

Custer County  
Commissioner Proceedings  
August 12, 2019

The meeting was called to order at 8:01 AM by Chairman Butts, with Commissioners Wayne Butts, Commissioner Randy Corgatelli, Commissioner Steve Smith, Clerk Lura Baker and Deputy Clerk Tina Hawkins in attendance. Denay Phelps and Mike Shanafelt/Road & Bridge, and Matt Montelius/Weed Dept. also attended.

**Road & Bridge:** Mike reported on behalf of Melvin who is out of town. They have completed the Yankee Fork seal coat oiling project. It went reasonably well even though the traffic was awful. Many drivers were hard or next to impossible to stop. One motorcycle driver was chased down and given a citation. They will be working in the Pahsimeroi Valley next. Commissioners have received complaints on the roughness of the upper Pahsimeroi Road. Commissioner Butts asked if ALL the paperwork was complete for the upcoming Challis Cr. Road job. Denay is waiting for the "historical paperwork" that is expected to arrive today. Commissioner Butts then made a call to Kurt Pindell at the USFS and has it arranged for signature as soon as it arrives. Denay will take the paperwork by the USFS office for signature. The Board asked about the excavator repairs currently being done. Mike heard they were ordering paint, so feels it will be completed shortly. They will be applying fog oil on the Hot Springs roads this Wednesday. They are sweeping today and tomorrow to prepare the road for the oil. The next oiling job will be in the East Fork next week. Commissioner Smith asked if they were having safety meetings? Mike said "YES" they have something each morning. The new radios are being tested and work very well. Denay reported calling from Clayton to Challis with the reception being very clear, no static. Commissioner Smith then asked if the payment for the straw wattle for the Challis Cr. job last year has been received? To date payment has not been received, and a copy of the billing was reviewed. The Board suggested the work done on Challis Cr. road be videoed this time (if possible).

**Weeds:** Matt attended and reports that he is finishing up the private property work. Knapweed that he sprayed along the highways is becoming resistant and has been very hard to kill this year. Commissioner Corgatelli asked him to look into the spurge problem on Tom Butts property along the river. Commissioner Smith asked how the payments for work done are coming in? Matt answered that he has just begun to send out bills to the BLM and USFS. He promised to look into any that are past due. Chemical sales have been pretty good on the "pre-mixed bottles" for private applicators. Talk then turned to the Canadian thistle that is growing on the Shiloh Warm Springs property along highway 93. The Board asked if Matt has sent a weed compliance letter to the owners? Commissioner Butts reviewed "revenue received to date" and suggested that Matt get ALL the bills sent out ASAP. Commissioner Smith commented that the weed dept. needs some additional crew to get the work done. Zane Corrigan took his applicators test, but missed it with a score of 68%. He will now have to re-test to receive his applicators license. The entire board stressed that Matt be sure to take care of the private sector, and be proactive in hunting weeds. Commissioner Smith asked how the Philps-spurge issue is progressing. Matt has gotten the requested letter cleared by the Prosecutor, but has not mailed it to them. The Board requested him to make himself a follow-up check list, so this doesn't continue to happen. He was reminded that the Board asked him to spray the weeds in the Mackay and Challis Solid Waste sites and that hasn't been done either. Matt will get the Philps letter and bring it back for signature, and get the job completed today. The board then reviewed his monthly totals for hours worked and noticed that it is dropping.

Clerk Lura Baker discussed the outcome of the City of Challis Public Hearing for the zoning variance request the County made. What is the next step? The variance was approved for temporary Court facilities on the property to be purchased. Commissioner Butts will get a copy of the approved zoning variance for the Clerk. The contract stipulations and expiration dates on our agreement with the real estate agent are coming up very soon. Commissioner Butts asked the Board if they would like to move forward with the project. Commissioner Corgatelli and Commissioner Smith both agreed to move forward with purchase. Commissioner Butts reported he received a quote for maintenance on the county back-up generators from Robinson Electric for \$850.00. He has talked to Chuck Mark/USFS about the Grouse Peak generator maintenance, but has not received the promised MOU. He will call Chuck again. Clerk Lura Baker reports there is a webinar available on "utilizing grant funds and since she

will be at the Clerks training Christy Foster has agreed to attend the webinar. There have been two power outages in the last month, and neither time did the generator come on. After board review, Commissioner Smith made a motion to accept the annual generator maintenance bid received from Robinson Electric for \$850.00 to do the maintenance on the Grouse Peak Repeater generator. Commissioner Corgatelli seconded the motion and it carried. The backup generator used by the Courthouse/Sheriff's Office is also needing an annual maintenance agreement.

