

**Minutes  
City of Mackay  
Regular Meeting of the City Council  
Tuesday, October 25, 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, Mike Foster, Richard Mangum, and Michelle Teninty.

**RECOGNITION OF VISITORS**

Bob Bagley, Theodor J Smith, John Farish, Mike Evans, Cody Matthews and Kyle Bradshaw. A woman with John Farish that didn't sign in.

**No INPUT FROM VISITORS**

**Sheriff's Report**

Mayor Olsen confirmed with Deputy Harvey that we had no Sheriff's report.

**Lift Station on Smelter Ave**

John Farish appeared, upset, and stated that they bought the house on Smelter and moved in in July, they started having problems with the lift station, September 16. He called the number that was in their garage for the City here to take care of and was informed that the City no longer maintains that lift station. He came into the City of Mackay office to retrieve the letter notifying the previous owners and was upset that it was not signed or notarized and that none of this was recorded. It wasn't disclosed in their closing when they bought the house. Mr. Farish stated that the lift station was built in 1996 by Kelly Webb and he spent \$15,000 on it, on an easement, and Kelly told him the agreement was the City maintains it if he fronts money to put it in.

Mayor Olsen stated that we have no record of any of that.

Mr. Farish continued to argue and became quite upset. Mayor Olsen asked him to show a little respect or leave. Mr. Farish left the building stating we would be hearing from his lawyer.

Councilman Foster told Mr. Farish's companions, he suggested that because there's a different understanding between what Kelly has told you and what the City records show, get with Kelly, and see if he has an agreement with the City, and if you can also give us some more information on what this easement issue is where that lift station is setting. He said you may not agree but try to understand where the City is coming from. We have no other property where the City has a lift station that they maintain, that just serves one house.

Ted Smith came forward and stated that he lives on 212 Rose. Kelly Webb was here the weekend after this had happened and I asked him what was the situation was that this happened? Kelly and Sheri told him that the agreement with the City was that he ran the sewer line down, and he had to put in all the casing and supply the power to the lift station, everything after that, the City did. The stuff that's inside of that vault has nothing to do with John and Jill, that belongs to the City. They put the sump in, they ran the line. It's set up wrong anyways, because they said to keep the water on pay, well, it's got two check

valves, it's only two, maybe not even two feet down from the surface, so when it's 10 below zero, that line is going to freeze every time. They're on a private well, they're not on city water. They shouldn't be running the well on and off all winter long to keep that running so it doesn't freeze. We haven't done anything because the way Kelly said it was the deal with the City that they maintained it all these years.

Councilman Foster said the best thing we can do is to have the best information available. Talk to Kelly and see if there was a written agreement made between Kelly and the City.

Mayor Olsen said that we do have in the minutes of the meetings, at the time that that was put in the ordinance stated that if you are over 200 feet from a city service, the City will grant you permission to put in your own well. That is documented in the meeting minutes of the City council meeting. That document exists that the well can be put in but there was no documentation found in any of the minutes of this city council meeting regarding the lift station. It also in the ordinance, that the City does not own or maintain any sewer lines or water lines that are on the property until it connects with the City Main.

Mr. Smith became upset and there was a lengthy conversation regarding what was said above about the lift station.

Mayor Olsen stated we would wait till we get that information so that you've got this on the agenda for the next council meeting. And if we get information before then I can call a special meeting.

#### **LRED**

Mike Evans said he participated in the Idaho Economic Development Conference in October. They toured Meta, Facebook's new data center outside of Kuna and toured with Kuna's Economic Development Executive Director, she works with the contractor Hensel Phelps, and Facebook. It's a \$15 billion contract. It's comparable with the mine that's come here to town. She invited us back to city of Kuna to shadow her for a few days this fall, to follow what's going on with this project so I can understand the complexities of a big entity moving adjacent to you.

He continued saying he spent some time with Tom Keeley director of Department of Commerce, Jerry Miller the Executive Director of Economic Development, and Tatum Clark our regional representative for Department of Commerce. They've all expressed interest in coming to Mackay in fall or spring for an update on our local businesses and tourism activities. It would be pertinent to involve some members of the council because it will be a big deal. He went on to say that Harry Griffith is Sun Valley's Executive Director of Economic Development, he's going to come over on behalf of economic development with Lost River Economic Development. We're going over where we are as a community with the new businesses coming to town. The businesses that are here talk about housing development, possible challenges that we may be facing, multiple family dwellings within the City.

