

Custer County  
Commissioner Proceedings  
September 6, 2019

The meeting was called to order at 8:04 AM by Chairman Butts, with Commissioners Butts, Commissioner Corgatelli, Clerk Lura Baker, Deputy Clerk Tina Hawkins and Christy Foster/Risk Manager in attendance. Karma Bragg/Custer Co. SWCD, Brian Hamilton/Dept. of Reclamation, Nate (Sonner) Hogan Jr./Contractor and Melvin Lanier/Road & Bridge also attended.

**Road & Bridge:** Melvin Lanier, Road & Bridge Supervisor, provided a report on the Challis Cr. Road project. Site #1 is finished up except for planting the grass seed. They ended up with 5 barbs as the plans allowed for 3 to 7, and saved as many cottonwood trees as they could. Due to the level of water at the Lodgepole site, they haven't been able to finish up there. Commissioner Butts inquired about any turbidity problems, and there were none. Mel reported that the beet juice dust suppressant is working fine on the Yankee Fork road. The R&B crew has fog sealed all of the 2019 chip seal projects and next Monday they will begin on top of Double Springs road to get the roads bladed in Pahsimeroi. The distributor truck is still in need of repair as they keep receiving wrong parts. They have decided to just fabricate the needed pieces in the county shop. He has contacted Harper-Leavitt about the new transportation plan with Civil Engineer Kyle Jones working on the job. Commissioner Butts asked if he plans to work with a citizens committee and if he has placed an ad to find volunteers? The City of Stanley has requested use of the asphalt zipper on their airport hill road. Mel will go look at the job before committing the equipment. The work done on the East Fork road has gone fairly well, with some settling over the culverts they replaced.

Commissioner Smith arrived at 8:20 AM, and Matt Montelius/Weed Dept. arrived at 8:24.

**Weeds:** Matt finished spraying in Morgan Cr. and the Yankee Fork areas. He has funding left to spray along highways and is working on Highway 93 and 75. The organic "no-spray zones" have been taken care of and look OK. Commissioner Smith asked if he had contacted Tom Butts about the spurge in his fields? Matt has not, and was reminded to get the job done. He plans to re-spray the spurge in Preston Cutlers this fall. The spring plants were killed, but it is re-sprouting from the roots. The camo-Chevy truck now needs a wiper switch replaced before being used.

Commissioner Butts expressed the boards appreciation to Karma Bragg and the SWCD for their work with the County over the years. The Road & Bridge Supervisor had requested her help on the Garden Creek Bridge Project. It was from past experience that the board decided the bond requirement was not needed and therefore waived. Karma reported the detour route through the Living Waters property was not successful, and she has received complaints about all the dust. Karma then presented a list of bullet points on the contract deadlines, fish-window, and traffic lights. On Wed. Aug. 28th she received a message from Melvin that the job was looking good and all was fine. By Saturday there were big holes in the detour route and she couldn't reach Melvin or Mike via phone. She gave the go ahead to the contractor to get gravel from the county pile to fill the holes. She was unable to get signs in place to slow the traffic down, so Karma went onsite did some flagging, and baby-sat the job. She did hear from Mike on Monday when he arrived home. On Tuesday she received the phone call from Melvin and his poor opinion of the new bridge and road work. She tried to set up a meeting to correct the problems, but was unsuccessful. On Wednesday morning when Karma and Brian arrived at the job site, Melvin and the County Road & Bridge crew were already there and by 9:00 they had taken over the job site. Brian stayed at the job site until 2:00 PM to provide support for the contractor. Effective communications were non-existent. The traffic light system utilized on this job is on a contract, and it will be up next Saturday. The timing on the light is not correct, and some residents were very aggravated by the lights. Karma's final concern was the "right-of-way" issue. The lack of cooperation from the residents was a problem, and the possibility of an emergency fire call is always there. She asked how soon the project could be completed, and how early it could be opened up to traffic? The possibility of getting another contractor to complete the job was raised. Commissioner Butts responded that the county would not be bringing in anyone else. The details of telephone box placement, guard rail length near the bridge, and the right-of-way issues were gone over. Melvin Lanier then took the floor and stated we would fix the

detour route as he had promised. He feels the material compaction around the bridge is not right, and water is not draining off the bridge deck. Commissioner Butts asked Melvin what it would take to "fix" the problems? Karma made an offer to do remedial repairs but was refused the opportunity. Melvin responded that it could be completed on time, if they worked all weekend. Commissioner Corgatelli asked everyone involved to look forward, fix the problems and keep the working relationships intact. Karma asked if the County Road & Bridge will take responsibility for this job starting today? Brian Hamilton stated he has some items to finish up, such as the straw-wattle and fence repairs. Clerk Lura Baker and Karma Bragg/SWCD will write up the MOU sign-off agreement for job responsibility between departments. Melvin felt he could get the work completed by Monday, and Nate agreed to call the traffic sign company and keep the lights until that time. Karma, Brian and Nate left the meeting at 9:30 and Melvin at 9:35.

