sides of the political agenda talk about voter fraud, but to what extent is in question. He said the most common is mail in ballot or if ballots get processed through a computer. He said we have a duty to make sure our election process is free and clean of fraud. He handed out copies of a DVD to the board. Matt said he spent six hours going through last year's minutes. He asked if a secretary for the drug counselor is part of the grant. He said when it was presented to the board it wasn't presented that the position would need a secretary, but in later discussions regarding the office space, it was brought up that the position would probably need a secretary. He asked if that would come out of county funds or out of the grant. He said the Sheriff's office presented a grant to the board a few weeks ago for \$80,000, with a 25% match. He said it wasn't noted in the minutes where the 25% would come from out of the budget. He said the county is broke and things are getting slid in that he doesn't believe the county can afford. He said the 2:00 meeting today regarding procurement procedures, he said since August this is the fourth or fifth meeting on the same subject.

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 29, 2024 to February 2, 2024. A motion was made by Commissioner Casady to approve the minutes, seconded by Commissioner Zimmerman. 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 2024-5 A Resolution Establishing Polling Places for the 2024 Elections

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- Shoshone County Treasurer Statement of Cash Balances as of January 31, 2024
- Removal of (1) Solid Waste Cash Till
- HealthTech Solutions Agreement

Commissioner Casady explained Solid Waste currently has three cash tills for making change, after audit time they realized they don't need the third one so this will just put the money back into their account.

Commissioner Zimmerman made a motion to table the Shoshone County Payables as they weren't ready for review in time, seconded by Commissioner Casady. The motion carried.

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).

2:00 PM **Executive Session:** Pursuant to 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 – Procurement Procedures
Regular Session: Procurement of SCSO Vehicles

Also, present: Captain Seth Green, Ben Allen, Colleen Rosson, Matt Beehner

Commissioner Zimmerman made a motion to enter executive session per Idaho Code 74-206(1)(f), seconded by Commissioner Casady. Roll call vote: Commissioner Casady – Aye, Commissioner Zimmerman – Aye. The motion carried and the public exited the room. The board exited from executive session and Captain Green explained that they coordinated with the prosecutor's office and went through the piggyback idea to satisfy the regulatory requirements for the federal funds. They got three bids from pre-selected vehicle procurement programs through the state. One from Young Automotive group, bid totaling \$45,943. One bid through Auto Ranch Group, totaling \$43,827. One bid from Sayer Chrysler Dodge Jeep Ram totaling \$44,511. Dave Smith's bid came to \$41,230 per vehicle. Colleen explained that there was a pre-approved amount for patrol vehicles and a jail transport vehicle for \$375,000 out of LATCF funding. She said based on these numbers for the lowest bid at \$41,230 for five vehicles, would total \$206,150. Commissioner Casady made a motion to authorize Captain Green to move

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forward with presenting contracts to the board through Dave Smith, seconded by Commissioner Zimmerman. The motion carried. Public comment: Matt said earlier today he presented that this was the fourth or fifth time the board had met over procurement procedures. He said just so they know the dates were August 31st, October 17th, December 12th, and today makes the fourth meeting regarding procurement procedures. He said what was put in for and approved was Ford, not Chevy or Dodge. He said he doesn't know why the prosecuting attorney is letting this go on and not going after whoever did this. He said this is Federal Funds and he wouldn't play with it. Commissioner Zimmerman said they met the procurement procedure and money hasn't changed hands yet. Matt said they weren't good enough before according to the Sheriff's office, and now we're buying them. Colleen confirmed the process moving forward.

ATTEST: Timmie Hunter
Chief Deputy Clerk

By: Sydney Millard
Deputy Clerk

Approved: _____


Chairman

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Thursday, February 8, 2024

Present:

Commissioners: David Dose - Chair

Tracy Casady

Jeff Zimmerman

Deputy Clerk: Sydney Millard

9:00 AM Litigation Fund Update – Ben Allen

Also, present: Ben Allen, Matt Beehner, Minde Beehner

Ben explained the Litigation Fund is monitored and organized by the Idaho Association of Counties. Within the State of Idaho, each county has the ability to opt in and pay a portion of funds as part of their annual fees into the Litigation Fund. He said the majority of counties around the state do pay into this fund and as such are eligible to apply to the board that oversees the fund for reimbursement for expenses incurred in litigation by a county in defending its tax assessed values for properties which are challenged and appealed by taxpayers. He said the fund is accessed infrequently, maybe one to two applications a year. He said eligibility is limited. Ben said the Silver Mountain Tax Appeal Case met the primary purpose of the fund, and the board agreed to provide assistance for litigation reimbursement for the county. He said the county has now applied three times along the course of litigation. The county has previously received two separate payments for reimbursement. He said ultimately Shoshone County provided a good case for ongoing litigation and submitting multiple applications for reimbursement. He said the board ultimately decided to give an affirmative recommendation to approve the reimbursement request from Shoshone County for the final expenses incurred totaling \$49,240. The Litigation Fund has its own board that oversees it and makes the initial recommendation to approve or deny. Before any check is cut, the final recommendation must come from the IAC board of directors. Ben said he presented to the Idaho Association of Counties board on January 29th. He solicited help from the Nez Perce County Assessor for an unbiased perspective on how this litigation is helpful to other counties around the state. Ben said in the coming weeks Shoshone County can anticipate receiving a check from Idaho Association of Counties in the amount of \$49,240 that will come back to the county as a reimbursement. Commissioner Casady asked if there are certain guidelines that must be abided by. Ben said he will defer to the county clerk on how those funds should be funneled back through. Public Comment: Matt asked how much it cost the defense fund overall. Ben said he doesn't have the number in front of him. He said the clerk can pull that information or from the Idaho Association of Counties. Matt asked what the county pays into the fund each year. Ben said he would refer to the board or the clerk for that information. Minde said the board and Ben have been CC'd on emails regarding public records request she had sent. She said in January of 2023 before two of the commissioners took office and in less than fifteen minutes saw three people throw four million dollars at stuff but did not have any documentation setup. She said at this point from that start point to now, there should be some type of record kept current and easily accessible. She said its federal money that could be audited at some point. She said she doesn't like getting emails asking for further clarification with the intent of knowing what to charge her. She said there should be easy public records for how the money was given away and accounted for. She said she thinks this would fall under the Freedom of Information

