

Custer County  
Commissioner Proceedings  
November 25, 2019

The meeting was called to order at 8:05 AM by Chairman Butts, present were Commissioner Smith, Clerk Lura Baker and Deputy Clerk Tina Hawkins in attendance. Melvin Lanier/Road & Bridge, Christy Foster/Risk Manager and LHTAC representatives Karissa, Mohammed, Jerry and Karma Bragg/Custer SWCD attended.

**LHTAC:** Karissa began their report on the Garden Cr. Road, environmental mitigation process. They have run into a problem with the original plan, as the Federal Highway Dept. insists that a 10-year deed restriction is not enough and requests 99 years. LHTAC has tried to come to consensus with the Fed Highway Dept. but to no avail. They have gotten a response and cooperation from ITD, but not from Federal Highway. LHTAC has tried every avenue, and are currently working up the ladder of authority. Without the original wetland mitigation option working, the plan B's options were brought forward. Karma will go with the LHTAC representatives and present their position to the landowner. The JUB Contract was then given to Melvin Lanier/Road Superintendent for signature so the payment could be processed today. Jerry reported that Western Federal Lands has approved the 4.7 million-dollar Bayhorse Bridge project. Commissioner Butts passed on the adjoining land owners desire to work with the project and new bridge location. Western Federal Lands will do the designing in their office. Jerry would like to see a "truss style bridge" to replace the old one. Mohammed reported on the remaining budget for the Garden Cr. Road project. The mitigation budget has been used, and they still need to complete the job. They may need to revisit the plan and review the funding. The original hire amount was \$500,000 and it is almost gone, with final design and PS&E still to be done.

**Road & Bridge:** Melvin reported on the convention he attended in Boise. They met with Idaho Assn. of Engineers on the Custer Co. Transportation Plan Update, with a cost of \$30,000. He needs a scope of work before he requests any funds from LHTAC. Commissioner Smith made a motion to approve the Custer County Transportation Plan Update and the request from LHTAC. Commissioner Butts seconded the motion and it carried. Chairman Butts and Clerk Lura Baker then signed the application. A copy will be made for the Clerks files. Mel felt the information they gathered from the convention made it beneficial. A new technique being used for road sealing that utilizes the many piles of "rejects" that all counties have. He connected with the company that makes the Beet Juice Dust Suppressant and they offered to sell it directly to Custer County for a savings. Custer County received the "Innovation Award" for the Chip Spreader they designed to minimize the waste of materials. The Road & Bridge Dept. has been contacted by the SNRA and asked to replace the guard rails on the East Fork Bridge in the spring. They offered \$9,000.00 to do the job. The part time employees at Road & Bridge will finish up this week, except for the girls that are transcribing the old commissioners' minutes. These records need to be in a useable format to address the ever-present right-of-way disagreements. Commissioner Butts has been contacted about the cattle guard on lower Morgan Cr., and when it would be put back in. Mel stated it would be re-installed in the spring, due to the frozen ground.

**Probation:** Aletia Straub-Workman handed out copies, and explained her Annual Juvenile reports for approval and signature. Commissioner Smith made a motion to approve and sign the reports, Commissioner Butts seconded and the motion passed.

**Clerk:** The survey on the small piece of Custer County property below Mackay has been completed, and a copy was given to the board members. There are discrepancies with the previous "metes and bounds" property lines. The adjoining property owners will be contacted. Mary Darling with Darling Geomatics has been contacted about the December 10 – 12, 2019 Greater Sage Grouse meetings. She will present the Custer County objections on our behalf at the 3-day meeting at a cost of \$8,225.00. Commissioner Smith moved that Mary Darling be compensated at her requested amount for representing Custer County at this Sage Grouse meeting. Commissioner Butts seconded and the motion passed. The Board expressed their appreciation of all her hard work over the years on our behalf. Every rural county in Idaho has benefitted from her work.

Clerk Lura Baker then brought forward the invoices received from Valley Agronomics. Commissioner Smith made a motion to go into executive session at 9:58 AM for Personnel under Idaho Code 74-206(1)(b), the motion was 2<sup>nd</sup> by Commissioner Butts and the roll call yes vote was unanimous. No decisions were made during this session. The board returned to regular session at 10:05 AM.

**NRAC:** Jim Hawkins attended and asked if Governor Little has been sent a letter about the Idaho Roadless rules? The Committee has had no response from Jim Caswell. The board agreed that a letter needed to be sent, and Jim will provide a draft copy to Clerk Lura Baker. Jim then voiced the NRAC concerns about the combination of the local ranger district positions. The NRAC members don't want to lose any opportunity for voicing Custer County needs through the combination process.