**Treasurer:** Allicyn Latimer handed out her monthly reports and has no issues at this time.

**Assessor:** Jacquell Bruno reported on completing a week of work on Solid Waste Fee changes. The 2019/2020 projection is well up from this year, although there will be some small changes needed for churches, the ski hill, Bed & Breakfasts, tiny homes, hotels, condominiums, and the Forest Service. Jacquell asked that a pre-printed form be made up for any complaints or protests on solid waste fees. All agreed it was a great idea. The current list of places that need to be re-checked was given to the Board members for their review, correction and comments. Christy Foster volunteered the P & Z definition of a dwelling, "A habitable location with permitted septic and a water supply."

Commissioner Smith made a motion to go into executive session at 10:20 AM for personnel per Idaho Statute §74-206(1)(b). Commissioner Corgatelli seconded and the roll call vote was unanimous Ayes. There were no decisions made, and Board returned to regular session at 10:35. Melvin Lanier Supervisor, returned to the meeting and requested the board come and look at the bridge project. The Board requested that he contain his temper and verbal outbursts.

**NRAC:** Jim Hawkins, Chairman handed out copies of his committee report. The huge turnover of Forest Service personnel continues with rangers Dennis Kuhnelt and Kurt Pindell both leaving our area for other jobs. They have both been good to work with. He asked the Board to write to the Governors office and request a review of the Idaho Roadless Plan, as it is long overdue. Has Mary Darling responded to our request that she respond on our behalf, to the record of decision on the sage grouse? Clerk Lura Baker will check on this and contact Mary via phone. The BLM feral horse gather is a go this year, and they plan to gather about 250 head some time in November, barring a protest. Jim requested a copy of the "Rural Prosperity Report" that JD Wulforst is doing on behalf of the Forest Service as a part of the Forest Plan Revision, for the Board and his committees' review.

Clerk Lura Baker brought the board up to date on a small piece of property in the Mackay area. After looking into the trail of ownership and finding more questions than answers, she hired Custer County Title Co. to do a title search. The 1999 Quit Claim Deed has no legal description, just a tract card number. A motion was made by Commissioner Smith to have the parcel surveyed and get a correct legal description. Commissioner Corgatelli seconded the motion and it carried. Clerk Lura Baker has also checked into the "war memorial" budget item. She talked to Gary Houde at the State Tax Commission, and has passed on the information to Justin Oleson, Prosecutor for legal clearance. Justin stated that a "chartered hall" is a business, not a memorial, and we have a war memorial out at the Yankee Fork Interpretive Center. Clerk Lura Baker has inactivated the "war memorial" line in the budget.. Commissioner Smith made a motion that Resolution #2019-07-Cash Carryover be approved and signed. The amount of \$1,285,935.00 is needed to balance the General Fund. The shortfall amount of \$394,753.00 will be transferred from the PILT Fund into the General Fund for offset.

Karma Bragg returned to the meeting with the MOU that stated on Saturday, Aug. 31st the Custer Co. Road & Bridge will assume responsibility for the completion of the Garden Cr. Bridge project. After reading the MOU a motion was made by Commissioner Smith that the Board sign the MOU between the SWCD and Custer County as written. Commissioner Corgatelli seconded the motion and it passed. Karma then updated the Board on the

connected right-of-way issues. LHTAC and ITD are both involved in this project and she offered her assistance to the Board. They quickly responded that YES, they do need her help.

Commissioner Smith made a motion that Resolution 2019-08 to adopt the FY2020 budget for the S. Custer Ambulance District be approved and signed. Commissioner Corgatelli seconded and the motion carried. Commissioner Smith then moved that Resolution 2019-09 be approved for Battleground Mosquito Abatement Dist. FY2020 budget. Commissioner Corgatelli seconded and the motion passed. Commissioner Smith then made the motion that Resolution 2019-09 for the FY2020 Budget for Custer County be approved and signed. Commissioner Corgatelli seconded the motion and it carried. Commissioner Smith moved the FY2020 Salary Order be approved as written. Commissioner Corgatelli seconded the motion and it carried. The meeting was recessed for a lunch break at 12:00, and the board decided to tour the Garden Cr. Bridge project.

