

Custer County  
Commissioner Meeting Proceedings  
July 28, 2021

The meeting was called to order at 8:02 AM by Chairman Wayne Butts, with Commissioner Steve Smith, Commissioner Randy Corgatelli, Clerk Lura Baker, R&B Supt. Brandon Jones, Weed Supt. Brett Plummer and Deputy Clerk Tina Hawkins in attendance. Jervios Mining Co. Acting General Manager Eric Klepfer was also in attendance.

**Weeds:** Brett Plummer reported on the class he took about using drones for weed spraying taught by Bill Reynolds with Leading Edge Technologies. The class was very well attended and it was difficult to get your questions answered. Bannock and Teton Counties both have a drones and Brett was able to talk with them. There is quite a lot of paperwork and permitting involved in getting permission to utilize a drone for spray work. The aerial applicators license and Part 107 of a pilots license as well as a waiver. The counties that have drones use them every day, for weed spraying as well as mosquito control and park maintenance. They can spray an acre of knapweed in 2 minutes. Their drone is 82" wide and the spray boom is 41". Herbicide applications done by a drone are far better than any other method. The drone uses GPS to start and stop and there is no overlap or missed areas. The drones are built in the USA and come with a 4-year warranty. Brett then reported that the USFS Cooperative Weed Agreements are in the final stages of approval. He has completed the Lodgepole Cr. RAC Proposal and is starting on the Motorway Project in August. Commissioner Smith asked how the spraying of leafy spurge in the Mackay area is going. Brett found the roadsides in the Houston area to be full of spurge and knapweed. Discussion revealed that Lost River Highway District needs to be contacted to be sure of who is responsible for getting it sprayed. The Eastern Idaho Weed Control Association has asked Brett if he could man the booth at the E. ID State Fair. His time is currently committed to finishing up the RAC Projects. The USFS – RAC has now been fully funded and he is getting his proposals finalized and submitted. The board agreed with his priorities.

**Road & Bridge:** Eric Klepfer, Jervois Mining - Acting General Manager updated the Commissioners on conditions at the cobalt mine. The operation is now fully funded and operations are underway. Some contractors are commuting from Challis, but recently the Deep Creek Road was closed due to a forest fire and all mine traffic was routed in via Morgan Cr. The fire has burned around three sides of the mine site but has slowed down lately. They are planning to bring in some big loads of equipment soon, and they will be coming through Custer County. All big loads will be escorted by a pilot vehicle. The Sag Mill is the largest but weight will not be a problem if the trucks are permitted on the highways. The Morgan Cr. bridge is rated the same as highway bridges. Brandon asked that the trucking schedule be forwarded to him so he can keep an eye on the many culverts for any crushing problems related to heavy loads. Commissioner Butts reviewed the Morgan Cr. Road winter maintenance plan and discussion was held on who would open the road if needed during the winter. Eric informed the board that they are building a man-camp to keep worker commuting traffic to a minimum. Jervois Mining is continuing with Formation Capital's basic plan, making no major changes. The water source has not been developed as yet. They plan to produce separate concentrates of cobalt and copper to be sent out for refining. The water treatment plant is about 90% completed and they have late 2022 as the estimated date for production to begin. Road & Bridge Supervisor Brandon Jones asked that some signage be installed to inform the general public about the big loads and pilot vehicle traffic. Eric let the Board know that they are beginning to hire personnel and will have 180 employees by 2022.

Brandon reported that they have completed the sale of the Chevy S10, and the 1985 Dodge crew cab through the surplus auction site. Clerk Lura will get the titles sent out when the payments are received. The request for installation of a cattle guard was recapped. Custer Co. Road & Bridge will do any installation of cattleguards and will set the criteria on width, footers & materials. The full cost will be covered by the person requesting the installation. It was decided that an application form needed to be created, much like the one for right-of-way approaches. Brandon will bring a draft form to the Board at the next meeting. Brandon invited the Idaho DOT to the County Road & Bridge Shop, and asked them to bring their mobile scale system. Brandon had them weigh each piece of county equipment to check legalities and axle loads. The DOT crew was there for 7 hours working