The LTHAC representatives and Karma returned from their meeting with a local landowner. The proposal was accepted and a MOA will be written up between the Landowner, the Custer SWCD, and LTHAC. All were pleased that the Garden Cr. Project mitigation will now move forward.

**Assessor:** Jacquell Bruno attended. The meeting was recessed at 10:37 for BOE, and returned to regular session at 10:45. A letter concerning the Mackay Mosquito Abatement district was reviewed, and the necessary paperwork will be sent to them in Mackay.

**Treasurer:** Allicyn Latimer attended and brought the paperwork for the tax cancellation on the newly purchased piece of Custer County property. Commissioner Smith moved that the taxes be cancelled on the new County property in the amount of \$135.11, Commissioner Butts seconded the motion and it carried.

**Indigent:** Commissioner Smith made a motion to go into executive session for Indigent Review under Idaho Code 74-206(1)(d), the motion was 2<sup>nd</sup> by Commissioner Butts and the roll call yes vote was unanimous. No decisions were made during this session. Upon return to regular session at 11:06 Commissioner Smith made a motion for Approval for #19-14, and Denial for #19-16 due to non-compliance. Commissioner Butts seconded the motion and the roll call vote was unanimous approval. Christy let the board know the Dec. 9th hearing has been cancelled.

**Planning & Zoning:** Christy Foster was asked about the recently surveyed county property south of Mackay. The necessary legal protocol will be followed.

Custer County Soil and Water Conservation District applied for \$4,000.00 as the 2019-2020 allocation from the County. Commissioner Smith made the motion to approved the funds be sent to Custer Co. SWCD, Commissioner Butts seconded and the motion passed unanimously. Clerk Lura Baker then presented the proposal from Robinson Electric for regular care and maintenance for the 8KW (not 80KW) generator located at the Challis Community Building or CEDA. Commissioner Smith made a motion that the proposal be accepted and approved. Commissioner Butts seconded and the motion passed. The Eastern Idaho State Fair needs a letter of affirmation for our area director Corey Foster by November 30th. Clerk Lura Baker agreed to get the letter sent after the board agreed on the sentiment. The meeting was recessed for lunch at 12:00.

The meeting reconvened at 1:30 with Commissioner Smith, Commissioner Butts, Deputy Clerk Tina Hawkins and Tim Marks / Gem Plan Insurance attending.

**Gem Plan:** Tim brought the board up to date with the Gem Plan Financial Reports from 2017 & 2018. There have been two more counties added to the plan in 2019; Idaho County and Boise County. He explained a new option of "MD Live" that gives folks in rural areas a face to face meeting with a doctor via the internet with a zero co-pay. It has been tried in a few places and is quite well liked. He also talked about the newly available "Temporary Policy" for people that have changed jobs, that is available for 364 days. It is a new insurance option supported by the Trump Administration. Tim discussed the Medicaid rollout that is coming and how it will affect all of us. If you are over 56 years old, all the medical funding they provide you will be paid back from your estate when you die.

**Sheriff:** Sheriff Stu Lumpkin and Deputy Levi Maydole attended and reviewed the EMD Medical Director – Independent Contractor Agreement. The Board called Prosecutor Justin Oleson about the interpretation of #17 and #18. Corrections were noted. They will be forwarded to Steve Rembelski for a corrected agreement copy. Deputy Levi Maydole presented a request to purchase "Leads Online" a case solving nationwide investigation program. He has been using it through a temporary access plan and enjoyed good success. The Sheriff's Office would like to go with the "Power Plus" option at an annual cost of \$1,625.00. Stu would pay for it from his "other expenses" budget line if approved. The board members asked to take the information on advisement and will get back with them at the next meeting.