Mr. Evans continued that he met with INL, the workforce development lead, her name is Hope Morrow. She went over what's going on at the INL, such as significant expansion over the next 10 years. There are 4000r to 5000 people right now, they're talking about going to 6500. That will obviously be some spill over into our Valley, the physical consideration of housing. She works with the local community and international communities, school districts, so she's offered to pick up the phone, they're more than willing to work with our local schools. Also, during the seminar we had a day of comprehensive sessions on strategies and tactics for grant writing.

Mr. Evans stated that the Mackay reservoir article came up, talking to Jerry Miller in Boise, he wanted to know what was going on with the reservoir. The status of the condition of the dam, at a state level, is either number one or number two concerning the FEMA office, according to Jerry.

Councilman Foster said that after that last discussion, a while back about the dam, he went to water resources and contacted one of their directors and asked if they could send him some info. He sent a very short, simple story. That the dam is safe. It's suitable for filling. As I read the reports, the risk level lies with a town being located immediately below the dam. The only thing they were written up on to speak of was the spillway. They thought it needed to be a little larger than boulders that rolled off the cliffs and were pushed out of the spillway. For my mind that laid to rest this whole issue at the safety of Mackay dam.

Mayor Olsen presented a document from John Falk, professional engineer Dam Safety Program Manager. He read that it said dam and reservoir certificate of approval that proves the reservoir storage limited to existing valid water rights as may be required or recorded by the Department of Water Resources. This certificate is good until December 31, 2023.

Mr. Evans said when he came back to the Chairman of the Board of Equalization at the water district, he indicated a very large engineering study, around a 500-page document. The dam is adequate, but there are concerns with the gates. There are four gates, two of them don't work. The gates are closed right now and there's still 75 cubic inches of water coming out. The wheelhouse was written up in this report. The engineering assessment is complete, and there are funds available through Biden's infrastructure bill that's currently on the table. Previously, there were some funds that he had access to that got held up at Custer County, he doesn't know if missed the opportunity.

Mr. Evans continued, on Monday the 31<sup>st</sup>, Halloween, Jolie with the economic development in Custer County is doing a career fair for Mackay High School and Challis high school students and local businesses. He stated he sent out about 20-25 Plus invitations to local businesses.

He continued that the k-cat team met last week at the high school FFA. Ryan McDonald was there, and he acknowledged that they were probably another year down the road 2024, Before they see the hill being dug besides six explorations. He went on to say their next meeting is January next year. The k-cat team has handed out \$25,000 for community funds this year. And we're down to our last I think \$2,000 That's been handed out to community.

INL drone specifics, I had some discussions with Holly Morrow she was the INL lady that presented the 10-year plan, this is not a city thing but we're going to ask for the specifics of what they're doing. The drones are airplane style drones.

**ATC Meeting 6:49 PM**

Kyle Bradshaw, General Manager, ATC communications and Cody Matthews, outside plant manager, engineer came forward to speak. Mayor Olsen stated that these are the two gentlemen that rode with him for two and a half hours, we put our eyeballs on every inch of street and alley in this community. We didn't come up with any great problems, there were a couple of things that you were still working on.

Mr. Bradshaw said it's a big project. In the spring, we planned on doing just 60 homes, and it got a lot bigger. There are two reasons why we do big projects like this. The first one is bad facilities in the ground, bad copper, wireless that's not working. Second, we are fixing stuff that's broken. The other piece is just customer demands. In this case, it started off with 60 customers. But then when we started talking to residents, we quickly realized that people needed more bandwidth. So, we increased the project to 190 drops. By the end of the project, we'll have about 95% of Mackay completed. The benefits of fiber, it's not a band aid, it's a permanent solution. I know, it's difficult the way we do it, there's different ways to install fiber. We do it the right way, we put it underground, and we put it in conduit. By putting it underground we're not going to come back in three years and have to fix it when the sun ruins it and the squirrels eat it and storms blow it over, it's out of the way underground and it's economic too, when that fiber deteriorates in 60 years, let's say we have replaced it so we just go pull new fiber or new technology through that convoluted system. The problem with that is we make a mess. We're here to tell you we're going to fix it. That's why we came up and took the tour, identified a few trouble areas that we've addressed and we're going to continue to do that. We're going to do it the rest of this year. And we're going to come back and do it in the spring when everything settles. Keep in mind constructions not done. We're a long way from being done, cleanups the last thing. We're trying to keep it somewhat organized. But I understand there's pipe sticking out around all over, that all will be addressed. Don't be afraid to run it over, they're not going to hurt your tires unless you're already bulging your tire. They won't hurt the conduct because we can cut it, splice it and be done with it. There's no fiber in anything sticking out of the ground right now.