with the crew. Brandon now has DOT permits for moving any overweight or over length loads for the Custer County Road & Bridge Dept. The entire Board and Clerk Lura Baker thanked Brandon for his forethought and efforts on the Counties behalf, as taxpayer's dollars should never be used for fines or penalties. Josh Milligan/USFS and Brandon have met and worked up a proposal to acquire funding for needed work on USFS Schedule A roads. The proposal will be given to the Board to review and address at the next meeting. The City of Challis has contacted the Road & Bridge Dept. about use of the county "Chip-spreader" on 2 or 3 city roads this summer. The Board agreed that it is mutually beneficial for the road crews to work together and the details need to be worked out between the road departments. It was agreed that only County personnel would be operating the County equipment, and the work would not be done during the Braun Bros. Reunion.

Commissioner Smith made a motion to go into executive session under Title 74-206(1)(b) for Personnel at 9:08 Commissioner Corgatelli seconded the motion and the roll call vote was unanimous Aye. Attending were Commissioner Smith, Commissioner Butts, Commissioner Corgatelli, Clerk Lura Baker and Deputy Clerk Tina Hawkins. No decisions were made during this session, and the board returned to regular session at 9:34. Commissioner Smith made a motion that the Covid 19 shields installed on the public service windows remain in place until a later date. Commissioner Corgatelli seconded and the motion carried.

**Treasurer:** Allicyn Latimer attended and presented a tax cancellation request on a vacant/unlivable trailer house in the Old Crane Trailer Park. The amounts total \$237.10 for the taxes on MTT #14N19E288483A that are overdue. The last owner is very difficult to reach, does not have the funds to catch up. Commissioner Smith moved that the taxes in the amount of \$237.10 be canceled on the named trailer, Commissioner Corgatelli seconded the motion and it carried. Upon reflection and further discussion on the Covid 19 safety shields, Commissioner Corgatelli moved that the previous motion be rescinded. Commissioner Smith seconded and the motion passed.

**Clerk:** Lura reported on the USFS – RAC Title II firewood program on behalf of Julie Rodman and Tommy Gionette. Both Julie and Tommy have been called out on fire details. The local Lions Club is willing to continue helping the County with the dispersal of the wood to the community. Clerk Lura Baker will contact USFS Bill Baer for further financial details. The Board discussed how the loads of wood should be measured, and the methods of delivery. Logging truck loads were discussed and the necessary process of getting the trees blocked up for delivery. It was decided that the wood should be from the Custer County area. Commissioner Smith moved that firewood needed to be delivered in 16" lengths and they would be paid \$200.00 per cord; pending acceptance of the USFS for funding. Commissioner Corgatelli seconded the motion and it carried. Julie will get the updated application forms to Lura's office for distribution to the public.

Lura delivered questions on continuing education from the Coroner's office to the Board. Chad Workman, Coroner would like to pay his part time Coroner Jamie Stroud for the recent training she attended. The Board agreed to discuss the details with Chad later in the day. Tom Coates attended the meeting. The need for replacement windows brought forward, and the estimate received from Ollar Construction reviewed. Chairman Butts inquired about the proposed Air Conditioning system for the computer room. Clerk Lura Baker replied that it is in process, needing 220 power connections installed and the unit delivered for installation. Commissioner Smith moved that the window bid be accepted for three (3) windows at this time. Commissioner Corgatelli seconded and the motion carried. Commissioner Smith moved that Chad Workman/Coroner be added to the agenda at 2:30 PM, Commissioner Corgatelli seconded and the motion passed. The vacancy on the Planning and Zoning Board was discussed and those that have expressed interest were reviewed and disqualifications noted.