**Road & Bridge:** Melvin returned to discuss his future plans and needs with the board. The location where Open Range Signs are needed was brought up. Idaho Transportation Department will put up the signs, once Custer County lets them know where we want them. All agreed they are needed at the county line on each highway, as it enters Custer County. Near Ellis, Leslie, and in the Stanley area. The Road & Bridge will install them on the county roads that enter from Lemhi Co. in the Pahsimeroi Valley and Morgan Cr. summit. The Butte Co. roads from Lost River also need to be signed at Big Cr. Bridge, and Dead Cat Canyon. The Lost River Highway Dist. will do the signs in the Trail Cr. area. Installing fold up signs for "No Winter Maintenance" and "Water on Road" was also discussed. Blaine Co. has a barricade to close the Trail Cr. Road during the winter months on their side, Melvin heard that Lost River Highway Dist. was planning to put up some Jersey Barriers on the Custer Co. side of Trail Cr. during the winter. A grader operator class is being organized for Custer, Lemhi and Butte Co. road crews. Lack of experience is a problem for all the small county crews. The Central Idaho Transportation Committee is planning a meeting on December 10th at 10:00 AM in Challis. Melvin, Commissioner Butts and Commissioner Smith plan to attend. An asphalt hot plant will be set up in Challis next spring to supply the airport airstrip rebuilding project. It would be a good time to do any small paving jobs the county needs to complete. The Garden Cr. Road project was then discussed and how every load of material will need to be hauled up Main Avenue during this job. Work on the Garden Cr. road will place tremendous wear on Main Street and the narrow section between the City's main street and the beginning of the Garden Cr. job.

Projects that the Road & Bridge still need to complete from 2019 are: East Fork Road-reconstruct 2 miles, Morgan Cr. Road – surface material, West Double Springs Road – lift roadbed, Stevens Hill-reduce grade, Mill Cr. Road – reroute stream, E. Fork Bridge - guardrails. Melvin has received funding extensions for the E. Fork and Morgan Cr. projects.

Jim McNall with ICRMP attended the meeting at 3:25 PM. Prosecutor Justin Oleson returned the Board's call about the EMD Contract questions. After discussion of specifics, they agreed to get back to him after conferring with the Sheriff.

**Agent:** Sarah Baker attended but due to the above phone call time was limited. Commissioner Butts asked about her quarterly reports and the Fair report, and why the board has not received any to date. Sarah inquired about the annual contract and some needed corrections were noted. Commissioner Smith asked if she was fully staffed in her office yet? Sarah responded that she has no assistants right now, but they are checking references on the full-time position, and will start the interview process for the part-time position soon. She hopes to have both positions filled after the first of the year. Commissioner Butts inquired about the Fertilizer school attendance and the Beef schools planned.

**HIAS:** Representatives Trizah Stuart, Melissa Aguirre, Rita Moulton and Todd Adams of the Heart of Idaho Animal Sanctuary attended. They are searching for additional funding for their sanctuary. Trizah reported they have received some stray animals from the county deputies in the last 2 months, 4 dogs and a cat. They currently charge \$40.00 for a resident to leave an unmanageable animal at their sanctuary, and they charge \$25.00 per day animal boarding fees. To continue accepting such animals they need more funding, as they get about 120 animals per year from the surrounding area. Their proposal was that each City; Challis, Mackay, and Stanley put in some funding and the County also contribute to fund an "animal control officer" for this area. Commissioner Butts stated that the County is not in the "dog pound" business and cannot justify using taxpayers' funds for supporting such. Commissioner Smith inquired about their adoption rates and the percentages of finding the owners of lost pets? Trizah responded they handle about 200 animals per year, with only about 10% being euthanized.

Sheriff Stu Lumpkin returned to the meeting to review the EMD Contract corrections, and agreed with the Board on changes needed. The Mackay Law Enforcement Contract was then reviewed and the Prosecutors opinions explained. All corrections were noted and will be made before the agreement is signed.

The invoices for Weed Dept. chemicals that have been received from Valley Agronomics were totaled. A motion was made by Commissioner Smith to transfer funds from PILT to cover the upcoming expenses in the Weed Department in the amount of \$15,000 as Resolution #2020-13. Commissioner Butts seconded the motion and it passed with a unanimous roll call vote of Aye.

**Claims:** The following claims were approved with additions of NW Management for \$87,500.00, James Archibald for \$16,990.00, and Darling Geomatics for \$8,225.00 by a motion from Commissioner Smith. Commissioner Butts seconded the motion and it passed.

Current Expense	22,853.03
Road & Bridge	56,549.95
Election Fund	5,580.27
District Court	22,006.36
Indigent & Charity	210.00
Revaluation	175.78
Title III RAC	87,500.00
S Custer Ambulance	<u>1,217.22</u>
TOTAL	\$196,092.61

With no further business before the board, the meeting was adjourned at 5:30 P.M.

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Wayne F. Butts, Chairman  
Custer County Commissioner

Attest:

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Lura H. Baker, Clerk