

Custer County
Commissioner Meeting Proceedings
March 31, 2021

The meeting was called to order at 8:01 AM by Chairman Wayne Butts, with Commissioners Steve Smith, Commissioner Randy Corgatelli, Clerk Lura Baker, Deputy Clerk Tina Hawkins and Road & Bridge Supt. Brandon Jones in attendance.

Road & Bridge: Brandon requested clearance to purchase a portable jump-start package from the Peterbilt Dealer at their sale price of \$500. It is regularly priced at \$700. The board agreed it was a sound idea and gave the go ahead. The Road & Bridge phone system needs to be updated to handle the number of users they currently have using the system. It will raise the monthly cost from \$65.00 to \$85.00 per month. Commissioner Smith made a motion that the Road & Bridge phone package be updated to 25 x 3 @ \$85.00 per month. Commissioner Corgatelli seconded and the motion passed. Brandon will be attending a Pavement Maintenance class in Lewiston, ID next month. He requested to attend others as well, and the board approved his attendance. Jeremy Waite has asked

Brandon if he could purchase the remnants of the old screening plant that R&B scrapped years back. The board will contact the Prosecutor and double check if there are any problems with such a sale. Commissioner Corgatelli asked Brandon about the pile of scrap tires in the R&B Yard, and to get it taken care of. Brandon will look into the recycling process for old tires. Brandon has also been asked by area ranchers if they can have some of the old culverts that the County remove. He verified that the County doesn't re-use them because they can get no life span for the installation cost. Discussion was then held on an offer received from Christopher James about him doing a donation for road work on the Garden Cr. road. Many possibilities are available and the County Prosecutor will be contacted over the matter. Idaho Dept. of Transportation has contacted Brandon about cost effective methods of road repairs. Custer County was not successful on any of the LHTAC Grants that were applied for, although some were very close. Brandon will get the proposal and re-apply in 2022. The ID Dept of Water Resources is now requiring "water rights" for the filling of water trucks. Brandon was suggested to contact Cindy Yentner to look into the process and or get notification and permission. Road & Bridge has received another billing from the Dept of Lands for the Spar Canyon shale pit lease. After discussion it was decided that the R&B did not need the pit for materials. Brandon reported the County Transportation Plan is complete, and will be covered under the LHTAC Grant. The new plan is easy to update, and will be adjusted each year so it should last for 15 years. The Crew Trucks are worn out and too small. Brandon has looked at ½ ton crew cab trucks to replace them with, and Young's Auto quoted him \$26,999.00 for new trucks. The used trucks he looked at were in the \$25,000 range. Brandon has an agreement to be able to purchase two trucks at the above price, and not pick up the second truck until October of this year, thus staying within the allowed annual budget. Commissioner Smith moved that R&B purchase the two crew trucks from Young's Auto at \$26,999.00 and put the 4 old un-needed vehicles on the ID Surplus Auction site for sale. One new truck will be for delivery now, and the other for delivery in October of this year. Commissioner Smith inquired about a cattle guard that needs to be installed at Jim Andreason's. Brandon will contact him to be sure of the job location. The Forest Service needs two cattle guards installed in the Mill Creek area. Lodgepole Cr. was then discussed, and Brandon will keep in contact with the FS Fish Biologist Kristine.

Blue Mountain Refuse: Wendell Gohn attended at 8:30. Commissioner Corgatelli moved to go into Executive session under Title 74-206(1)(f) at 9:00 for legal review/council. Commissioner Smith seconded and the roll call vote was unanimous Ayes. Attending were Prosecutor Justin Oleson via phone conference, Wendell Gohn, The Commissioners Board, Clerk Lura Baker, and Deputy Clerk Tina Hawkins. No decisions were made during this session and the board returned to regular session at 9:30. Wendell reported that the Dist. 7 Health Dept. has been requiring asbestos inspections on "everything". The Salmon Solid Waste Site has not been under the same rules. He then provided the list of EPA Rules for the Board of Commissioners and County Clerk, which states only certain things need to be inspected for "asbestos". All agreed that the Dist. 7 rules need to be consistent and fair among all residents within the district.