Commissioner Smith made a motion to go into executive session for Legal under Idaho Code 74-206(1)(f) at 11:35 AM. Commissioner Corgatelli seconded and the motion passed with a unanimous roll call vote of ayes. Those attending were Commissioner Smith, Commissioner Butts, Commissioner Corgatelli, Clerk Lura Baker and Deputy Clerk Tina Hawkins. No decisions were made, and they returned to regular session at 11:45 PM. Commissioner Corgatelli moved that the minutes of the 7/12/21 and 7/23/21 commissioners' meetings be approved as written. Commissioner Smith seconded and the motion carried. Clerk Lura Baker informed the Board members that there is one more Public Defender needed. Drew Pendlebury has agreed to accept the position. Commissioner Smith moved to obtain a contract for Conflict Public Defender with Drew Pendlebury. Commissioner Corgatelli seconded the motion and it passed. Commissioner Smith moved that the minutes of the BOE for 7/6/21 and 7/28/21 and

the minutes of the commissioners meeting on 7/6/21 be approved as written, also the Public Hearing minutes of 7/28/21 for the Planning & Zoning Fees and the S. Custer Open Burning Ordinance be approved. Commissioner Corgatelli seconded the motion and it passed. Commissioner Smith then moved that the minutes of the 7/12/21 BOE meeting and the 7/12/21 Public Hearing on County Fairground Fees be approved as written. Commissioner Corgatelli seconded the motion, Commissioner Butts abstained, and the motion passed.

Commissioner Smith moved the FY2022 Indigent Defense Financial Assistance Agreement be approved and accepted. Commissioner Corgatelli seconded and the motion carried. Calendar dates were reviewed for all. August 20<sup>th</sup> – 6:00 PM Public Hearing for Stoll property zoning change, Commissioner’s Room, Challis, ID. August 23<sup>rd</sup> – 6:00 PM Public Hearing for Butts property zoning change, Commissioner’s Room, Challis, ID. August 25<sup>th</sup> – 7:00 PM Appeal Hearing for Boren Conditional Use Permit, CEDA Building, Challis, ID. September 2<sup>nd</sup> – 6:00 PM Public Hearing for County Budget, Commissioner’s Room, Challis, ID.

The Idaho Association of Counties is having their Annual Conference the second week of August. Commissioner Butts and Commissioner Smith will be attending. Commissioner Corgatelli is still considering his attendance. Clerk Lura Baker will get the registrations for the board and they will make their own hotel arrangements. Clerk Lura Baker will be attending the IAC Annual Conference on Aug. 10, 11 & 12<sup>th</sup>.

The meeting was recessed for a lunch break and reconvened at 1:30 PM with the full board, Deputy Clerk Tina Hawkins and Disaster Coordinator Mike Graham attending.

**Disaster Services:** Mike Graham attended and brought the bids from two companies for the Communications Audit. Tusa Consulting Services bid 39,890.00 and IWA Technical Services bid \$28,000.00. Possible funding methods were then reviewed. Mike has visited with the State and FEMA and they were amenable to the project. Mike expressed his fear that Custer County will be forced to change to a digital system soon by the State. Teton Communication is putting up two more towers in Custer County to provide better digital coverage. Commissioner Butts will verify that the Broadband Funding is useable for this type of project. Commissioner Corgatelli agreed that the County needs to know exactly where the system is currently, and keep the plan updated. It has been suggested that Butte, Custer & Lemhi Counties combine for such a project. Mike let the Board know that he still has SHSP funds to utilize this year and asked for suggestions to be send to him via e-mail. It was agreed that the 911 system is a big part of the communication system and must be included in the audit. Mike has been asked by the Coroner for more of the N-95 face masks as Covid is resurging somewhat. There are 4 bigger fires burning in the state currently, but there is a change in the weather coming. Commissioner Smith asked if there had been any problems getting fuel, as the USFS has had some supply problems with helicopter fuel. Commissioner Smith then inquired about the next meeting date with Big Lost River Irrigation Dist. and FEMA personnel. A separate meeting needs to held with IOEM personnel Brad and Josh. A September date will be looked at and chosen. Mike was asked to get a possible date for the Board to meet with them.

**Coroner:** Chad Workman attended and asked the Board for clarification on payment of training expenses. Chad asked that the actual hours spend in training classes be paid to his personnel. The Coroners Conference pays for the lodging and travel expenses incurred for the classes. On line training was then discussed, and the actual hours would be listed on the Certificate of Accreditation, which would then be reimbursed. Commissioner Corgatelli asked how training classes are decided upon. Chad traditionally works through the Coroners Association and uses the “paid” courses offered. It was agreed that Chad should submit a time sheet for Jamie Stroud’s training time in the next payroll.

