

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2024

**Tuesday, January 9, 2024**

Present:

Commissioners: Tracy Casady (joined in executive session)

David Dose

Jeff Zimmerman

Deputy Clerk: Sydney Millard

**9:00 AM 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 – Trapper Creek

Also, present: Ben Allen, Jessica Stutzke

Commissioner Zimmerman made a motion to enter executive session per Idaho Code 74-206(1)(f), seconded by Commissioner Dose. Roll call vote: Commissioner Dose – Aye, Commissioner Zimmerman – Aye. The motion carried. The board exited from executive session with no action taken and the meeting adjourned.

ATTEST: Tamie J. Eberhard  
County Clerk

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

  
Chairman

By: Sydney Millard  
Deputy Clerk

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## SHOSHONE COUNTY, IDAHO

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#### Wednesday, January 10, 2024

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

Present:

Commissioners: Jeff Zimmerman

Tracy Casady

Deputy Clerk: Sydney Millard

Also, in attendance: Matt Beehner

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

PUBLIC COMMENT: Matt said he attended the Trapper Creek meeting last week and he was amazed how different that meeting was compared to his meeting regarding F Street and encroachments that was held after 5 pm. He said Shawn was at the F street meeting, and the Public Works department was there taking notes. He said the notes the roads department took have been destroyed, highlighted, and sent to the prosecuting attorney. He said over time was paid for his meeting as well.

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 1, 2024 to January 5, 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
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 Zimmerman – Aye. The motion carried unanimously, and the public exited the room. The Board adjourned from Executive Session, and a motion was made by Commissioner Zimmerman to approve Indigent case

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#2008-16, seconded by Commissioner Casady. The motion carried unanimously.

#### **10:00 AM To Discuss LATCF Funding Requests**

Present:

Commissioners: David Dose – Chair (via conference call)

Tracy Casady

Deputy Clerk: Sydney Millard

Also, present: Colleen Rosson, Randy Hoskins, Matt Beehner

Colleen explained she has a few updates to review. Regarding the new clerk's office renovations, the board previously approved \$5,000, totals are currently sitting at \$361.00 over. She asked Randy to compile expenses that are still to come. He estimated another \$4,000 in additional expenses including paint, trim, door hardware and carpet. The carpet was estimate was \$2,375.00. Commissioner Casady said she thinks we have time to get a few more carpet bids. Randy will work on that. Colleen said she thinks there will be more invoices from Bj for networking, but she doesn't know exactly how much. Commissioner Dose said it sounds like if we had another \$5,000 approved, we could get the job done. Randy said he didn't get an estimate to get the electrical finished, but it shouldn't be much. Commissioner Dose made a motion to increase the approved amount for the new clerk's office from \$5,000 to \$10,000 of LATCF, seconded by Commissioner Casady. The motion carried. Colleen stated that Tamie had brought in a bid for furniture for the new clerk's office, and the board had requested a few more bids to ensure competitiveness. Commissioner Casady said they did some research for the same size desks and couldn't find any matching sets in used. She said she found on ULINE they could get two desks for \$1,750 with \$257.00 shipping cost. Randy will assemble them to save cost. Commissioner Dose asked how much is needed for chairs. Colleen said a decent chair is \$250.00, but she has found good chairs for around \$150.00. Commissioner Casady said she thinks \$150.00 is adequate, and hopefully we can find options for less. Colleen suggested approving \$2,400 to cover and shipping and handling on the chairs. Commissioner Dose made a motion to approve a \$2,500 LATCF allowance to cover furnishings for the new clerk's office, seconded by Commissioner Casady. The motion carried. Colleen said she would like the board to consider for a stronger application for the balcony repairs to commit if required, \$2,000. She said they have \$7,500 from the Idaho Heritage Trust, and she is applying for an additional \$9,500 through the Historic Society. Commissioner Casady said she doesn't see a problem with it, Commissioner Dose agreed. Colleen said the question would be which fund would the board want it to come out of, LATCF or SLFRF. Colleen said she wasn't sure it could be discussed today. Commissioner Casady asked to put it on next week's agenda. Colleen said she has been reviewing projects and their completion status. Public comment: Matt asked about the balcony repairs, he said in 2018 Heritage Trust gave the county \$7,500 and Hecla Mining Company gave money as well, did it not get done then? Colleen said they couldn't find a contractor to do it. He

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said he also saw it was only good until 2020 with the Heritage Trust. Colleen said that is correct. She said it wasn't redrawn just set aside. She said she wasn't aware that Hecla committed any money, but she can look into it. There being no further business the meeting adjourned.

