

Custer County
Commissioner Proceedings
August 26, 2020

The meeting was called to order at 8:02 AM by Chairman Steve Smith, with Commissioner Wayne Butts, Commissioner Randy Corgatelli, Clerk Lura Baker and Deputy Clerk Tina Hawkins in attendance. Mike Shanafelt/Road & Bridge, and Brett Plummer/Weed Dept. also attended. Commissioner Butts made a motion to amend the agenda to add Road & Bridge/Mike Shanafelt for updates at 8:05. Commissioner Corgatelli seconded and the motion passed.

Road & Bridge: Mike reported looking at Iron Cr., Nip-N-Tuck and Cow Camp roads and they all need attention. One crew will be finished in the Yankee Fork shortly and he will have them go to the Stanley area next. Another crew is pulling the sides of the road in upper Pahsimeroi. They are doing the best they can, but there are no fines left, it is mostly rocks. The other crew is in the East Fork and are working on cleaning ditches and pulling the hill sides. Mike had a question about flagging requirements for the board. The Wilson Lane job is complete, and it turned out very well. Commissioner Butts brought up the "future" conditions the county needs to make plans for so the same issue is not encountered again. Road & Bridge has an older Ford truck that needs a new seat, one that needs new tires and one has some transmission issues. The trucks are from 1998 to 2004 and worth nothing as trade-ins. The board suggested they locate a replacement seat from a wrecking yard, and get some tires put on. The transmission issue will need more research to resolve. The Hamm roller is working fine now. The loader tire keeps going flat, and is the same tire that was ran low last year. Discussion of putting in a tube was held, and Mike will get it fixed. The traffic counts are about completed and Mike will get the information to the Transportation Plan.

Weed Department: Brett reported that spraying roadsides has all been completed. He has also sprayed knapweed in the Peach Creek area. New tires were put on the green truck at Tunnel Rock Tire. The ATV's are getting new tires at Kimble Oil and Gas. Brett has picked up another load of weed free twine, as they have done 15 inspections for weed free hay. He has gone to Wilbur-Ellis and picked up another supply of herbicide with a good discount. Commissioner Smith inquired about the schedule for BLM spraying. Commissioner Smith gave the location of a huge patch of Canadian thistle that is on BLM property near his place. Brett agreed to work on it with Kyle Bowers this Nov/Dec. He is working hard to get two certified sprayers on his crew. Ted is going to re-test again soon.

Indigent: Christy Foster attended at 8:30. Commissioner Butts made a motion to go into Executive session for Indigent Review under Idaho Code 74-206(1)(d), the motion was 2nd by Commissioner Corgatelli and the roll call yes vote was unanimous. No decisions were made during this session. Upon return to regular session at 8:35 Commissioner Butts made a motion for #0-05 – to release the lien. The motion was seconded by Commissioner Corgatelli and the aye votes were unanimous.

Commissioner Butts made a motion to go into executive session under Title 74-201(b) for Personnel with at 8:36, Commissioner Corgatelli seconded the motion and the roll call yes vote was unanimous. No decisions were made during this session, and the board returned to regular session at 8:50.

Commissioner Smith updated the board on fair ground happenings. Out of town RV campers have been talked to by Dave Barnhard about using the fairground RV sites, and charged accordingly. Commissioner Corgatelli suggested spending some time on development of the county property around the Mackay reservoir. Commissioner Butts asked that he work up a proposal and bring it to the board. Clerk Lura Baker was just informed that Mackay City Hall is still open for business. Commissioner Smith was told by Bob Burroughs that there were three new cases in Mackay today. Clerk Baker then updated the board on the Mackay Law Enforcement contract status. Clerk Lura Baker has also met with Rick Miller and Kristen Staten with the Development Company. To be able to continue processing the paperwork for Block Grants there were some policies that need updating. Commissioner Butts made a motion to accept and sign the Policy for Effective Communications. Commissioner Corgatelli seconded and the motion passed. The Fair Housing Assessment for

Custer County was also signed. All future Custer County jury trials will be held in the CEDA building. Clerk Baker reviewed the judicial interview and inspection process that was recently completed. Commissioner Butts thanked Clerk Lura Baker and the court employees for the hard work involved in getting this accomplished. The first Jury Trial will be held in the Community Building in October. The Limited English Proficiency policy was reviewed. The analysis showed that there were some needed changes that were made. Commissioner Corgatelli made a motion to accept and sign the new Limited English Proficiency policy, Commissioner Butts seconded and the motion carried. The American Disability Act was then reviewed. Commissioner Corgatelli moved that it be accepted and signed. Commissioner Butts seconded the motion and the motion passed. The Grievance Procedure was also reviewed. Commissioner Butts made a motion to adopt it as written, Commissioner Corgatelli seconded and the motion carried. The Idaho Community Development Block Grant – Citizen Participation was then reviewed. Commissioner Corgatelli made a motion to adopt, sign and publish the necessary information. Commissioner Butts seconded and the motion passed with unanimous ayes. Clerk Lura Baker will get the needed signs, and contact Ollar Construction to do the job.

