

Custer County  
Commissioner Proceedings  
October 15, 2019

The meeting was called to order at 8:03 AM by Chairman Butts, with Commissioners Butts, Commissioner Corgatelli, Commissioner Smith, Clerk Lura Baker and Deputy Clerk T. Hawkins in attendance. Melvin Lanier/Road & Bridge, Matt Montelius/Weed Dept., Launa Gunderson and Larry Garey with the Fire Department also attended.

**Road & Bridge:** Melvin reported the crew has finished up working on the Iron Cr. road, and the residents are content for now. Melvin has an appointment with Harper & Leavitt this afternoon to look at the update required on the Travel Plan. He has had his girls out putting up signs, and they are currently out of the metal posts. They are finished in Morgan Cr., Pahsimeroi Valley and the East Fork. Chairman Butts asked if the road graders were headed to Pahsimeroi? All of the board members have received phone complaints from the residents about their road conditions. Ryan Devine with one blade, water truck and roller is starting at the north end of the valley, and Brad Smith will begin with another crew on the south end. Launa and Larry attended the meeting to see if the Road & Bridge crew and equipment can help the Fire Department with dirt work for the new firehall. Launa is retiring soon and introduced Larry Garey. He will be her replacement on the new firehall project. Melvin asked if they had engineered plans, and was assured that they do. Road and Bridge crew is very busy right now, but will get with them when the schedule loosens up.

The board took the opportunity to ask Launa about her opinion of the new Stanley Lake boat dock. A discussion on the big rocks placed all around the dock, launch ramp and parking area ensued. Launa agreed to write the Board a letter stating her concerns with the rocks around the ramp and why it is impossible for her to launch her boat at Stanley Lake anymore.

**Weeds:** Matt attended and agreed that the financial situation of his Department doesn't look very good. Chairman Butts asked if his spray bills have all been mailed out? Commissioner Corgatelli made a motion to go into Executive Session under Title 74-201(b) for Personnel with Matt Montelius, Weed Supt. Commissioner Smith seconded and the roll call vote was Butts/aye, Smith/aye, and Corgatelli/aye. No decisions were made during this session.

The Board returned to regular session at 8:55 AM. David Philps came into the meeting and asked about their progress on the "Open Range Signs" project. He has lost one cow on Highway 93 so far this year to an uninsured driver with an expired driver's license. The Board agreed to contact David with more information when they get answers from ITD.

**Fair Board:** Jake Zollinger, Fair Board Vice Chairman attended and delivered the 2019 Fair report which he felt went very well. The fair board met monthly through the summer, and have elected Dave Barnhardt, Chairman with Jake as Vice Chairman. The Fair Board rented out the horse stalls and RV spaces during the Mackay High School Rodeo and the Mackay Rodeo and collected \$600. They plan to use the funds for grounds maintenance. They have had the septic system pumped and winterized, and are currently working on the Pig Barn. Board members Josh Hale and Chris Holt have been very active and are concerned about the safety of the livestock. They are removing the carpet in the fair building because of mice, as well as putting out bar bait. They sponsored a "Ranch Rodeo" with 10 teams this year and it was very successful. They would like continue and expand to 15 teams in 2020. The Fair Board would like to combine the three jobs of cleaning bathrooms, mowing lawns, and hauling garbage, in hopes of funding a "grounds manager" for the summer season, much like Lemhi County does. Commissioner Butts suggested a trade arrangement be worked out with summer long RV space use, in exchange for onsite security and some maintenance. The funding for the "Fair" is a set amount, so any additional funds needed, must to be generated by the Fair or donated. Commissioner Butts suggested they find the "best location" for a ground's manager campsite, then make it permanent with a septic hook up, as well and water and power. Another possible avenue for funds could be to rent the sheds and buildings as RV storage spaces during the winter months after the fair.

**Assessor:** Jacquell Bruno attended and expressed her concerns about the way the City of Mackay is splitting city lots. Some parcels being split are within both county and city jurisdiction, and she feels they are illegal splits according to Idaho State Statute. Commissioner Butts suggested a P & Z Ordinance to require all surveyors that are splitting lots to follow the State Statutes. Jacquell's Assessor's Office will inform the original owners of any illegal splits, after she gets advice from the Prosecutor on her jurisdiction. Clerk Lura Baker also suggested that Jacquell contact Jim McNall, Jerry Mason, and/or Holly Troxell with ICRMP for additional guidance. The District 6 Assessors and Sheriff's Regional Meeting is on October 24th, and Custer County is in charge of lunch. Jacquell will make the arrangements and pay for it with her VISA for reimbursement later by the county. The transient tax rolls were then discussed, and how they come in. Chairman Butts suggested checking the "resident county" tax rolls to verify the times the equipment was within Custer County.