Commissioner Smith made a motion to accept and sign the MOA between the Department of Juvenile Corrections and Custer County for the CBAS (Community Based Alternative Services) and SUDS (Substance Abuse Disorder Services) programs. Commissioner Corgatelli seconded and the motion passed. The Board then reviewed the claims. Recent payment pressure on the Comdata Account was explained. Commissioner Smith made a motion that all the Comdata accounts be paid as demands in the future, so no late fee charges are added. Commissioner Corgatelli seconded and the motion carried. Commissioner Smith then moved that the claims be paid as presented. Commissioner Corgatelli seconded and the motion passed. Hunter Diel, Challis Messenger Reporter

came into the meeting. The property exchange adjoining the Custer Co. Fairgrounds in Mackay was discussed. The Lambson family is considering the exchange. A new access routes have been proposed and explained between the City of Mackay and the Lambson Family. Estimated cost on moving the road is around \$80,000.

**Planning & Zoning:** Administrator Jessica Clemenhagen has not had time to complete her list of Zoning Certificates for the month, due to Public Hearings. Commissioner Corgatelli made a motion to go into executive session under Title 74-206(1)(b) for Personnel at 3:06 PM, Commissioner Smith seconded the motion and the roll call vote was unanimous Aye. Attending this session were the full Board, Clerk Lura Baker, Administrator Jessica Clemenhagen and Deputy Clerk Tina Hawkins. No decisions were made during this session, and the board returned to regular session at 3:56 PM.

**Public Defense Commission:** Telephonic connections were made with Kathleen Elliot and Jennifer Roark from the PDC office. Chairman Wayne Butts did introductions around of those present. Jennifer reported on training programs (Montroy Series) being used. Beginning in September they will begin using 1<sup>st</sup> Friday Sessions. Their office has rolled out the "PCC Squared" program at no cost to the counties or defense attorneys. It is a financial assistance program paperwork. In 2017 the PDC Public Assistance was allocated and there were not enough funds to finance all the requests. They would like a list of each counties needs, and plan to do an annual review. The Board was asked if they had any success on replacing the holding facility? Chairman Butts responded that we do not have any funding to rebuild the jail, and are currently pursuing a new court facility. The Capital Case in Custer County is no longer, as the defendant has passed away. There has been a new PDC Rules Amendment, that still needs to be published before a meeting date can be set. Kathleen inquired about "confidential meeting space" being included in the proposed court facility? The rough plans have such space included, and Custer County has meeting space available currently.

**Indigent:** Clerk Lura Baker has learned that IAC Catastrophic has an employee that contracts out to help counties. Lura requested that she be able to hire help. Kaitlyn Kling, ICLA Attorney was called on the speaker phone. Commissioner Corgatelli made a motion to go into executive session under Title 74-206(1)(f) for Legal at 4:36 PM, Commissioner Smith seconded the motion and the roll call vote was unanimous Aye. Attending the session were the full Board of Commissioners, Attorney Kaitlyn Kling, P&Z Administrator Jessica Clemenhagen, Clerk Lura Baker, and Deputy Clerk Tina Hawkins. No decisions were made during this session, and the board returned to regular session at 5:05 PM. Chairman Wayne Butts asked Kaitlyn to attend the Public Hearing in person, and inquired if she could provide training to the Board the morning of August 26<sup>th</sup>? This possibility will be confirmed.

Commissioner Smith made a motion to go into executive session under Title 74-206(1)(b) for Personnel at 5:15 PM, Commissioner Corgatelli seconded the motion and the roll call vote was unanimous Aye. Attending this session were Commissioner Butts, Commissioner Smith, Commissioner Corgatelli, Clerk Lura Baker, and P&Z Administrator Jessica Clemenhagen. No decisions were made during this session, and the board returned to regular session at 5:35 PM.

With no further business before the board, the meeting was adjourned at 4:30 P.M.

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Wayne F. Butts, Chairman  
Custer County Commissioner

Attest:

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Lura H. Baker, Clerk