The Disaster Services/Travel budget is now in the RED. Board discussion was held to decide how to handle the incoming fuel bills. Clerk Lura Baker explained the "Travel Policy" that is used by other government entities. The employee submits a travel plan and gets pre approval before incurring any travel expenses. Commissioner Smith made a motion that a letter be sent to Mike Graham, Disaster Services explaining the lack of funds and that any further travel will need to be pre-approved by the board before payment of expenses is made. Commissioner Corgatelli seconded the motion and it passed. Commissioner Butts asked about the Custer County Fair and how it went this year. Clerk Lura Baker reported that the steers sold very high and the top selling market lamb sold for \$15.00 per pound. Baker suggested having Agent Sarah Baker come give her report.

**Assessor:** Jacquell Bruno attended but had nothing special to report.

**Treasurer:** Allicyn Latimer attended and handed out her monthly report, and gave the credit to Verla Harvey. Commissioner Butts asked what type of notification the treasurer needed for upcoming funding needs. She has funds for up to \$30,000.00 available on short notice. The balance of outstanding taxes in Custer County for 2016, 2017, & 2018 is \$109,298.92. All agreed that was a very good number, and better than it as been in the past. The board thanked Allicyn for the excellent job she does in the Treasurers office.

Matt Montelius/Weeds returned with the Philps letter for signature. The board read the letter, discussed control methods if tilling is a proper method of control for leafy spurge. The letter will be sent certified with a return receipt requested.

Commissioner Corgatelli made a motion to approve the July 31, 2019 minutes with two corrections. It was Stanley Lake, not Redfish Lake that Commissioner Butts was at, and it was a "desk-top" computer the Coroner was purchasing, not a lap-top. The motion was seconded by Commissioner Smith and it carried. Commissioner Corgatelli then moved that the Public Hearing 7-31-19 minutes be approved as written, Commissioner Smith seconded and the motion passed.

**NRAC:** Jim Hawkins/Chairman attended and asked about the boards response to the letter received from Dave Rosenkrance. Commissioner Butts did ask Margaret Byfield to respond, but has not received a copy of a response letter. Margaret will be contacted and asked about the response. Jim then asked about questions for next Mondays G2G meeting with the USFS. It was agreed that we want to encourage timber sales, and request they no longer use "firewood" to fill their timber sale quota. Past history shows that at one time the Challis RD cut 1 to 2 million board feet per year. A continuous flow of reliable timber sales needs to be available for at least 10 years to enable anyone to build a sawmill in the area. The multiple benefits of underbrush removal and thinning were also mentioned. Getting the 300' setback from water to 100' for firewood cutters. Jim then asked if Clint Reece could join the NRAC members in the G2G meeting as an expert. The board approved the request. He reminded the board that the WUI (Wildland-Urban Interface) fire plan from 2017 needs to be updated for Custer County. The draft record of decision on Sage Grouse came out August 2nd, and there is a 60-day window for comments. Commissioner Smith suggested we continue the Custer County Sage Grouse response process through Mary Darling. Clerk Lura Baker will e-mail the request to Mary today. Commissioner Butts received an answer from Margaret, and all needed correspondence copies will be forwarded to her by Clerk Baker, to structure her response with.

Clerk Lura Baker received a proposal to change the name of a summit in the Pahsimeroi Mountains known as Gooseberry Peak to the name of Mount Darcy. This would be to commemorate Michael Darcy who lost his life while attempting to climb the mountain in 2012. Upon review of the BGN's Commemorative Names Policy,

Commissioner Smith made a motion to reject the request because it does not meet the criteria of the policy. Commissioner Corgatelli seconded the motion and it carried.

