

Minutes  
City of Mackay  
Regular Meeting of the City Council  
Tuesday, September 13, 2022

CALL TO ORDER

Wayne Olsen, Mayor called the meeting to order at 6:00p.m. Recited the pledge of allegiance.

Roll Call

Wayne Olsen, Dean Wall, Greg Blackwell, Richard Mangum, Mike Foster, Vicki Wall, and Michelle Teninty.

RECOGNITION OF VISITORS

Bob Bagley, Ken Day, Mike Evans, Malea Ivie & Chris Elverud. No comment for the visitors

NEW BUSINESS

SHERIFF'S REPORT.

New Deputy, Chris Elverud introduced himself. Mayor Olsen explained what usually happens in these meetings. Greg Blackwell thanks Sherriff Elverud for taking care of speeding in and around Mackay. No questions on the incident reports. All reports given back to deputy clerk Wall to destroy

LRED.

Mike Evans explained he would be going to Boise the 1<sup>st</sup> week of October, for an economic development conference for 3 days, with emphasis on grant, research, writing and execution. Wednesday this week, we're meeting with a small business office, a lady out of Boise, and regional director of Idaho Women's Business Center, out of Idaho Falls, tomorrow in the LRED office, with emphasis on women's and minority small business administration opportunities.

2<sup>nd</sup> article on the Mackay Reservoir dam stories. Last month there was an article, since then there's been another article. There are indicators that people are taking this seriously in that, why would I move to Mackay if the dam may break, it talks about a 25-year event. Mr. Evans stated that he agreed with Mayor Olsen, he didn't think it was factual, but thought as a community we needed to pull together an analysis ourselves. It's a concern in our office. Councilman Foster asked if we can't get a hold of the state entity that's in charge of the dam inspection and get them to address this somehow. Councilman Blackwell stated Its Idaho water resources come up every year and look at it. They will tell you that it could happen, but it would take one catastrophic event prior to that. Councilman Foster stated he wasn't worried about the dam breaking, his point is, the government entity that inspects that should be able to refute some of these articles. Mayor Olsen agreed but said he didn't think the state entity refutes every article that comes out. Mr. Evans stated he just wanted it on the radar, they do get concerned citizens come into their office. Mayor Olsen said he did put an article out on the Facebook page. Mr. Evans said there are concerns about the mechanical condition of gates. If we could get an inspection. Mayor Olsen stated that it would be the irrigation district. Councilman Mangum said he had a couple of citizens ask where the button was at, who sets the alarm? Mayor Olsen said we only have 6 to 7 minutes to sound the alarm. Councilman Blackwell said we couldn't get out of here fast enough.

Mayor Olsen stated the water would be about a foot deep in Mackay, in front of City Hall it probably wouldn't come up the steps. Councilman Wall said there's no early warning up there, so who sets off the alarm system? Mayor Olsen said, right now its whoever, we're going to have notification. If the Howe irrigation district says we have a bunch of water coming to the reservoir, we can be on top of that. They monitor it to see how much water is coming into the dam. I checked the amount of water that's being stored on the Smiley Mountain into Muldoon Creek to see if it looks like we're going to have a large increase. If we have a large earthquake, there's nothing we can do about it. If it's like the last earthquake it will make the dam stronger according to the Army Core of Engineers report. Councilman Foster asked if we have an official report from the lost river irrigation district or Department of Water Resources on that dam? Mayor Olsen said no, we have no need to have one on their distribution to Lost River Irrigation District (LRID), and LRID is a participant in our emergency response plan. Councilman Mangum stated that is was the Idaho Department of Water Resources who does the inspection.

#### BBQ status

Mike Evans said the to do list complete or in work, the park looks great. Mayor Olsen stated that there is a new ash pan donated by Metal Specialties, material, and labor. The ash pan had been stitch-welded and our Parks & Rec crew didn't know if it would withstand the heat, so they did a complete seam weld. Mike Evans said it looked very strong. He continued to go over highlights of the barbeque, 5 pm Thursday, the oven will be started, and then that's tended through the night. 7 PM on Friday at the Mackay Fire Station is the meat prep, we may need a few more volunteers. Then 11:00 AM on Saturday, in time for BBQ, they will open the oven. A couple of things, the bleachers are still at airport. Working with Kelvin and Ken regarding the best way to move them over to the Tourist Park. We'll have two trailers with entertainment. Deputy Elverud said he will help with traffic & parking. Mayor Olsen stated we needed to keep the road to the oven clear to be able to get ambulance in. Mike Evans said he spoke with Dana regarding the mini rodeo, she will have security for park and annex. Dana will also have stations to collect donations. Mayor Olsen explained that some gates will be closed, some open and the Parks and Recreation crew would be putting up information boards and traffic cones.