#### **11:00 AM Panhandle Health Quarterly Meeting – Don Duffy**

Present:

Commissioners: David Dose – Chair (via conference call)

Jeff Zimmerman

Tracy Casady

Deputy Clerk: Sydney Millard

Also, present: Daniel Perry

Don explained that he will review some updates with the health district and what's going on. He said he has invited Dan Perry with him today who oversees their Senior Companion Program which is in all five counties. Don said the biggest thing right now is the Luma transition. Luma is an ERP system (Enterprise Resource Planning). Basically, the state changed their accounting, payroll, and HR system after using the same system for many years. The new system is Luma, implementation began on July 1, 2023. He said it has been a challenge to transition, as with any change after so long with a different system. He said they are making good progress and there are many advantages to the new system. Don said they have begun working on their FY25 budget. Their fiscal year starts July 1. He said the draft budget should be prepared by March, and the next quarterly meeting with the board of commissioners will involve reviewing that budget. Don said they are finalizing their calendar year strategic plan. One goal is to do better training for their board of health members. They would like to see them more engaged in what they do. Don said Influenza A is on the rise, which is common for the time of year. RSV has seemed to reach a stable plateau, and Covid seems to be on the rise. Don said their strategic plan is drive by their community health assessment. This is done every five years with multiple community partners. He said the key things that came out of that assessment included access to care, behavioral health, Medicaid challenges, youth services, and the housing crisis. Don will provide the board with a copy of the community health assessment. Dan introduced himself to the board. He noted the growing population in North Idaho, which is outpacing so many resources. He said 12% moving here are over the age of 65. He said they are often unseen and unheard and there are many people in Shoshone County that fit this. He said many need help, primarily with socialization and getting them to their medical appointments and shopping. Dan said since 1987, Panhandle Health District has had the Senior Companions Program of North Idaho. He said last year their volunteers served over 30,000 hours, drove over 135,000 miles in service to clients throughout the five counties. Within Shoshone County, they currently only have seven volunteers to cover the entire county, and about a dozen clients. He said one of the reasons they want to meet with the board is to raise awareness. They receive a federal grant that provides volunteers with a stipend, reimbursement for their time and mileage. Volunteers must be age 55 and over. Commissioner Casady asked if they struggle getting volunteers? Dan said yes, there is also a cap on the income for the volunteers, which has led to him having to turn away many volunteers. Commissioner Casady asked if they had ideas for them to help with awareness. Don

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said they are asking for a grass roots effort from the board, as they talk with many different folks in their roles.

#### **1:00 PM      To Discuss, Review, and Consider: Private Road and Driveway Standards Ordinance**

Also, present: Dan Martinsen, Trish Brown, Chris Pfahl, Jill Lilienkamp-Cooper, Michelle Bisconer, Ryder Gautreaux, Mike Branstetter, Amy Lynn, Dick Carm

Commissioner Zimmerman made a motion to open the public hearing, seconded by Commissioner Dose. Roll call vote: Commissioner Dose – Aye, Commissioner Zimmerman – Aye. The motion carried. Commissioner Dose reviewed the public hearing rules and procedures. Dan reviewed the course of proceedings, staff findings of fact, applicable legal standards, staff analysis, and the recommendation by planning and zoning commission. Commissioner Dose asked for an executive summary of the proposed ordinance. Dan stated the ordinance adopts the fire code as a standard for private road and driveways. He said they haven't had any formal design standards when it comes to private roads and driveways. Commissioner Dose called for testimony by supporters. Jill Lilienkamp-Cooper stated she thinks this is a no-brainer, and it's more of a safety issue than anything. Michelle Bisconer said she is in support; it has to do with safety and infrastructure and things being done correctly. Amy Lynn stated she is worried about fires and people not being able to get up to fight the fires. She is very concerned about buildings and roads and fires starting up in the hills. She said we need to protect our town. Dick Carm said he has no comment. Commissioner Dose called for testimony by neutrals. Mike Branstetter said he has a few areas of concerns; he doesn't have any problem with adoption of standards applicable to roads. Mike said he has three parcels that could be impacted by this and wants to address that to make sure he won't be impacted. He provided copies of the comments he added to the proposed ordinance to the board. He said he understands the intent but made three areas of comments. One being language to clarify this won't affect existing roads. He made comments in Section A.1 and A.2 to address this as well as Section B.1, B.2 and B.3. He suggests Section C.1 be broken into sub-parts to address specific matters. He commented on language addressing easements or rights of ways in favor of the maintenance entity. Commissioner Dose called for testimony by those opposed. Ryder Gautreaux stated he strongly opposes the proposed ordinance, and it would eliminate developing multiple parcels of his own but also almost every parcel across the county. He said this was written to specifically to stop the development on his property which is part of the mountain overlay district, but now this would affect the rest of the county. He said the requirement of a sixty-foot wide easement was put into this, while most easements in the state of Idaho are fifty feet wide. Ryder said the intent of having road standards is done throughout many other codes. He said this is an overreach and a taking of private property. He said it needs fixing in so many areas that he asks the board to deny it. Chris Pfahl stated he believes the proposed ordinance is seriously flawed. He said in the title it says it applies to residential properties, which is the only place in the ordinance those two words show up. He