The meeting reconvened at 1:30 with Commissioner Butts, Commissioner Smith, Commissioner Corgatelli, Clerk Lura Baker, and Deputy Clerk Tina Hawkins attending. Dan Woolley and Cliff Hansen also attended.

#### **Federal Agencies:**

Bart Zwetzig/BLM attended and introduced Kevin Heatley the new Assistant Field Manager. He is doing a 120-day detail in Custer County. They are putting a hardened crossing in on Sage Cr. around September 15th. They plan to harden the crossing in Darling Cr. next summer once they get the 404 permits. The feral horse gather is planned for November 4th and they plan to gather 85% of the herd. Only 185 head will be returned to the range. Bart asked if the County Road & Bridge will help with winter road snow plowing, if needed? The Board agreed they would. They will use a helicopter for the gather and it will be at the same location as in 2012. Dan Woolley asked if they were gathering any of the feral horses at the mouth of the East Fork, that are such a hazard on Highway 75. Bart responded that they would if at all possible.

Dennis Kuhnel/Middle Fork Ranger Dist. reported the Shady Fire is covering around 7,000 acres now, but the cold front moving in should keep it from growing. The historic boat shed has been repainted, and it is a BIG shed. The Parrot Cabin along the Middle Fork has had historic restoration work. The Boundary Cr. road is repaired from the beaver dam problems. They have a new Recreation Specialist, Ann Gaspar, who will be arriving in mid-October. Both Dennis and his wife have accepted jobs with the BLM in Wyoming, so this will be his last meeting with us. The board thanked him for his participation in our meetings, and wished him well.

Kurt Pindell/Challis-Yankee Fork Ranger Dist. attended and thanked the county for the good road work on Challis Cr. road. There is still some work to finish in Lodgepole Cr. such as armor the banks with rock and pull the culvert. The prescribed burn in Crane Basin done on 500 acres was considered a success. They have two more units they would like to finish such as Grouse Peak @ 250 acres. Cliff Hansen asked "Why they felt the need to burn them?" Kurt answered "to assist the winter habitat of mule deer and elk, regenerate some aspen and remove some sagebrush." Cliff then questioned the change of policy from removing aspen, to regenerating them?" Kurt informed the board that the Forest Plan will be split into "Salmon Plan" and the "Challis Plan", with the whole process now starting over. Kurt is moving to Couer D'Alene in October for a new Dist. Office job with the BLM.

Allison Jackson/Lost River Ranger Dist. reported one more small fire at Double Springs on August 26th that was quickly put out. She has crew working on range improvements and rebuilding some boundary fencing. Commissioner Butts inquired about rebuilding fence infrastructure for range management. Allison expressed her frustration with needed fence materials stockpiling in the Forest Service yard and not getting utilized. She listed the future NEPA planning items #1 S. Big Lost restoration, from Pass Cr. to Arco #2 Gravel pits are currently being cleared for archeology and could be available for use in 2020 #3 More range improvements #4 Muldoon Road – move it from the flood plain up on the hillside #5 Mackay compound – bunkhouse proposal in the unused parking area. The temporary hire dates for seasonal employees is Sept. 16th to 30th, with 100 positions currently open. They are working with the high schools and colleges, but don't see the number of local applicants they would like. Allison asked about getting an agreement set up that is similar to what they currently have with Lemhi County Search & Rescue. Their agreement is for \$5,000 to \$15,000.

**P & Z** – Jim Mullens attended and informed the Board of Commissioners that they need to look into taking over the P&Z board duties. He has not been able to generate a quorum at their last few meetings. Jim is retiring at the end of his term. Jim stated that Christy Foster is handling things very well, and each issue eventually comes to the

Commissioners for final decision. Commissioner Smith expressed the boards appreciation of the P&Z Boards years of hard work, and understands that active volunteers that meet the criteria are hard to find.