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Act as well. She said as two of the commissioners ran on transparency, it shouldn't be this hard. She said going back to meeting minutes for the first four million, which are the legal business of the county, has errors in the motions. She said they were approved and are online now. Commissioner Dose said he is happy to speak with Minde after the meeting.

10:00 AM Silver Valley Transportation Team Meeting – Casady

1:00 PM To Discuss Pine Creek Auto Wrecking Yard License

Present:

Commissioners: David Dose - Chair

Jeff Zimmerman

Deputy Clerk: Sydney Millard

Commissioner Zimmerman said he has spoke with Gary the owner and he has indicated they are going to get the front of Pine Creek Road access fencing done this year. They said the cost of material has been the issue. Commissioner Dose asked if six months would be an adequate amount of time to get the fencing done. Commissioner Zimmerman said yes, or just a date, he suggested September 1st. Commissioner Dose made a motion to approve the wrecking yard license for Pine Creek Auto Wrecking for one year, knowing that if the work isn't done by September 1 they may revoke the license, seconded by Commissioner Zimmerman. The motion carried.

2:00 PM To Discuss Prosecutor's Office Staffing Concerns

Also, present: Ben Allen, Matt Beehner

Ben explained he has been advertising their deputy prosecuting position openings since last summer. He said they are supposed to be staffed for four attorneys within their office based on their case load numbers. Going into budget year they had three attorneys with one vacancy. As the board is aware they had one potential applicant who they were hoping to fill the fourth spot. They accepted the position and had a start date. As it started getting close, they requested an extension of their start date, and ultimately backed out. He said one of his remaining deputies then resigned, citing the amount of work that was incurred just wasn't worth the money. Ben said he went back out and advertised for both of those positions through multiple cycles. He said the State Bar allows for advertisement cycle of a month at a time. He said he has yet to receive any applications from any candidates who would either meet the credential requirements or be a good fit for the office. He said he reposted last month at above the previously budgeted salary, at \$95,000. He said he still didn't receive any applications at that amount. Ben said he isn't sure

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where he'll have to go with restructuring in order to develop some sort of system that will be compatible to getting a body in the office. He said he is open to input or suggestions that anyone may have. Commissioner Zimmerman asked what salary amount we would need to bring somebody in. Ben said he isn't sure. Commissioner Dose asked what Kootenai County is starting their attorneys at. Ben said they don't post a specific amount because their positions are on a pay scale based on a number of factors. He said he does know what a few of their positions do pay. He said the elected prosecutor is at \$160,000, and the deputy prosecutor is at \$140,000 last time he inquired. Ben said the market will have to tell us what the floor is for salary. Commissioner Zimmerman asked if we can get an average of what the floor would be, maybe from Idaho Association of Counties, as a starting point. Ben said he spoke with his chief deputy as to their goals, and she said she just wants a body in the office. He said he did extend a contract to another law school student for the summer. Commissioner Zimmerman asked about the federal position that they were looking at. Ben said he has pushed that as far as he can at this point, he continues to inquire about the logistics. He said they don't want Shoshone County to be the only position, they want it to be cross-jurisdictional position. Commissioner Zimmerman asked what portion of the prosecutor's case load is drug related. Ben guessed maybe 1/3 are related to drugs or alcohol. Commissioner Dose asked about dropping the fourth open position and applying the funds to the others. Commissioner Dose also asked about posting without the salary noted, similar to Kootenai County. Ben said there is a risk of extending an offer before an attorney receives their license. Commissioner Zimmerman noted that the economy and crime rate increase factors aren't helping. Ben gave kudos to law enforcement, and the ILED program which now has their second participant. Commissioner Dose said he is open to flexible ideas. Ben said he has no official proposal to present to the board today for action. Public comment: Matt said they are always outbid. He asked how long it takes for students to get their license. Ben said it's a three-year degree on top of their bachelors, after which they can sit for the Bar exam, which is offered twice a year. He asked if it would be worth reaching out to Idaho colleges. He said you may have to look at it as having an attorney for three or four years before they move on. Ben said he is already doing that with the University of Idaho. He said he has visited campus and personally solicited students. He said they have had better luck at Gonzaga. They are interviewing six students for internships from Gonzaga. He said the only law school in Idaho is at the University of Idaho. Ben noted a bright spot is their chief deputy prosecuting attorney who has been a rockstar, they have a good core it's just a matter of filling in the spots.

ATTEST Timmie Hunter
Chief Deputy Clerk

Approved: _____


Chairman

By: Sydney Millard
Deputy Clerk