Clerk: Lura Baker brought the Open Burning Ordinance information that South Custer Rural Fire Department has requested. They would like to have the same ordinance as N. Custer Fire Department. Fire Chief Randy Ivie called into the meeting via phone conference. After discussion it was decided that the Butte County Sheriff contact numbers should be included in the S. Custer Ordinance wording. The fees and fines were also discussed. The Public Hearing will be scheduled for May 26th at Mackay City Hall at 6:00 PM. The lease process for the lands received in the wilderness bills is still in process and will be updated.

Commissioner Corgatelli made a motion to go into executive session under Title 74-206(1)(b) for Personnel at 9:45 AM. Commissioner Smith seconded the motion and the roll call vote was unanimous Aye. Attending were all Board members, Clerk Lura Baker and Deputy Clerk Tina Hawkins. No decisions were made during this session, and the board returned to regular session at 10:07 AM. Commissioner Butts excused himself to attend to a short meeting on the jail.

NRAC: Chairman Jim Hawkins attended and presented the comment letter to Gov. Brad Little, that was requested. Commissioner Smith made a motion that the letter be approved as written and sent. Commissioner Corgatelli seconded and the motion carried. Jim updated the Commissioners on the wording of the Great American Outdoor Act that includes major funding for private land purchases. The Panther Creek area property was mentioned.

Indigent: Commissioner Smith made a motion to go into executive session at 10:54 AM 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. Attending were the full Board, Clerk Lura Baker and Deputy Clerk Tina Hawkins. No decisions were made during this session. Upon return to regular session at 10:56 AM Commissioner Corgatelli made a motion for #20-16 – Release and close account. The motion was seconded by Commissioner Smith and the roll call votes were unanimous ayes.

Clerk Lura Baker then reviewed the SRS Funding process, and explained corrections to be made in 2021. The LSO verifies the amounts to be received under the Title III program for the schools and highways. The letter to Governor Little concerning the 2021 Drought Declaration was reviewed, and all questions answered. Idaho §42-222A was then verified. Commissioner Smith made a motion to approve Resolution #2021-03 Drought Declaration and the associated letter. Commissioner Corgatelli seconded and the motion passed. The University of Idaho Agreement with Custer County was reviewed by the board. Clerk Lura Baker has received e-mail communication from Barbara Petty concerning the unused funding from last year to be held over for this year. Commissioner Corgatelli made a motion to approve and sign the 2021 agreement with the U of I, Commissioner Smith seconded the motion and it carried. The Emergency Management Application for equipment was reviewed, and Commissioner Corgatelli moved that the letter of support for the N. Custer Hospital District be signed and sent. Commissioner Smith seconded the motion and it passed.

Commissioner Smith moved that the minutes for the 3/12/21 Special Meeting be approved. Commissioner Corgatelli seconded and the motion carried. Commissioner Corgatelli then moved that the minutes for the 3/3/2021 Commissioners Meeting be approved as written, Commissioner Smith seconded and the motion passed. Commissioner Smith then moved that the AHMP Meeting minutes for 3/12/2021 be reaffirmed, Commissioner Corgatelli seconded and the motion passed. Two Certificates of Residence were then reviewed. Kari Felton and Melissa Acquires applications were reviewed. Commissioner Corgatelli moved that the two applications be approved and signed, Commissioner Smith seconded and the motion passed.

Clerk Lura Baker then presented the letter of information on the County property that is to be auctioned. There is more information that needs to be verified, so the process is now on hold. The proposed Resolution for the Opposition to the Federal Government 30 X 30 Land Preservation Goal was reviewed. Chairman Butts went over the legalities of the powers of executive orders. Commissioner Corgatelli made a motion to approve and sign Resolution #2021-04 of Opposition to the 30 x 30 Land Goals. Commissioner Smith seconded and the motion passed unanimously.

