

PROCEEDINGS COUNTY COMMISSIONERS

SHOSHONE COUNTY, IDAHO

BOOK 2024

Tuesday, March 5, 2024

Present:

Commissioners: David Dose - Chair

Jeff Zimmerman

Tracy Casady

Deputy Clerk: Sydney Millard

8:30 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

Also, present: Ben Allen

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 Dose – Aye, Commissioner Zimmerman – Aye. The motion carried unanimously. The board exited executive session with no action taken and the meeting adjourned.

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: Sydney Millard

Also, in attendance: Colleen Rosson, Matt Beehner

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

PUBLIC COMMENT: Matt asked if the Ambulance Service District Payables are turned into the accounts payable clerk. He said they have changed the rules for the upcoming hearing regarding turning in evidence and when you can sign up to speak, and believes someone can object to the change.

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 26, 2024 through March 1, 2024. Commissioner Casady made a motion to accept the minutes, seconded by Commissioner Zimmerman. The motion carried unanimously.

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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
 - Ambulance Service District Payables
 - Cancellations/Homeowner's Cancellations
 - Area Agency on Aging Contract Modification

Commissioner Zimmerman made a motion to approve the consent agenda, tabling the Shoshone County and Ambulance Service District Payables, seconded by Commissioner Casady. 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 Dose – Aye, Commissioner Zimmerman – Aye. The motion carried unanimously. The Board adjourned from Executive Session and a motion was made by Commissioner Casady to approve Indigent case #2024-1, seconded by Commissioner Zimmerman. The motion carried unanimously. A motion was made by Commissioner Casady to approve Indigent cases #'s 2013-69, 2008-178, 2006-99, 2008-186, 2008-73 and 2005-97, seconded by Commissioner Zimmerman. The motion carried unanimously.

10:00 AM Discuss LATCF/SLFRF Funding Requests

Also, present: Colleen Rosson, Kjell Truesdell, Matt Beehner
Colleen explained they are looking for funding shifts at this point. Starting with SLFRF funds for the Mullan Volunteer Fire Department. She said previously they were approved to put in doors and get a generator for the fire department in Mullan. They have completed the door project which came in under budget. They had to shift the generator project which came in a little over budget. Colleen sent bids for this totaling \$11,254.39. \$7,095.15 remains in the generator budget. \$12,000 was previously approved for the Mullan Volunteer Fire Department use. The ask is to shift the purposes of the already approved and unspent funds of \$12,000 to complete the generator. Commissioner Dose asked Colleen to confirm this request is different from the recent Pinehurst Lions request to shift funds because their request wasn't approved in the original proposal. She said yes. Kjell said it will be about \$1,000 under budget once completed. Commissioner Zimmerman made a motion to approve the funding shift, seconded by Commissioner Casady. The motion carried unanimously. Next, regarding LATCF, Colleen said

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the wraps for the new Sheriff's office vehicles had not been included in any of the quotes. The Sheriff's office wants to shift the funding from the savings on the push bumpers totaling \$5,057. Commissioner Dose made a motion to approve the funding shift, seconded by Commissioner Zimmerman. The motion carried unanimously. Colleen said she wasn't sure if Captain Lopez had sent the board a letter regarding a LATCF request. They said no. She said electronic locks are failing in the jail, which was addressed in the letter, which she can ask Captain Lopez to send. He also has quotes, she just hasn't seen them yet. One to install two rebuilt electronic locks totaling \$1,425 and new locks for \$2,599. She said the Sheriff's office came in \$13,225 under budget for padding on cell block F, \$15,522 under budget for Guardian RFID inmate monitoring and \$1,857.62 under budget for an industrial clothes washer for the jail. She said any of those could be shifted as they were already approved specifically for the jail. Commissioner Dose said he doesn't have any problem with a shift but would like to hear from Captain Lopez and see the bids before taking any action. The board agreed. There being no further business the meeting adjourned.