Mayor Olsen asked how many more years do you anticipate being in town?

I need to find a better clarification on what town is, this project has grown way larger than we had originally planned. We want it to be done by the end of the year, It isn't going to happen before it freezes, so we'll be substantially completed this year, we'll start hooking up some customers. We'll be back next spring finishing up what we got started cleaning up, obviously. And then there's a portion of town, we just had to draw a hard line somewhere. It'd be Southeast Cedar Ave., not this year, we will try to squeeze it in next year. There is some duct already gone down the road, in the area between the school and a small portion of the road. We don't know how far the City goes up past the wagon wheel, there's a couple of stragglers up there to pick up. It'll most likely be late summer before we're finished. After we're done, we'll start the in house that takes longer because we do it as the guys have time. We'll start cleaning things up.

Mayor Olsen said I have one other question, ATC was the last one to provide cable TV, are you're going to take those wires down too?

Mr. Bradshaw said they would, that's part of the construction project this size. We're trying to push through and get fiber in.

Councilman Wall stated that the City let the ball drop, when this construction started, we should realize what was going on been more involved. What really makes me nervous now is not only as a supply line, down the alleys. We've got individual lines now that go down there, come down our alleys, they go around the street, around another street and into the house. I mean, they're literally everywhere. Not only do we have a supply line, but we also have individual lines everywhere. Now an individual line, if it's broken, is a horrific cost to replace an individual line to a house?

This is the resolution, we've already signed the contract, essentially all it says is you agree with the contract and authorize me to sign, and we already did that but the reason we're having a resolution is because we had to put a resolution number on the contract to get it signed.

Councilman Wall made a motion to approve, Councilman Foster seconded it, the resolution passed unanimously.

#### **BUILDING PERMITS – 305 Artemesia Fence**

Councilman Blackwell said It should have gone to planning and zoning, we shouldn't even touch it unless they denied it.

Mayor Olsen said the council must approve them, the Planning and Zoning Commission recommends the council approves the building permits.

Councilman Foster I would make the motion based on the PNC committee's recommendation that we approve the building permit for what is it 305 Artemesia.

Councilman Blackwell said, I want to make sure that it's clarified. If we're going to improve something, we need to know this in advance. I would like to see the email prior and then I'd also like to get an email to Michelle or all of us just saying this was approved.

Councilman Foster asked, for the process would it simplify this, that when they approved something that some very simple two sentence form was signed by P&Z?

Councilman Blackwell said I'd be happy with the email, with the permit. You can respond to everybody saying we have approved of it or we have denied it. If they deny it though we would need to know the reason.

Mayor Olsen stated that this is already signed, there's no approving this one for us. A building permit will be requested, on the form. This form will go back and forth between requester and the clerk. The clerk sends this to P and Z. Copy's the Council and the Mayor. P&Z then approve it makes their recommendations that goes to the council now, the City council then approves. We have-to-have the P&Z minutes. Here's where we see if they've approved it or rejected.

Councilman Blackwell stated the P&Z minutes should reflect the disapproval and why.

Mayor Olsen stated that he has created a Planning and Zoning Commission folder on the City's webpage so that anybody who wants to can see it, then they don't have to post them separately.

Clerk Teninty asked So, I was thinking, would it be better if I emailed you guys the minutes?

Councilman Blackwell said I was going to bring that up later. Because we used to get the meeting minutes emailed to us. We were working towards that. I guess we got it a couple times. And then the agenda would be nice, too.

Councilman Foster asked if there was merit in sending the financial information electronically?

Clerk Teninty said It doesn't have account numbers or any identifying information.

Councilman Foster said It takes me a day or so to digest and figure things out.

Mayor Olsen stated that when the clerk has the draft in the meeting minutes, ready for my review. When I send you my comments back, make the corrections then send it to everybody on the council so that if they have changes to the minute, they can send them right back to you. Then any changes from that can be in. Then let's print out the financial reports and put it in the councilman's mailboxes here at City Hall and then the councilmen can come pick them up.

Clerk Teninty stated, I can print them off the first of every month it'll capture the previous month.

Mayor Olsen told the Council; I would suggest at least once a week that you check your mailboxes.