Title III USDA – RAC Committee Applications were finally approved and activated. Commissioner Smith was accepted as a member of the committee. It was decided to request \$60,000. The matching funds of 20% will be made with the Clerk's Office work hours on issuing payments and the Commissioners on verification of loads. The funds will be split with \$40,000 for Challis, and \$20,000 for Mackay. The meeting was recessed for lunch at 12:13 PM and reconvened at 1:30 PM with all three board members and the Deputy Clerk in attendance.

Rodeo Club: Terri Stillwaugh and Krista Koeppen from the Rodeo Committee attended. Terri gave the summer calendar of events planned at the N. Custer Rodeo Grounds. April 16th – 17th High School Rodeo, June 25th Rally for Rowdy, June 26th Bronks & Bulls, August 7th ATV Rodeo, August 11th Rough Stock Event, August 12th – 14th Braun Brothers Reunion, September 11th Ranch Rodeo. The Committee has plans to elevate the fence around the arena to prevent any jumping out of rough stock. They requested help from the Weed Department for spraying weeds throughout the growing season. Watering of the arena is being re-thought so they do not need to borrow/rent a water truck from the County Road & Bridge. A sprinkler system is being worked on. The stock pens in the back need more work, but they are having a hard time finding materials. The requirements for insurance coverage for the stock contractors was then discussed, and understood that rough stock does have insurance requirements. They will be renewing the Food Permit with the Dist. 7 Health Department for the High School Rodeo. The Rodeo Committee would like to become a member of the Challis Chamber of Commerce. It will be looked into by the Clerk's Office and Justin will be consulted so no rules are disregarded. The ongoing maintenance of the Rodeo Facilities was then discussed. There will be a work night April 6th at 6:00 PM. The hydrant on the lawn needs to be replaced as it leaks quite badly. Commissioner Butts offered to use his backhoe to dig up and replace the broken one. All agreed that year around water is needed in the back pens. They could then be rented out to hunters in the fall for additional income. The Rodeo Committee expressed heartfelt thanks to the Road & Bridge Dept. for deep ripping the arena. It packs so hard that the grooming equipment is unable to loosen it without a deep ripping each spring.

The boat docks at Bayhorse Lakes were discussed. The County agreed to assist with the replacement of the old water-logged docks, and perhaps hauling of the replacement docks as possible. Culvert issues on the Garden Cr. road were then updated by Chairman Butts. R&B Supt. Brandon Jones will be notified and kept informed. The proper notification to the City of Challis for the Law Enforcement Contract was then discussed. County budgeting concerns need to be addressed in a timely manner.

Claims: The following claims were approved as presented by a motion from Commissioner Corgatelli and seconded by Commissioner Smith. Motion passed.

Current Expense	18,928.59
Road & Bridge	21,768.87
Battleground Mosquito	6.31
Election Fund	6,014.66
District Court	2,772.04
Revaluation	6,489.55
Tort – insurance	24,089.00
Weeds	1,147.70
Waterways	8.40
Emergency Communication	3,658.00
S Custer Ambulance	<u>6.31</u>
TOTAL	\$84,889.43

Commissioner Corgatelli moved that the 3/8/2021 minutes be approved as presented, Commissioner Smith seconded the motion and it passed. Search and Rescue Unit leader Levi Maydole has inquired about using the empty semi-trailer at the dump, for storage of Search & Rescue items. The unit trains at the Challis Solid Waste Site and it would be convenient for their equipment to remain in a secure location. All the board members agreed it would be fine. Commissioner Smith made a motion to support the American Stewards with a \$1,000.00 donation from Custer County, Idaho. Commissioner Corgatelli seconded the motion and the motion passed unanimously.