**Treasurer:** Chief Deputy Treasurer Verla Harvie attended for Treasurer Alicyn Latimer. She handed out copies of their monthly report. Things are running smoothly in their office.

**NRAC:** Jim Hawkins and Harriet Henderson attended. The Custer County Resource Management Plan was discussed and Gina Knudsen's comments. NRAC Chairman Jim Hawkins is requesting the USFS "Coordinate" with Custer County, starting now. Board Chairman Wayne Butts reviewed the "back and forth" that keeps everyone busy but no forward progress is made. The next meeting is set for 1:30 in Challis at the USFS office. There is a proposal for 142 miles of Wild & Scenic Rivers that needs to be reviewed by everyone. It is understood that the State of Idaho is buying up private lands in northern Idaho to log, and then removing it from the county tax rolls. The State lands in Custer County are regulated by BLM rules. Commissioner Butts informed all that NACO and WIR have created a bill to raise the levy in rural counties to .35 and continue to raise it incrementally until all the urban and rural counties are equal. Harriet asked if there was a resolution within IAC about "No More Wilderness or WSR's"? Chairman Butts didn't remember one from 2019 or even last year. Commissioner Butts has contacted Dave Rosenkrance, USFS about funding for a bio-mass generation facility in central Idaho. A feasibility study of \$100,000 has been proposed, and they have talked to the Idaho Dept. of Lands about preliminary studies. This is a HUGE opportunity that Custer County cannot afford to miss.

**Prosecutor:** Justin Oleson attended and the Board asked about the contentious lot splits in Mackay, and how to deal with them. Justin explained that the County P&Z can control "building" but not the ownership of property. Christy Foster/P&Z attended and different scenarios were reviewed. Justin explained that "property division rights" are different from "building rights". Ownership of land does not guarantee building access. It takes a "Lot Line Adjustment" at times to make a lot buildable. He pointed out that the Custer County property that is currently platted, but is being assessed an agriculture tax rate, needs to be assessed as platted saleable lots. The property owners can vacate the subdivisions and keep the Ag. Tax assessment, or keep the subdivisions and be assessed as platted saleable lots. It cannot be done both ways. Commissioner Corgatelli made a motion at 12:15 to go into Executive session for Legal Counsel under Idaho Code 74-206(1)(f), Commissioner Smith seconded the motion. Roll call vote: Butts/aye, Corgatelli/aye and Smith/aye. Board members, Clerk Lura Baker, Prosecutor Justin Oleson and Deputy Clerk Tina Hawkins attended. No decisions were made during this session. Returned to regular session at 12:30 and the meeting recessed for lunch.

The meeting reconvened at 1:30 PM with Chairman Wayne Butts, Commissioner Randy Corgatelli, Commissioner Steve Smith and Deputy Clerk Tina Hawkins present. David Morris/USFS, Bart Zwetzig/BLM and Kevin Heatley/BLM Acting Manager were also present.

USFS: David Morris reported as "Vice Kurt" until his replacement Heath Prine arrives. The Annie Rooney timber sale will be out for bid next Tuesday. The newly opened road #239 in Mosquito Flats area is working well for local wood cutters. They are still cutting and hauling out firewood. Their office is pushing to get the Bayhorse Project scoping out soon, and it will entail the entire watershed. They are discussing additional road work with the County Road & Bridge, looking for improved drainage along the road and adding more turnouts.