Commissioner Corgatelli made a motion to go into executive session at 10:34 under Idaho Code 74-201(b) for Personnel. Commissioner Smith seconded and the roll call vote was unanimous Ayes. Attending were Ken Dizes, Commissioners Butts, Corgatelli, and Smith, Clerk Lura Baker and Deputy Clerk Tina Hawkins. No decisions were made during this session. Upon return to regular session at 10:40 Commissioner Butts shared information he has received on a bio-fuels power generation possibility. The USFS passed this offer to the County for oversight. The system being researched in the feasibility study utilizes bio-mass for fuel and the USFS has offered to provide woody debris. Both Custer County and the SREC are too small to make any mistakes on a project like this. The INL and the USDS provide grants for studies like this. Ken offered to contact the USDA to see if any funds are available at this time. Commissioner Smith made a motion that Custer County look into a feasibility study for such a bio-fuels generator. Commissioner Corgatelli seconded and the motion carried. Ken then brought up the problems that are being caused in our power grid by the over abundance of Ospreys. Their nest building causes many shorts with the sticks and wire they drop across the power lines.

**Claims:** The following claims were approved by a motion from Commissioner Smith, seconded by Commissioner Corgatelli. The motion was approved.

Current Expense	19,314.38
Road & Bridge	50,421.16
Battleground Mosquito	746.24
Election Fund	90.00
District Court	5,459.77
Rodeo Grounds	432.36
Indigent & Charity	19.00
Revaluation	6,349.73
Solid Waste	2,175.00
Weeds	29.99
Waterways	1,603.60
Emergency Communication	1,031.93
Auditors Trust	<u>200.00</u>
TOTAL	87,873.16

The meeting was recessed for lunch at 12:00 and reconvened at 1:30 PM.

#### **Agencies:**

Allison Jackson-Lost River Ranger Dist. reported on the fire activity in her district. They have been catching them small and extinguishing them quickly. She has been accomplishing some grazing fence projects and has more in the works. Their forest use questionnaires are showing the high use they have this year. The Fin Mountain road shows 792 vehicles in a 24hr period. Commissioner Smith informed her that he talked with ITD about the large pile of reject gravel in the pit along highway 93. The Transportation Dept. has verbally offered the gravel for use on the Mt. Borah Trailhead Project. Allison thanked Steve and agreed it would be a huge help for the project.

Dennis Kuhnel-Middle Fork Ranger Dist. proudly reported they have hit their target for trail clearing this season. Their Veg. crews are spraying weeds on the backcountry airstrips. The IOOGA and MFRD are working in tandem to educate boaters about salmon redds and the need to stay away from them. They have had \$6,000 worth of paint donated by a local business, so will begin painting their historic structures in the ranger district. Boundary Cr. road has suffered a washout caused by a beaver plugged culvert, but is repaired and passable now.

David Hilliard-BLM reported on the start up of the Cottonwood Campground bank stabilization project this week. They are currently conducting interviews for the Field Manager position, and will do more next week.

Kirk Flannigan-SNRA reported on the small fires they have had in their area. The Ribbon Cutting for the Redfish to Stanley Trail has been held. They have an Amended Complaint that was filed on the trail. Hobble Creek Construction is still on board, and their contract now meets the correct specifications. Brian Anderson is doing a detail on the Krassel Dist. of the Payette Forest for 120 days. SNRA is helping permittees put in for an equipment grant to replace electric fencing with jack & rail fence in his ranger district. Commissioner Butts asked about the

lack of directional signage in the Stanley Lake boat parking area. Kirk responded that a sign plan is being put together for Stanley Lake. The discussion of overcrowding led into a talk about "caps" on numbers of recreationalist allowed. Commissioner Corgatelli asked Kirk if there was any USFS funding available to help our Marine Deputy fund more summer help. The counts show around 2500 people per day use these lakes. Kirk reported on a winter storage site that has been requested by SREC and Salmon Propane in conjunction with the ID Transp. Department. The SNRA has had a few new fires, but the rains have kept them small. The Board requested the ability to have input on the sign plan being worked on. Commissioner Butts also requested Kirk notify him via phone, if and when a new fire starts.

Kurt Pindell-Challis/Yankee Fork Ranger Dist. reported that the Beta fire is still under investigation and has affected the timber sales in that area. The Thatcher timber sale is out, and the Mosquito Flats timber sale has been sold to Joe Fraunberger. The Annie Roonie salvage sale will come out next fiscal year. All the recent fire starts have been quite small and put out quickly. They are in litigation over the AIO in the Morgan Cr. grazing allotment. The BA generated 27 pages of comments, so it will take some time. The required permits and paperwork for the road repairs on Challis Cr. Road is finally complete, so the repair work can finally begin. The process of coordinating the Search & Rescue with the USFS has been started.