Commissioner Corgatelli moved that the requested corrections received from John Haugh/Marine Deputy for the minutes of 7/31/2019 be made. He requested the wording of "at his own cost and effort" be changed to "at no cost to the Forest Service or Custer County". He also asked that "The State of Idaho will pay for all materials, construction and installation of the Life Jacket Loaner Station at Stanley Lake. The State of Idaho will supply lifejackets for the station. Custer County will be responsible for maintaining the lifejackets at the Lifejacket Loaner Station" be added to the record. Commissioner Butts seconded the motion and it passed. The board then reviewed the minutes of Aug 28th. Commissioner Smith moved that the minutes of the 8/28/19 regular meeting be approved with one correction on the 11th for the date of the Butte Co. Commissioners meeting not the 9th. Commissioner Corgatelli seconded and the motion carried. Commissioner Smith then moved that the minutes of the Public Hearing for the 2020 Budget be approved as written. Commissioner Corgatelli seconded and the motion carried. A motion was then made by Commissioner Smith to select Jordan Stoddard on the 2019 Election Ballot for Capital Crimes Defense Fund District VI Board Member. Commissioner Corgatelli seconded and the vote was unanimous Ayes from the board.

Two applications for Certificate of Residency were received and reviewed by the board. Commissioner Corgatelli moved that the applications from Philps and Navarrete be approved and signed. Commissioner Smith seconded the motion and it passed. The Idaho Office of Emergency Management has sent the agreement for the 2019 Department of Homeland Security grant in the amount of \$20,560.00. which can be utilized for equipment and training programs. Commissioner Corgatelli made the motion to approve and accept the IOEM Grant application. Commissioner Smith seconded the motion and it carried.

Clerk Lura Baker then updated the board on the jury trial that will be held September 18th in Bonneville County for Mike Wilson. A motion to go into executive session for Personnel under Idaho Code §74-206(1)(b) was made by Commissioner Smith at 3:00 pm. Commissioner Corgatelli seconded the motion and the roll call vote was unanimous Ayes. No decisions were made during this session. The board returned to regular session at 3:10 pm. Business cards for the board were discussed and Clerk Lura Baker agreed to place the order on their behalf.

**Claims:** The following claims were approved with two additions of Custer Co. Title/\$60.00 and Kimble Oil & Gas/\$40.59, by a motion from Commissioner Smith, seconded by Commissioner Corgatelli. Motion was approved.

Current Expense	15,086.37
Road & Bridge	15,864.76
Battleground Mosquito	66.00
Election Fund	555.63
District Court	6,009.14
Rodeo Grounds	96.40
Health District	7,828.00
Indigent & Charity	11,000.00
Solid Waste	100.00
Weeds	29.99
Waterways	655.76
Emergency Communication	1,956.53
Auditors Trust	<u>160.00</u>
TOTAL	59,408.58

Inquiry was made about the property the City of Stanley acquired from the USFS through the Wilderness Bill for worker housing on behalf of Mayor Steve Botti. The effective date of this exchange will be Oct. 1, 2019. The 2020 Salary order was then reviewed and the following motions made. Commissioner Corgatelli moved that Probation officer Aletia Straub-Workman be set at \$41,245.00, Commissioner Smith seconded and the motion passed. Commissioner Smith moved that Housekeeping, Pat Shields be set at \$15.00 per hour, Commissioner Corgatelli seconded and the motion passed. Commissioner Corgatelli moved that Civil Defense officer Mike Graham be set

at \$14,360.00, Commissioner Butts seconded and motion passed. Commissioner Smith moved that Custer Economic Development director Jolie Turek be set at \$37,000.00, Commissioner Corgatelli seconded and the motion passed. Commissioner Smith moved that Planning & Zoning director Christy Foster be raised to \$19.83 per hour, Commissioner Corgatelli seconded and the motion passed. Commissioner Smith moved that Road & Bridge superintendent Melvin Lanier be set at \$47,476.00 the motion failed for lack of a second. Clerk Lura Baker then provided the levy information to the Board from each taxing district, with an explanation for each change or correction. Commissioner Smith made a motion to certify the levy's as presented by Clerk Lura Baker. Commissioner Corgatelli seconded and the motion carried. Clerk Lura Baker then presented the response she received from Prosecutor Justin Oleson on the Wrangler Road users' disagreement. Commissioner Smith made a motion to send a letter to the Leuzingers/Downtons concerning this issue. Commissioner Corgatelli seconded and the motion carried.

A water leak has been found in the basement communications room. The lawn sprinkler system will be checked for issues first. Then the feasibility of installing a water detector in that room was discussed.

With no further business before the board, the meeting was adjourned at 4:58 P.M.

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Wayne F. Butts, Chairman  
Custer County Commissioner

Attest:

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Lura H. Baker, Clerk