Councilman Blackwell made the motion to approve both regular City Council 8/23 and 9/13 as well as the counting special meeting. Councilman Wall seconded. Passed unanimous.

Councilman Wall made a motion to approve the bills. Councilman Mangum seconded, Passed unanimous.

Councilman Foster motioned to approve the Treasurer's Report. Councilman Wall seconded. Passed unanimous.

Mayor Olsen called a recess for five minutes, 7:26 PM

Mayor Olsen called the meeting back to order, 7:31 PM

Mayor Olsen stated that we've had Anthony waiting here a long time. Can we go into executive session now? And then we'll go back to our reports after that. I would like a motion to go into executive session in accordance with Idaho code 74 206. B to consider the evaluation dismissal or disappointment or hear complaints or charges brought against a public officer, employee staff member or individual agent or public-school student. And I need a roll call vote. Would you call the roll? Councilman Foster made the motion. Councilman wall seconded. Let's call the roll.

Mike? Yes.

Richard? Yes.

Greg? Yes.

Dean? Yes.

Mayor Olsen continued that this meeting is recessed in Executive Session. And Anthony, do you want to come up and join us? 7:45 PM

**EXECUTIVE SESSION 74-206-** An executive session at which members of the public are excluded may be held, but only for the purposes and only in the manner set forth in this section. The motion to go into executive session shall identify the specific subsections of this section that authorize the executive session. There shall be a roll call vote on the motion and the vote shall be recorded in the minutes. An executive session shall be authorized by a two-thirds (2/3) vote of the governing body. An executive session may be held:

(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public-school student.

---- COUNCIL MEMBER REPORTS 8:15 PM

DEAN WALL: STREET DEPARTMENT AND O.W. BUSINESS PARK

Councilman Wall started with the business park. K-two is going to stay in the office section they have all winter, they won't be moving out. Konnex will be in the warehouse through the end of December. So sometime after they're moved out, we can advertise that space. We'll have one opening in the big warehouse.

Chardon is working with someone that came in, looked at our rain gutters, they're in bad shape, but he is going to give us a price to maybe fix it. I said we just want somebody to try to fix them for the winter, and then in the spring, we're going to have to get somebody to put new gutters on the building.

I took over the lamppost repair at the bank, In the staff meeting that I was held last week, Chardon said he didn't have time and the guy that was supposed to show up didn't, so I told him I'll take it over.

Councilman Foster said he needed to step out of this because it was my kid that got those lights, but I think he got some information to Natalie a while ago on a source and where to get them and if you can't find it, let me know and I'll give you Matt's number let you call them because I don't want that.

Mayor Olsen said we have the lights, the thing we need to do is get with Matt and see if we can get a spare. ATC will buy it.

Councilman Wall continued that he read something today that the US as of today has 28 days of diesel fuel supply. Things are getting shorter on diesel fuel. So, do we have any money to buy some more diesel fuel for snow removal through the winter, things get expensive, and diesel gets in the shorter supply?

Mayor Olsen said, I don't know how much we got left in the tank of the big supply that we bought at the beginning of the year.

Councilman Wall continued; we don't need to buy a huge amount. I'm just thinking that if we have some purchased for the winter for snow removal, I think it's going to save us some money.

Mayor Olsen said we may not have the money except in the sewer and water account, but we can't use that unless the council passes a resolution to borrow it and to pay it back, and I hate to do that.

Councilman Foster asked, with Anthony, we had his salary covered for the end of the year, and he hardly worked any. Should there be three \$4,000 there? We have had him since July. We're looking at August, September, October.

**GREG BLACKWELL: CITY SEWER/WATER**

Councilman Blackwell started, I really don't have a whole lot we kind of covered the emails for agenda meeting and that's kind of what I wanted to discuss this time. I'll get a hold of Ken regarding the lift station we'll try and figure that out.

Mayor Olsen asked if he has checked with Chardon to see how the new SCADA system works? Have you seen it work?

I haven't. I've seen him before I don't really get to see it but okay. Yeah, it sounds like he's happy with it. Obviously, everything's good, little kinks here and there.

**RICHARD MANGUM: PARK AND REC.**

Councilman Mangum started, this is not exactly Parks Rec but it's Winterfest on third of December, and they're wanting to block off downtown's Main Streets. So, we've done that in the past.

Mayor Olsen said this was our dilemma in where we're going to block it off, because if we block it off like we did for the people that were in this area, you got lots of business and the people that were on the other side of the street and they complained because we isolated them, so do we block off highway down there to Cedar and run traffic around the Cedar area?