Commissioner Butts presented two job applications for Road & Bridge jobs for the board to review. Commissioner Butts made a motion that Tami Rice be hired as a seasonal roller operator. Commissioner Corgatelli seconded the motion and the motion passed. Clerk Lura Baker forwarded Rick Scott's Mackay Dam schedule to the board. The proposal by Larry Rincover with Negotiation Services LLC on the right-of-way work for the Garden Creek Road was reviewed with the \$12,000 County payment share. Commissioner Corgatelli made a motion to accept and sign the agreement, Commissioner Butts seconded the motion and it passed. The Custer County Indigent Defense Fund has received an extra \$7,500.00 to the original \$25,000 Grant. It is a one-time award to be used by indigent defendants. Commissioner Corgatelli moved that the grant be approved and signed. Commissioner Butts seconded and the motion carried. Amy Lou's Restaurant in Mackay has been sold. Mineshaft LLC has applied for the liquor license. Commissioner Corgatelli moved that the liquor license application be approved, Commissioner Butts seconded and the motion passed.

Copies of Ordinance #26 were provided to the Board. The conversations between the ID Dept. of Lands and the Custer Co. Waterways committee have been ongoing. Commissioner Butts reviewed the wording concerning "unattended vessels" and it was agreed that it needs to be updated. Concerns about the aerial scooping of water for fighting forest fires, and details about leaving a boat anchored temporarily to use the restroom were voiced. Commissioner Butts excused himself for a required conference call with NACO.

Mackay Law Enforcement Contract: Sheriff Stu Lumpkin and Chief Deputy Justin Mitchell attended. Bob Burroughs/Acting Mackay Mayor called in via-teleconference connection at 10:30. Acting Mayor Burroughs informed the board that their sales tax income has dropped drastically due to the COVID-19 pandemic. He did offer to pay an additional \$1,000 per year on the original contract agreement of \$30,000. Sheriff Lumpkin agreed to keep his coverage the same as in the past, with "no ordinance enforcement". Bob agreed that it would be OK. He will see what the next three months bring in sales tax revenue, and offered another \$1,000 if possible. As of today, the local restaurants are closed down again due to COVID-19. The explosive growth in Custer County was then discussed. Homes and properties are selling within a week of being listed for sale.

Ben Winder/CAT Western States sales representative attended. Clerk Lura Baker brought the board up to date on the number of new COVID-19 cases in the Mackay area as of today. Lin Hintze and Bob Bagley will be attending via teleconference connection for their LRED appointment. Commissioner Corgatelli made a motion to amend the agenda to move Ben Winder/CAT up to 10:05 from the original 10:30 time slot. Commissioner Butts seconded and the motion passed.

Ben Winder/CAT Western States Rep.: Ben handed out printouts on the equipment proposal for the 950M Loader lease that ends this coming February. The County could upgrade to a 2021 950M Loader with a 5 year - 3000-hour warranty. Commissioner Corgatelli inquired about their warranty program and what was involved. Ben explained the 2-year premium warranty that includes all parts and labor, as well as a replacement machine for use within 24 hours of an equipment failure. CAT also sends out the filters, and the buyer does the oil changes with any needed

maintenance being done by CAT. If the County chooses to upgrade the loader the new one could be delivered by November 2020 with the annual lease amount at \$25,000 for 5 years.

The minutes of the 8/10/20 regular meeting were reviewed. Corrections were noted on Page 3, it was Commissioner Corgatelli, not Smith that reminded the SNRA about the Redfish Lake escape route promise; and Page 4 it is "Mike" not "Make". The claims were then looked over. There will be one addition of \$693.23 for COVID-19 PPE supplies purchased from State of Idaho with the MGS Sourcing Program. The meeting was recessed for lunch at 12:00.

The meeting was reconvened at 1:30 with Chairman Steve Smith, Commissioner Wayne Butts, Commissioner Randy Corgatelli and Deputy Clerk Tina Hawkins in attendance. Bob Bagley and Lin Hintze with LRED attended via tele-conference phone connections.

LRED: Bob reported that they have had to cancel all planned 2020 events except the Motorcycle Rodeo and the Custer County Fair to date due to COVID-19. The Frisbee Golf event and Hang Glider event have not been decided as yet, and the planned Winter Festival is still on schedule. The pandemic has seriously affected the Mackay community events. LRED recently purchased a new large-scale printer that uses non-fading ink. The printing can be displayed outdoors on banners and not fade away. Samples of their printing were displayed for the Board to view. Commissioner Smith asked about the "vinyl type material" the outdoor posters were printed on. Bob explained the durability of the material. They can print anything from full size house plans to tri-fold brochures and all at a very reasonable cost.

LRED received three donated computers they are utilizing in the office for editing. Bob is currently re-doing the Idaho – Custer County video. Lin reported on the Lost River Hospital COVID-19 video's that they did as a donation. Lin also reported on the huge turnover of property in the Mackay area. There are five separate housing areas that are currently in construction. Lin suggested the Assessor's office go to the electric companies and get their lists of new hook-ups to assist with getting the new construction on the tax rolls.