BLM: Kevin Heatley reported on the November 4th horse gather orientation. They have chosen a contractor and the bid is to gather the 429 head herd and remove 365 head, leaving approximately 185 head. It will be a helicopter gather and they are arranging public viewing sites where it can be watched. You need to call in and

make arrangements to car pool out to the public viewing sites. Once the herd is sorted, the older stock will go to the Owyhee corrals, and the younger stock will be kept here in Challis. Bart expressed their desire to work with the County Road Dept. on all road maintenance issues, like they have in the past. Commissioner Butts requested they put out good signage, to prevent misinformation and traveler frustration. They plan to put ads and two articles in the newspapers about the horse gather. It was suggested they utilize the Fish & Game website also, so hunters are informed of any and all temporary road closures. Inquiry was made about the RMP process and any lands available for disposal. Any current use (grazing) needs to be adjusted and addressed in the RMP renewal.

After review of the minutes, Commissioner Corgatelli made a motion to approve the minutes of 9/20/2019 meeting and the 9/30/2019 regular meeting. Commissioner Smith seconded and the motion passed. The contract for 2019/2020 USFS Challis/Yankee Fork Ranger Dist. Law Enforcement was reviewed and a correction was noted. Mike Talbot will be changed to Justin Mitchell as Chief Deputy. The 2019/2020 SNRA Law Enforcement contract was also reviewed. Commissioner Smith moved that they be approved as corrected, Commissioner Corgatelli seconded and the motion carried. Two resumes that have been received for job openings in the Road & Bridge Dept. were looked over by the board. Both applicants have recently moved into the Challis area. They will be forwarded to Melvin the R&B Superintendent. Clerk Lura Baker brought the board up to date on the bill for the traffic lights used for the Garden Cr. Bridge work. The cost for additional days of use was \$1,568.00 and it will be paid to H & N Irrigation, as they have already paid the light company.

**Sheriff:** Stu Lumpkin/Sheriff and Kathy Rodgers/Dispatcher attended. Stu passed out copies of his monthly report, and reviewed the efforts of the Search & Rescue Department. He reported that Walt Mason (wanted for murder) is currently on his way back to Idaho from Texas, and will be housed in Madison County on Thursday. He will be brought to Custer County on Monday. They currently have 6 prisoners housed in Challis, with a total of 11. (no women). The Sheriff's Dept. needs to replace two pickups, and he has a bid for \$22,548.00 from Young's Automotive in Burley for two new Dodge crew cabs. He will trade in the GMC and the Ford. He no longer has anyone in house to do the equipment installs, so has contacted Day Wireless to get it done. Their office will do the stripping of the trade-in vehicles before they are delivered, to save money. They request the installs to be done without drilling holes, and it increases trade-in value by \$1000 per vehicle. Commissioner Corgatelli made a motion to approve the purchase of the two new vehicles from Young's Automotive with trade-ins. Commissioner Smith seconded the motion and it passed. The Forest Service Law Enforcement contracts were then reviewed with Stu. The agreement with City of Mackay was also discussed. Mackay has offered \$30,000 for 6 months of Law Enforcement, then the offer will be reviewed in 6 months for a possible increase. Sheriff Lumpkin understands they will not handle any city ordinances, and he felt they were acting in good faith. This new offer brings Mackay much closer to Stanley and Challis contract values. The contract will be reviewed by the Prosecutor before final acceptance. Kathy Rodgers explained the protocol-based Priority Emergency Medical Dispatch system currently in use. The dispatchers would like to transition to an APCO Emergency Medical Dispatch system that is criteria based and much friendlier for out size of office. She explained the initial startup cost as well as recertification costs involved. The board asked that Kathy contact the APCO office and get the complete list of requirements. She agreed to do the research. The final item of business were the privacy slats in the jail exercise yard fence. Stu can order via the internet through Lisa in the Clerks Office. The Probation Office has clients that need to do some community service who could replace the old privacy slats for the Sheriff.

**Planning & Zoning:** Christy Foster attended and provided a list of her monthly zoning certificates. The last P&Z meeting was held at the CEDA Community building, due to Corrine Jones being unable to manage stairs. The P&Z Board all enjoyed the facility.

**Indigent:** Commissioner Corgatelli made a motion to go into executive session at 3:15 for Indigent Review under Idaho Code 74-206(1)(d), 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. The board returned to regular session at 3:17 PM. Commissioner Smith had to leave the meeting.