Mr. Bagley said we're concerned about excluding the museum block merchants. What did work the last year that we closed it early enough so there weren't a lot of cars parked, and people sat in the cars to watch the parade. As a result, the burn barrels worked better. That would be one of the issues that I would like to continue to close with. I'd like to break and go around the back of the dump station and come down.

Councilman Wall said strictly speaking from the parade, if you close the highway, the only one that could do that is the sheriff and so you have to make arrangements with the City. Yeah, yeah. The sheriff was the only one that could close the state highway down to cross the highway.

Mr. Bagley continued that they have a meeting coming up on what third of November I think the one more meeting here before we have it, so I'll keep that committee apprised of what's going on.

**MIKE FOSTER: AIRPORT**

Mr. Foster started; I have nothing for the airport. I think everything is clicking along, they're fine. I want to bring up something I've been debating. With all respect to Bob, is there a way that Mike could consolidate some of his briefing, regarding what's going on.

Mr. Bagley said we spent about two hours today informing the Mayor in on what's going on and what we're doing. I think we don't need to be completely redundant.

Mayor Olsen asked Councilman Mangum, aren't you a member of I LRED? And don't you go to their meetings? Can you report to the council?

Councilman Mangum replied that he is, and he could.

**MAYOR REPORT**

Mayor Olsen stated, we're getting a bid on replacing the sliding doors with roll doors at the Airport Hanger. The same guy that is going to do the gutters. He's going to look at the roof because he's going to have to put some beams in there to hold, there's one beam that has been hit with a backhoe and broke. He's also looking at maybe giving us a bid on that little building, putting a roof on that, and making a restroom usable there. Custer County came and took the generator, so we have no generator, and they're still trying to get the bags out of there.

Vicki reported that the donations for your mom is up to \$3,700. That, with what you've turned in, Dean, we're probably over \$10,000 in donations. We've got \$20,000 from Steele Reese, and we're still hoping from CHC, we asked for about 13,000, so if that comes through, we'll have about \$43,000 to spend on some toys.



When they redo the sprinklers in kids park, we need to go over there and stake out the area where this toy will be so we don't put sprinklers in there. They will take off the sod and probably the first six inches of soil.

I asked Chardon if he could find some heated sidewalk pads. If they're not too expensive, we might put some of those down in the back of the LR Fitness Center, where they're blocked off so that people wouldn't be driving on them.

Mayor Olsen asked Clerk Teninty to explain the new printer.

Clerk Teninty explained that Vicki had been printing cardstock, on a small printer, and she was fighting with it a lot, she would print five, six sheets and it would jam, and she'd have to pull it out, and then read the numbers and make sure she had all the pages. This new printer prints the cardstock, it's got four different trays. We have three holed punch paper, regular sized paper, and cardstock. It's a scanner, fax machine, it will reduce and enlarge, its color, and it's a LaserJet.

Mayor Olsen continued, with that, we had to put in a new phone line because every time we answered the phone it would squeal like a fax machine, so right now it's 208-588-2294.

Also, we decided Vicki is not going to put stamps on everything that she must mail out and Michelle's not going to have to put stamps on everything she mails out, so we got a meter machine. Metered postage is cheaper than regular stamps.

So, we're bringing the office into this 21st century and if you notice on their desks, they have two monitors so they can do twice the work.

Clerk Teninty explained that at my old job, we had two monitors. It's just easier if I'm trying to reconcile the bank account or really anything if I can look over on one screen and work on the other. We got a good deal on the monitors; I always look for a good deal.

Councilman Wall stated, when I had the staff meeting when you were gone, Chardon mentioned that he had a lot of work to do with the sewer lagoons this fall, so, that sort of water spending diesel fuel money, why couldn't we use a little bit of water and sewer money to buy some diesel fuel?

Mayor Olsen said that brings up a couple other things that I didn't put down this week. This week they're going after the jetter truck and they're going to see if it'll drive all the way from Shelley. They're getting hydraulics plumbed in so that the new sander will work with the dump truck, the little dump truck, the transmission works now, so they're going to put the plow on it but they need to replace the water pump. They will be trying to get the ultraviolet sanitizer installed down at the lagoon before it really gets cold and the ground freezes and they'll probably just start discharging to the river again this week.

#### ADJOURN

Councilman Wall motioned to adjourn. Councilman Blackwell seconded, passed unanimously. Meeting adjourned at 8:55 PM.