Planning & Zoning: Jessica Clemenhagen P & Z Administrator brought copies of the proposed zoning fee changes. Commissioner Butts requested two public hearings, one in Challis and one in Mackay. Due to the huge upswing of work coming through the P&Z office the Board inquired about her well-being. They asked Jessica to please let them know if she felt she needed more help or additional training to keep up. The E Idaho Public Health Dept. has met with Jessica on their lot split application sign-off requirement. Re-wording of the application was discussed and will be clarified through the Prosecutors office. She was asked to retain the requirement wording on any subdivision applications. The Planning & Zoning fee changes will remain her priority #1.

2nd Amendment Resolution: Marty Mitchell and James Reed attended and reviewed the proposed copy of the 2nd Amendment Resolution revision. Discussion was held on the Small Arms Treaty track record, which has been on and off, depending on who is president of the USA. They voiced their approval of the resolution amendment as written. Commissioner Corgatelli made a motion that Resolution #2021-05 be accepted as amended. Commissioner Smith seconded and the motion passed unanimously. Signatures were affixed.

Commissioner Smith made a motion that the 30 Year Lease with the S. Custer Rural Fire Department for land use within T8N R22E Section 5, Lot 6 on Old Chilly Road be approved and signed. Commissioner Corgatelli seconded the motion and it carried. Signatures were affixed.

Commissioner Smith made a motion to return to executive session under Title 74-206(1)(i) for Risk Management at 4:30 PM, Commissioner Corgatelli seconded the motion and the roll call vote was unanimous Aye. Attending were the full Board, Clerk Lura Baker and Deputy Clerk Tina Hawkins. No decisions were made during this session, and the board returned to regular session at 4:31. Prosecutor Justin Oleson called into the meeting, per Chairman Butts request. Inquiry was made about the 2nd Amendment Resolution Amendment, and if it should or could become an ordinance? Justin stressed that the 2nd Amendment is strongly supported and accepted in Idaho already. Any executive order that is against the Constitution of the United States is essentially null and void. The proposed Planning and Zoning Fee changes will be forwarded to Justin for his legal opinion. The Public Hearings will be scheduled once legal approval is received. The question of Chamber of Commerce membership was asked, and he felt there was no reason not to become a member. Commissioner Smith moved to return to executive session under Title 74-206(1)(f) for Legal at 4:49 PM. Commissioner Corgatelli seconded and the roll call vote was unanimous ayes. Attending were Prosecutor Oleson, the full Board, Clerk Lura Baker and Deputy Clerk Tina Hawkins. No decisions were made during this session and the board returned to regular session at 5:02 PM.

The Title III Fund request amount was discussed. Commissioner Corgatelli suggested the per cord of firewood should be set at \$150.00, and all agreed. Commissioner Smith moved that Custer County request \$60,000.00 from the USFS – RAC for the County firewood program. Commissioner Corgatelli seconded the motion and it passed. Clerk Lura Baker then inquired about the board's decision on the Spar Canyon shale pit agreement with the Idaho Dept. of Lands. They would like a letter of non-renewal be sent on behalf of Custer County.

Commissioner Smith made a motion to return to executive session under Title 74-206(1)(f) for Legal at 5:10 PM, Commissioner Corgatelli seconded the motion and the roll call vote was unanimous Aye. Attending were the full Board, Clerk Lura Baker and Deputy Clerk Tina Hawkins. No decisions were made during this session, and the board returned to regular session at 5:16. Clerk Lura Baker then reviewed the criteria that she has received to date on Recovery Funds. Other funds will be coming for the PILT and SRS in 2022. Commissioner Corgatelli moved that the Board of Commissioners declare April as Fair Housing Month. Commissioner Butts seconded and the motion passed.

The Board was requested to bring the Personnel Policy to the next meeting and be prepared to make the necessary changes needed. With no further business before the board, the meeting was adjourned at 5:30 P.M.

Wayne F. Butts, Chairman
Custer County Commissioner

Attest:

Lura H. Baker, Clerk