#### AIRPORT USE FEES and EVENT VENDOR FEES

Councilman Blackwell stated he doesn't think it's fair to charge the city because we have a lot higher fee to pay there because we had to put the new RV receptacles that increased the minimum from 100 amps to 200 amps. The events that utilize those, I don't see why we can't charge a use fee. Mayor Olsen explained that we can't charge a use fee at the Airport, the only ones we could charge a use fee is the Wings over Mackay. Any other event would be just like any pilot flying in and out. How do we charge for that space? Councilman Foster suggested they could pay a tie down fee; pay for space they're occupying. It might be reasonable to charge them an event fee if camping. but I think Wayne is right, if we're going to charge them to come in and out of there, in theory we would have to charge everybody, and then we're going to lose our grant money.

Mayor Olsen suggested we use State of Idaho rules & regulations for events. He said he would draft & publish resolution that states if you are having an event, that meets requirements and definition of an event as stated by state tax commission, you will have to register that event with the Idaho State Tax Commission and the tax commission will issue them a temporary sales permit. The event doesn't collect taxes, the tax commission will follow up with merchants. Wayne stated that business regulations are

title 3 of the Mackay City Code, use of the Airport is title 8 chapter 1, use of the baseball field is chapter 2, use of the rodeo grounds is chapter 3 and use of the tourist park is chapter 6. Counselman Foster said we need to practice consistency. He thought there was some confusion around event fees and use of city areas, he suggested reasonable donations. Council recognizes visitor, Malea Ivie stated Lost River Electric charges for Airport power has increased your payment \$111.00. Mayor Olsen said he can ask for donation from, Mark Bell and Barry husky, will let them know. I ask for permission to draft a resolution on this? Councilman Wall said that's a starting point, to try to get this thing refined and clean. Mayor Olsen said we want to treat everyone fair and the only way to do that is to put it in writing. Councilman Mangum motioned to draft resolution for act, Councilman Wall seconded it; the motion passed unanimously.

#### **BUILDING PERMITS**

Councilman Foster stated there was a planning and zoning meeting on 9/12/22 and we have a P&Z committee in place now. Ken Day was elected chairman. He said one item was to adopt how we would conduct business as the Idaho code relates to that and the city comprehensive plan. The first Tuesday of each month at 6 PM here at City Hall. The building permit for the senior citizens center was approved. Mayor Olsen asked him if he was telling the council that they recommend approval of the building permit for the senior citizens center? Mr. Day said he believed, in the ordinance, they grant that. Mayor Olsen stated that the only one who has authority to approve them is the city council. The council has final say. Mr. Day expressed that he wished to do things the proper way. Councilman Foster said he felt that if the commission was going to do the job, let them do the job. Mayor Olsen stated the state code takes precedence over the ordinance. Mr. Day recognized that the appeal process would go to the council, it states the commission approves that, but it's not finalized until the approval of the council. Mayor Olsen stated that it was the city clerk who see's the permit first, and it's the city clerk that signs the permit. Councilman Wall said if the commission approved a permit and there is no problems with it, the council wouldn't have to see it. Councilman Blackwell suggested that when the commission approves them on Tues, can the council get an email of the approvals? Mr. Day said that the committee could do that. Mayor Olsen confirmed that the city clerk would take P&Z minutes. Mr. Day will be the approval of the commission minutes. Reva will send out minutes for the 9/12/22 meeting. Mayor Olsen volunteered to post P&Z minutes and the meeting agenda on the City of Mackay website under the planning and zoning folder. Mayor Olsen said let the minutes show that the council has authorized the clerk to sign the senior citizens center building permit.

#### **WATER STUDY GRANT**

Mayor Olsen said he received some of water study grant information, he received an email from S&A engineers that it is a go and that they made all the contacts with DEQ. Looks like we will get the other portion of that study grant approved.

#### **AIRPORT EMERGENCY CONTACT**

Mayor Olsen said he's received several questions regarding an airport emergency contact. Councilman Foster volunteered to find the radio frequency and call Custer County dispatch and tell them the combination to the lockbox. Mayor Olsen commented that we have a ordinance that requires an Airport committee. Councilman Foster volunteered to find some committee members for it. Councilman Foster also volunteered to be the Airport emergency contact. Councilman Wall motioned to make Councilman

Foster the Airport Emergency contact; Councilman Blackwell seconded it; the motion passed unanimously.