12:00 PM Discuss Benewah Commissioner Request Regarding St. Joe Roadway

Also, present: Jessica Stutzke

Commissioner Dose explained he had met with Benewah Commissioner Phil Lampert, Jessica Stutzke and the Benewah Public Works director to hear a request from Benewah County for Shoshone County to take over a roadway. He said he shared his opinion with Commissioner Lampert, which was also Jessica's opinion, and the commissioner said he would like to hear from the entire board. He asked Jessica to give explanation of the request. She said the roadway is the section from Calder, west towards the Benewah County line, roughly 3.7 miles of roadway. It used to be owned by Potlatch and has always been open to the public to use. At some point recently, Shoshone County took over the portion from Calder upriver, heading east. She said Benewah County made a run for the lower section and did take that section. According to Commissioner Lampert, a big reason they are asking Shoshone County to take that section is because they are not currently claiming any highway user miles, therefore not getting any revenue for the roughly 7.3 miles of roadway. Shoshone County isn't getting any revenue either for it. She said it's a gravel road that has been poorly maintained over the last several years. There are four bridge structures, two of which have been closed by ITD. One was involved in a fire and never repaired or replaced. She said the lower section, about four miles from Trout Creek to Falls Creek, has two bridge structures. She said she asked for the bridge inspection reports on those two bridges from ITD. Both bridges are load limited in poor condition. She said one bridge, known as Stew Bridge, was given a structure condition of four, which is in the minimum tolerable category. The deck is rated as a four in poor condition as well as the substructure. The super structure is rated as a six in satisfactory condition. She said the other bridge at Trout Creek is not in any better shape. Its structure condition is listed as a two, which is

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intolerable, and they are recommending replacing the bridge. The deck was given a six at satisfactory, the super structure was given a five at fair, and the sub-structure was given a three which bumps it down to the serious category. These four bridges are currently open to the public that are being asked to be taken over. Jessica said she has a few concerns with that as they have seventy-nine bridges in their jurisdiction that they have trouble maintaining as it is. They have five other bridges in that jurisdiction that didn't make the cut for the Leading Idaho Local Bridge Funding. She said she has a hard time on-boarding more bridges that would take resources from already poor condition bridges. Work and money would need to be put into them soon. She said Commissioner Lampert stated they would not be putting any money into the bridges or roadway. She said there has been minimal blading done, and she believes the work that has been done has been completed by Potlatch for logging operations. She said this would require heavy work from the already strapped District four. District four is funded for four operators, but they have been running regularly with three, due to lack of applicants. She said Benewah County mentioned the pros of being able to claim highway user revenue for the roadway. She said last year Shoshone County got \$2,136,086 total. 45% of that is based on improved road miles, totaling \$958,989. If you divide that by their 362 miles of roadway they claim in their jurisdiction, that totals \$2,649 per mile. Nothing additional is received for bridges. If you take the 7.3 miles, they are wanting Shoshone County to take, that would net an additional \$19,337.70. She said she can't see a way to feasibly open the additional 3.3 miles that is overgrown and closed with condemned bridges, so that only gives us about four miles to add to their system, netting about \$10,596 additional. With the work that needs to go into to the bridges, and the needed maintenance on the roadway along with staffing limitations, she recommends the board does not take over the section of roadway. She said she has received a lot of phone calls from citizens asking about ownership of the roadway. They are frustrated because its not being maintained, while they are paying their Shoshone County taxes. Jessica said she sympathizes with those complaints, but the decision is not in her wheelhouse. Commissioner Zimmerman asked if they've met with an engineer or the Benewah County public works director. Jessica said yes, they are in agreement that it has not been maintained well and are concerned they aren't allowed to claim highway user mileage outside of their county. She said she looked into it and they are claiming highway user miles in Shoshone County in another area. Commissioner Zimmerman asked if this road serves Shoshone County citizens. Jessica said yes. Jessica said this has come up in previous years with public works and prior boards. Commissioner Zimmerman said he would like to see the road in person before voting. He said we do have roads that we don't maintain, and asked what the difference is to take the roadway and not maintain it. Jessica said her bigger concern are the bridge structures. If we have bridges that are open to the public, we are responsible to maintain them. She said she would be happy to join Commissioner Zimmerman to view the roadway. Something that brought this to the forefront was complaints from citizens watching overloaded log trucks going over the bridges. Enforcement is very difficult. Commissioner Zimmerman made a motion to table pending further investigation, seconded by Commissioner Casady. The motion carried unanimously. There being no further business the meeting adjourned.

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7:00 PM Snowmobile Groomer Board Meeting – Casady

ATTEST: Peggy White
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

BOOK 2024-03-5

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Wednesday, March 6, 2024

Present:

Commissioners: Tracy Casady
Jeff Zimmerman
Deputy Clerk: Sydney Millard

8:00 AM Basin EIP Commission Meeting – Dose

2:00 PM General Updates with Kurt Pindel – Bureau of Land Management

Also, present: Kurt Pindel, Ray Pease, Michael Traver-Greene, Matt Beehner, Jann Higdem, Lydia Bailey, Joe Avery, Dawn Wiksten