Agencies: Commissioner Butts made a motion to amend the agenda and move the Agencies up to 2:00 from 2:30. Commissioner Corgatelli seconded the motion and it passed. Attending were Allison Jackson/Lost River Ranger Dist. and Heath Perrine/Challis Yankee Fork Ranger Dist. Attending by phone was Lance Stavist/Lost River Ranger Dist. Allison is working to maintain the coordination process, and asked Heath to join her. On September 22nd the Forest Service representatives will be meeting with the Idaho Congressional representatives in Idaho Falls. Allison wanted to bring the Board up to date on the stock-water rights situation. She gave a definition of the "Limited Agency Relationship" as "a bond for a distinct purpose". They have had about 10% of the permittee's sign up with limited agency. Commissioner Smith gave a brief history of his family's fight to maintain their water rights. Lance Stavist verified the fact that the status as an agent is only connected to the grazing permit. Having to show beneficial use is a good protective requirement. Allison will send the agency definitions to the Board members. She promoted the Great American Outdoor Act and some of the proposals that they have submitted. October and November will see which projects will be accepted for trails, bridges and roads. She reported on the Muldoon Fire and the excellent job that the local fire crews did with air support keeping it down to a type 5 fire. Lost River Ranger District is still in Stage #1 COVID-19 restrictions. There has been a road closure by Chuck Mark on Banner Creek Road due to spawning fish. The 8-Mile Road project is about complete, and they will be letting traffic onto it soon. They ended up using a contractor to get the job completed, and will be putting up new signage soon. Heath Perrine reported on the Bayhorse Dock project they are doing in conjunction with the Idaho Fish & Game, and the ID Dept. of Parks and Recreation. He will keep Ron Butts/Custer Co. Waterways Chairman in the loop. His new Deputy Ranger will be Clayton Collins and is arriving soon from Cedar City, Utah. The new Facilities Maintenance Tech. is Dusty Parent. And Sean Jenkins, a military veteran will be the new Support Services Tech. Commissioner Butts inquired about using the Emergency Road Funding Office for Bear Creek Road. It has problems every year during spring runoff. Heath agreed to work with Mike Carroll on the Bear Creek road issues. Heath then asked how moving the huge surplus vault style fuel tank went. A crane service was hired to do the move and it is done. Allison informed the Board that Heather has a summary of the proposals that have been submitted, and she would appreciate any State or Local support that is offered.

Commissioner Corgatelli moved that the minutes of the 8/10/20 meeting be approved with two corrections noted earlier. Commissioner Butts seconded the motion and it carried.

Claims: The following claims were approved as presented by a motion from Commissioner Corgatelli, seconded by Commissioner Butts with an addition of \$693.23 for COVID-19 PPE supplies. The motion passed. Other Additions also included Dustbusters Inc. for \$7,020.00 and Lamb's Market for \$61.37 approved via phone call.

Current Expense	44,494.28
Road & Bridge	18,758.59
Battleground Mosquito	478.64
Election Fund	49.50
Fair	3,500.00
Indigent & Charity	11,000.00
Solid Waste	2,223.85
Weeds	13,195.90
Waterways	668.00
PILT	11,591.59
Emergency Communications	923.98
S. Custer Ambulance	<u>1,738.13</u>
TOTAL	108,622.46

Clerk Lura Baker informed the Board of the new bill demanding "election ballot" security precautions. The Clerks office will be fielding two groups of ballot counters for the election. She provided a copy of the letter from the State Tax Commission concerning the 3% tax forgiveness program.

Prosecutor: Justin Oleson called into the meeting at 3:10. Commissioner Butts made a motion to go into executive session under Title 74-201(f) for Legal at 3:12, Commissioner Corgatelli seconded the motion and the roll call vote was unanimous Aye. No decisions were made during this session, and the board returned to regular session at 3:48. Discussion was then held with Justin on the property issues at the county fairgrounds. The Board requested a letter from Justin to the baseball group, to clear up any confusion. Ordinance #26 was also talked over and amending or re-writing was considered. The memo from Sheriff Lumpkin concerning the jail situation was reviewed and Justin will contact him.

The County Drug and Alcohol Policy was reviewed as well as the Custer County ADA Transition Plan. Corrections were noted. A list will be made and plans and dates need to be chosen.

With no further business before the board, the meeting was recessed at 5:00 P.M until Budget Hearing at 6:00 p.m.

Hearing: Budget: The Budget Hearing was called to order at 6:00 p.m. Those present were Commissioners Steve Smith, Wayne Butts, Randy Corgatelli, Mayor Mike Barrett and Clerk Lura Baker.

Mayor Barrett inquired in the increase salaries for the Prosecutor's Office. Clerk Baker explained the Commissioners increased the Prosecutor Secretary pay scale to be equal to the Chief Deputies of each Department.

No decisions were made at this time. Commissioners then adjourned the meeting at 6:20 p.m.

Steve W. Smith, Chairman
Custer County Commissioner

Attest:

Lura H. Baker, Clerk