The new contract for Conflict Public Defender, Manual Murdock was reviewed. Commissioner Corgatelli made a motion to approve and sign the contract, which was seconded by Commissioner Butts. The motion passed. Clerk

**Jared Ricks – Public Defense Commission:** Jared informed the board that Custer County has received \$20,000 to be used for attorney fees from 2019's exceptional heavy case load. Clerk Lura Baker inquired about payments to attorneys for capital murder cases, and these funds can be used for such costs. If any funds are carried over into next year, just make sure it is earmarked for attorney fees. Chairman Butts brought Jared up to date on the nearby property Custer Co. purchased with plans to build a "court annex". Attorney reports were then discussed. They need to be turned in to the County. Jared will forward any he has received, but Clerk Lura Baker has not. He will also remind the attorneys of their responsibilities for the reports. The costs involved in old cases (1984 and prior) are all on the county, as the CCDF doesn't cover those old cases.

The Board began reviewing the claims for this meeting. Commissioner Corgatelli made a motion to transfer \$850.00 from PILT to put into the Weed Department. Commissioner Butts seconded and the motion passed. A special meeting will be convened later this week to complete the review of the Weed Dept. financials. A thank you letter will be sent to INL for the generous donation they have given toward the Mackay Dam Grant matching funds. Amy Taylor dropped in to visit the Board of Commissioners. Chairman Butts contacted the EIPHD to get the required inspection for the abandoned trailer that needs to be hauled to the Challis Transfer Site. Road Work Ahead Company was contacted to verify where the payment for the traffic lights needs to be sent. Chairman Butts then called the Idaho Transportation Departments Tony Black for current information and rules for the "Open Range" signs that have been requested.

**Claims:** The following 2019 claims were approved with an addition of \$1568.00 by a motion from Commissioner Corgatelli, a seconded by Commissioner Butts. All of the bills from the Weed Dept. will be held. The motion was approved.

**FY 2019**

Current Expense	13,831.90
Road & Bridge	32,780.22
Battleground Mosquito	76.79
Election	1,563.60
District Court	5,052.47
Rodeo Grounds	129.45
Indigent & Charity	67.45
Revaluation	960.00
Solid Waste	2,320.00
Weeds	HELD
Waterways	5,366.77
Emergency Communication	6,165.89
Auditors Trust	210.00
Title Three RAC	6,160.57
<b>TOTAL</b>	<b>74,685.11</b>

Tony Black with the Idaho Transportation Dept. returned Commissioner Butts phone call on Open Range Signage. The ITD crew usually installs them, and the requesting group lets them know where they want them to be. The requesting group pays for the signs. Tony agreed to get back to Commissioner Butts with further details.

Ted with the Development Company returned Commissioner Butts call on the Gem Grant application details. The State of Idaho is willing to accept the last application. Commissioner Butts asked if the Gem Grant that CEDA currently operates on would conflict with this last application in any way. Ted will contact Clerk Lura Baker to get this completed in the next few days, and submit it electronically. Mark Young with the Governor's Council wants to have a stakeholders meeting with everyone. He would like to introduce "hydro electric generation" into the mix. Commissioner Butts cautioned him to proceed with caution, as he understands that the mere mention of a hydro will stop the current grant process. Commissioner Corgatelli confirmed that the Lost River Irrigation Dist. does have an interest in developing a hydro at a LATER time. It was agreed that all the alternatives need to be considered.

The Development Company will assist with all the job requirements (facilitator & coordinator) of FEMA. They want to come to our next stakeholder's meeting and get things worked out. They asked that when we get a meeting with ALL of the stakeholders attending to please let them know and they will come. They would like more information on the Phase II and Phase III of this application also.

After another review of the Weed Dept. outstanding invoices, it was decided to hold a special meeting on October 18th at 2:00 PM to get the updated revenue and the expense amounts before a payment decision is made.

**Claims:** The following 2020 claims were approved with a correction on the line item for the Coroners Rent payment, by a motion from Commissioner Corgatelli and a seconded by Commissioner Butts. All of the bills from the Weed Dept. will be held. The motion was approved.

FY 2020	
Current Expense	15,674.23
Road & Bridge	44,066.14
Battleground Mosquito	1,750.00
Election	8.87
District Court	434.31
Revaluation	4,011.48
TORT	21,402.00
<u>S. Custer Ambulance</u>	<u>1,035.66</u>
TOTAL	88,382.69

With no further business before the board, the meeting was adjourned at 5:45 P.M.

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Wayne F. Butts, Chairman  
Custer County Commissioner

Attest:

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Lura H. Baker, Clerk