**Sheriff:** Stu Lumpkin attended and handed out his monthly report. The Braun Brothers Reunion went quite well, and their Eagle Eye Security group did an excellent job. They only cited two for DUI's which is way down from 2018. Commissioner Butts reviewed the quote received from Robinson Electric for Grouse Peak generator maintenance with Sheriff Lumpkin. The board then discussed ideas on the design for the proposed Court annex. Stu asked to be sure there is enough space in the entry for security checks and wandering. The option of getting a portable metal detector was also discussed. Stu reported the electric problems they are currently having in the sheriff's office. They have 20 to 30 light bulbs blow per year, whenever the power surges. He requested replacement privacy slats for the fence around the prison exercise yard. The plastic fillers are becoming sun rotted and falling out. He was given clearance to look into getting them replaced.

**Indigent:** Christy Foster attended. A motion to go into executive session for Indigent Review at 2:50 PM under Idaho Code 74-206(1)(d) was made by Commissioner Corgatelli, the motion was 2<sup>nd</sup> by Commissioner Smith and the roll call yes vote was unanimous. No decisions were made during this session. Upon return to regular session Commissioner Smith made a motion for approval of Medical Indigent #15-17. Commissioner Corgatelli seconded the motion and the roll call vote was unanimous - Ayes.

The bio-fuel generator project was then revisited. The total space needed for such a project was discussed. The county property along the Mackay reservoir was also discussed. Prosecutor Oleson has put ideas forward, and the possibility of another campground to enhance the current BLM campground opportunities was discussed. Commissioner Corgatelli made a motion to amend the agenda and move Jerrod Ricks-Public Defense Commission up 15 minutes, Commissioner Smith seconded and the motion carried.

**Jerrod Ricks-PDC:** He reported they are still working on changes for Independence for Defense, and hope to come to rule wording by next spring. They are meeting with each county to gather their opinions. They are finding that more dollars spent at the first trial equals a benefit for everyone in the long run. The Justice Department has approved an additional \$20,000.00 in funding for Custer County for work load funding. The money is earmarked for attorney payments. Clerk Lura Baker reported that Manual Murdock is once again our Conflict Attorney due to schedule changes, and we are very glad to have him back. Jerrod pointed out the three-legged stool of Judge – Prosecutor – Defense, and how each leg should be equal with none supporting the other. The PDC is working hard to get the rule wording done correctly.

Melvin Lanier, Road & Bridge Supt. attended and talked over the SHPO permit and their plans on Challis Cr. Road. The IDWR permit and the 404 permits are both in the USFS name. Mel would like to begin the work tomorrow, so a request was made for Christine and Mike Carroll to be on site by 10:00 AM.

**New Fields Consulting – Michelle Tucker** – Michelle began by introducing Willy Wells (Wilhelm Weizenbach) with the New Fields Consulting Co. Willy gave an explanation on what they offer and how they came to the Custer

County Commissioners. They reclaim "brownfields", which are properties that have become contaminated and are a burden to the economy, such as old gas stations. A local project they did is the "Bear Park" area in Salmon, Idaho, which was formerly a filling station/warehouse. They typically write grant applications for the work needed. The grants usually last about 3 years, but can be renewed. Commissioner Butts asked about the old sawmill property near Mackay that has become a recycle property in recent years. An assessment grant is procured so they can examine the site and see what is needed. Then once the needs are known they can apply for a Brownfield Grant, that comes with a 20% match requirement. There is not match required for the assessment phase, and all grants are handled at the local level.

The meeting was recessed for the Public Hearing scheduled at 5:00 PM and reconvened at 5:15.

Discussion on the bio-fuel generation unit was continued with Wendell Gohn/Blue Mountain Refuse. Wendell reported that three years ago 191 recycle centers were shut down due to the high costs of handling the materials and the low value of the products they produce. As of August 5th, another 294 recycle centers in California have also shut down. The bio-fuel that is collected at the Solid Waste sites in Custer County could be a large part of operating such a plant.

With no further business before the board, the meeting was adjourned at 5:18 P.M.

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Wayne F. Butts, Chairman  
Custer County Commissioner

Attest:

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Lura H. Baker, Clerk