#### **NEGOTIATION OF S.C. RURAL FIRE DEPARTMENT CONTRACT**

Malea Ivie, Fire dept secretary, proposed that from 2006-2016, they will make no payments until 2019 in exchange for no water & sewer bill. Councilman Foster stated we budgeted 1k for the year. Mrs. Ivie suggested we revisit in 2027, before the budget is complete. Mayor Olsen suggested that we enter a clause in this contract to revisit this annually, before budget finalized, changes must be agreed upon by both parties, in writing. Mrs. Ivie said she will check with board members. Councilman Foster made a motion to approve the proposal, Councilman Mangum seconded it; the motion passed unanimously.

#### **RESOLUTION 20-12 ON INCREASE OF SEWER & WATER**

Mayor Olsen introduced Resolution 22-12, 2023 water/sewer increase, not to exceed 5% annually. Councilman Foster asked if it's a reasonable rate .005 per gallon. Mayor Olsen said yes, he did his homework. Councilman Wall asked what about Natural Ice and Proud Source? Mayor Olsen said they have separate contracts. Councilman Wall asked if everyone increases 5%. Mayor Olsen replied yes. Councilman Foster asked about the fee for dump. Mayor Olsen replied that we're not allowing dumps.

7:40 PM Mayor Olsen called a 5-minute recess.

7:46 PM Mayor Olsen called the meeting back to order.

Councilman Blackwell stated the top line carries us through 320k gallons of water, then we could go to .005 per gallon after that. Councilman Foster stated he was concerned about the definitions of commercial accounts, he suggested we simplify those accounts and use the .005 rate for bulk accounts. Mayor Olsen tabled the rate increase to make some changes.

#### **Council Member Reports**

Michelle Teninty City Clerk/Treasurer

- ✓ Treasures report- Mayor Olsen asked if there were any questions about the City Clerk treasury report. Councilman Wall made motion to approve treasury report, Councilman Foster seconded it; the motion passed unanimously.
- ✓ Mayor Olsen asked if we could have a motion to pay bills. Councilman Wall made motion to approve treasury report, Councilman Foster seconded it; the motion passed unanimously.

#### **Councilman Wall**

LRHD contract was signed, we must go back for negotiations. They've approved their foreman to help within their schedule, wouldn't put it in writing because they didn't know what their schedule would be.

Tried to get ahold of Wendal, the fitness center lights had some lights out. Mayor Olsen said they were too high to reach, we will need to find manlift.

Councilman Wall mentioned that the streets are done, the roads look good after the sealing.

### Councilman Blackwell

He's having trouble with DEQ and Idaho Water Resources, not getting any answers, but still working on it. Regarding the drilling wells permissions with phoenix mine, they've received permission from Pat Powers and Kelvin Krosch. We need to sit down with Konnex and work through it.

Spoke with Sheriff Lumpkin, he's going to try to increase patrols. Mentioned we don't have a lot of room within the budget, and he was good with that. Sheriff Lumpkin did say that the kids driving around on quads and such, tearing up the roads, we need to take pictures to prove any issues like that. We also talked about new signs on both sides of Challis, asked for contact information on them.

ITD is considering increasing speeds within Mackay. Mayor Olsen suggested writing a letter to them to let them know we don't want that. Councilman Blackwell motioned to send a letter to Challis, Councilman Wall seconded it; the motion passed unanimously.

We need to extend contract with the Custer County Sheriff. Clerk Teninty will draft the contract.

### Councilman Mangum

Where are we at with the restrooms at the parks. Mayor Olsen spoke with Kelvin and he's planning on taking care of them in October, both the kids park and tank park.

Councilman Mangum asked when the mowing contract was up. Mayor Olsen said this month. Councilman Mangum is concerned about the mowing, one more time for the year.

Where are we with the playground equipment? Mayor Olsen said that they hadn't heard anything from the CHC, and that she was looking at other sources of funding. Donations for the Wall funeral for playground equipment was very nice.

### Councilman Foster:

What is going on with the fire hydrant that has leak at end of green street and the berm. Mayor Olsen replied that the fire hydrant leak is on hold and the berm should be gone.

### Mayor's Report

#### Mayor Olsen

The fire department tore up the roads testing the fire hydrants, the day before the road seal. Fire department was contacted to use a hose monster so this wouldn't happen going forward.

Trent Van Levan contacted Mayor Olsen regarding the FFA painting the city fire hydrants. He gave the ok.

We have some old hydrants and need to know which ones need work. Possibly budget for new ones.

Another thing on my list is that I would like to declare the Fire truck and the 1-ton Chevy as surplus. The City of Shelley is having a meeting tonight to discuss, and we should know more about purchasing their 15k truck.

### ADJOURN

Motion to adjourn meeting was made by Councilman Blackwell, Councilman Mangum 2<sup>nd</sup>, All unanimous. 8:48 PM.

Wayne Olsen  
Wayne Olsen, Mayor

M. Teninty  
Michelle Teninty, City Clerk/Treasurer

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