Kurt explained he will give a quick overview of the Bureau, and then Ray will talk more about local issues. He said his intent was to meet with the board every year, but he was covering dual districts. They have now split, and he is only over Idaho, which is 236 acres of property. He said they have two field offices, one in Coeur d'Alene. He is the district manager for both. They have 52 employees total over the two offices in the district. They have a new office on Nursery Road, where they sublet from the Forest Service. He said they now have one Resource Advisory Council over the entire state. They have an elected official position opening in November and would like to see applicants from the area. He said they had low recruitment over 2021 and 2022. They were operating at about fifty percent. They are now up to 38 of about 52 employees. He said his goal is to meet with the year at least yearly, hopefully more. There is a federal register notice to try and delegate the authority to their state director to close an area, in case of a fire for example. Commissioner Casady asked if he had met with Dan Martinsen in disaster services. Kurt said no, but that would be great. He said he'd like to offer twice a year to meet, but that can always be adjusted based on what is going on. He turned the floor to Ray Pease for county related updates. Ray said one of their biggest programs is recreation. Staffing levels have improved, they are back up to four outdoor recreation planners. He is trying to hire two more park rangers this spring. Cost of living has been a challenge to get folks in. They are in the process of updating their business plan, which was last done in 2012. Kurt said the business plan is necessary as they are asking the public for money, so they need a way to spend it, it's a contract with the public. Commissioner Zimmerman asked if he could name some of the sites they are working on. Ray said Blackwell Island boat launch, Mineral Ridge boat launch, Huckleberry campground, Micah Bay, Windy Bay and Killarney Lake. As part of the Great American Outdoors act they are chip sealing and resurfacing parking areas. He said Huckleberry campground will be open this summer. Kurt said they do their best to keep maintenance and updates out of the main time frames for the public as much as possible. Ray said there has been a lot of interest in what they're doing at West Fork of Pinecreek Road. He said he has met with members of the public since he started in 2021. Staffing has been an issue, they lost their realty specialist last October so he has been filling in that position as well. They have been looking at their Land Use Management Plan and getting something out that is clear to what the routes are. They are aware of what's going on and have committed to signage in those areas. He said

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looking at rollercoaster features on the landscape have come up, and it's been a matter of time and staff to do so. Regarding Great American Outdoors Act projects, docks and gangways will be upgraded at Killarney Lake in the next two years. They will replace and repair water irrigation systems at Mineral Ridge, Blackwell Island and Huckleberry recreations sites. Floating toilets will also be replaced in the next two years at Windy Bay and Micah Bay. Commissioner Zimmerman asked if the new park rangers would be enforcement. Ray said no, they'd be mainly maintenance, monitoring and collecting fees. Kurt said they do have a law enforcement officer assigned to patrol the five northern counties, one who comes over to patrol a few times a month, and a third in Cottonwood, Grangeville, Orofino area. Ray said they've also had forester turnover, but they got two new foresters last fall. He said they met with the Forest Service regarding the I-90 corridor and how they can collaborate. They are staffed in hazardous fuels again. Public comment: Matt Beehner said he understands they are pulled in different directions on more or less usage. He said they have things they can use in their toolbox to stop the land abuse. He understands there is a petition for West Fork of Pinecreek. He said he walked through their and can't believe what was done and it seems like it goes on and nothing is done to stop it. He's lived here his whole life and its amazing how many people tear things up and it doesn't seem like anyone tries to stop it. Dawn Wiksten asked if anything is in the works to remediate the rollercoaster land. Ray said this has been on the landscape for a long time, and it probably needs to be open for public involvement as to those features as far as how it got there and maintenance agreements. He said there have been no maintenance agreements issued since he started in 2021. Dawn said it is an attractive nuisance. She asked if there is a way to issue some kind of penalty for abuse. Jann Higdem said the rollercoaster is in the wrong fork. It's supposed to be in the middle fork. She said the district manager at the time wrote the document on the fifty tank traps. She said Ray was incorrect, it was 50 kelly humps. She said its in the wrong spot and done illegally. It needs to have the ability for search and rescue. Kurt said there isn't emergency access on every piece of land. She said she was on a Resource Advisory Council before. The Land Water Conservation Fund Act gives \$9 billion per year in perpetuity without any supervision, except for a provision of what percentage you can have in the western states. She said the BLM Forest Service are blatantly not looking at the act and misusing those funds. Kurt asked in what ways. Jann said you are only supposed to be using 10%. Jann asked if they can say definitively there is no creek bed at any time of its seasons is designated route and motorized travel is allowed on the creek bed. Commissioner Zimmerman said that doesn't need to be answered. Joe Avery said he'd like to know how wide the travel route is on a rollercoaster. Ray said there aren't specifications for that. Kurt said he is in discussions with their state director regarding a time frame. There being no further business the meeting adjourned.


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ATTEST: Peggy White
County Clerk

Approved: 
Chairman

By: 
Deputy Clerk

Thursday, March 7, 2024

BOOK 2024-03-8