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said the sub-division ordinance already covers new development, and building code already includes the road standards that are in the fire code, which he has no problem with. He says this goes beyond what the intent was supposed to be. Chris says in Section B regarding driveways and common driveways, it should say “providing physical access” vs. “providing legal access” as its written. Regarding Section C, he agrees with Mike’s comments in relation to agreements with landowners as opposed to maintenance entities. Commissioner Dose asked Dan if he had rebuttal to any of the testimony. Dan said he needs to be clear that this does not establish that it takes a new road for these to apply, but that it takes a new building permit or an enhancement of a road for these to apply. He said we need to make sure that language is clear. Dan also said regarding Section C, easements, and driveways, he agrees with Mike’s suggestion that breaking it down into sections and clarifying some wording would prove to establish the original intent. He said he would want our legal team to review these comments/re-wordings. Dan noted given the clarification questions posed, he recommended the board including addressing any changes in a motion, having P&Z make those changes and have them ran through legal before its brought back to a subsequent hearing. Commissioner Zimmerman asked how much time Dan thinks they would need for that. Dan said it would probably be up to the Prosecuting Attorney’s office. Dan would suggest starting at thirty days out. Commissioner Zimmerman made a motion to close the public hearing, seconded by Commissioner Dose. Roll call vote: Commissioner Dose – Aye, Commissioner Zimmerman – Aye. The motion carried. Commissioner Zimmerman stated he believes they need to go back and do some corrections and address the ambiguity. Commissioner Dose said he agrees with several of Mike’s concerns and comments. He said he also has legal questions regarding legal access. He said he’s leaning towards continuing this for thirty days. He would like to have some discussion on the size requirement for a road easement. Commissioner Zimmerman agreed. Commissioner Zimmerman made a motion to continue to a date of February 13<sup>th</sup> with the idea that they do want a standard but want to revise the language to ensure the impact is clear to new development vs. existing, seconded by Commissioner Dose. The motion carried. Commissioner thanked the public for their comments. There being no further business the meeting adjourned.

**2:00 PM      To Discuss, Review and Consider: (3)-Lot Minor Subdivision in the Natural Resource Zone: MS-162-23 Ralph & Annette Brandvold and Rodney A. Wolfe**

Also, present: Dan Martinsen, Trish Brown

Commissioner Zimmerman made a motion to open the public hearing, seconded by Commissioner Dose. Roll call vote: Commissioner Dose – Aye, Commissioner Zimmerman – Aye. The motion carried. Commissioner Dose reviewed the public hearing rules and procedures. Dan reviewed the staff findings regarding the 3-lot minor subdivision. Commissioner

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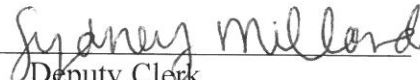
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Zimmerman made a motion to close the public hearing, seconded by Commissioner Dose. Roll call vote: Commissioner Dose – Aye, Commissioner Zimmerman – Aye. The motion carried. There were no concerns from the board. Commissioner Zimmerman made a motion based on the Findings of Fact and Conclusions of Law set forth in these documents, and any additional testimony received; the Shoshone County Board of County Commissioners order this application for a Minor Subdivision Case No. MS-162-23 Wolfe/Brandvold Minor Subdivision to be approved with proposed conditions, seconded by Commissioner Dose. 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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**Thursday, January 11, 2024**

There were no regular meetings scheduled this day.

ATTEST: Tamie J. Eberhard  
County Clerk

Approved

  
Chairman

By:   
Deputy Clerk