

MINUTES

IDAHO OUTFITTERS AND GUIDES BOARD  
December 10-11, 1987

Boardroom - Boise, Idaho

A regular meeting of the Idaho Outfitters and Guides Board convened at 0825 hours on Thursday, December 10, 1987 with all members present except Dale Baird who has been detained until about noon.

**Complaints:** The Board reviewed the complaints on file and instructed the Chairman to take the necessary steps to answer said complaints.

**Con Hourihan/Steve Zettel:** The Board met with Messrs. Hourihan and Zettel regarding booking agent activities and the necessity for their having to be licensed or otherwise designated as a Managing Agent. The Board informed Messrs. Hourihan and Zettel that Mr. Zettel could act as a booking agent without any amendment or change in his license status. However, to so do all clients would require being booked through Mr. Hourihan dba Taylor Ranch outfitters with all fees thereby accounted for and Mr. Zettel paid a booking fee for services rendered. Also, the proposed employment/sales agreement by and between Messrs. Hourihan and Zettel was discussed with the Board's position being that at this time this appears to be a matter between the parties involved and does not require Board action. And, finally, the Board advised Mr. Hourihan that it would disapprove his proposed joint-use agreement with Jerry Jeppson dba Mile High Outfitters for the conduct of bear and cougar hunting.

Dale Baird joined the Board at 1100 hours; the Board recessed for lunch at 1215 hours and reconvened at 1325 hours.

**Archie & Eileen George:** Mr. & Mrs. George met with the Board relative to their amendment request for a modification of their area boundary and other matters of interest concerning their outfitting operation; following which the Board advised them that: (1) they should submit the necessary paperwork to initiate research and other processing of their amendment request for area boundary modification; (2) they should submit the necessary paperwork regarding their request for cross-country skiing and qualifications of an appropriate guide; (3) guide Don E. Esslinger's file be flagged and that before a 1988-1989 guide license be issued to him, the said employing outfitter should be advised that he should contact Mr. Esslinger's previous employer before reaching the final decision upon employing Mr. Esslinger as a guide; and (4) the Board would take due notice of certain illegal outfitting activities as brought to its attention in the Elk City area.

**Robert L. Hennefer dba Little Wood River Outfitters:** Mr. Hennefer met with the Board concerning his proposed sleigh riding activity to be conducted within the city limits of Ketchum, following which MSC (Baird-Crane) THAT INASMUCH AS THIS ACTIVITY IS CONDUCTED ON A GOLF COURSE ENTIRELY WITHIN THE CITY LIMITS OF THE CITY OF KETCHUM, SUCH ACTIVITY IS FOUND TO BE NOT WITHIN THE PURVIEW OF THE OUTFITTERS AND GUIDES ACT. CONSEQUENTLY, AN OUTFITTER'S LICENSE WILL NOT BE REQUIRED AND THAT A LETTER BE ADDRESSED TO MR. HENNEFER ADVISING HIM OF THE BOARD'S ACTION IN THIS MATTER.

**Board Minutes:** Following a review of the November Board Minutes, MSC (Vaughn-Crane) THAT THE MINUTES BE APPROVED AS CORRECTED.

The Board recessed at 1715 hours and reconvened on Friday, December 11, 1987 at 0825 hours with all members present.

**Frank Church River of No Return Wilderness Newsletter:** The Board reviewed this publication of the Payette National Forest/Krassel Ranger District of November 1987, second edition, in which it was noted that they were asking for comments regarding their proposed Disappointment Creek pack bridge. Following a discussion of this matter, the Board directs that a letter be addressed to the Payette National Forest to express its position that: (1) it believes the money involved could be better spent in maintaining existing trails; (2) it questions the need for the Disappointment Creek pack bridge; and (3) it has seen no assessment of the impact that the increased utilization and accessibility to Chamberlain Basin would have on the resources with the construction of said bridge.

**Enforcement:** The Board reviewed the letter received from Ron Dickemore, District Ranger at Palisades Ranger District, requesting the Board's response to establishing a contact person for people in eastern Idaho to contact regarding enforcement matters. Following a discussion of this request, the Board directs that a letter be addressed to Mr. Dickemore advising him that that contact person should be the Board's Enforcement Coordinator who, at the present time, is Dale Baird.

**A. W. Angell:** The Board reviewed the letter from Jon M. Angell regarding his proposed purchase of the A. W. Angell business, noting that he had requested his application be withdrawn. Following a discussion of this matter, MSC (Vaughn-Miller) THAT A LETTER BE DIRECTED TO MR. A. W. ANGELL ADVISING HIM THAT: (1) THE BOARD IS IN RECEIPT OF JON ANGELL'S LETTER TO THE EFFECT THAT HE IS NO LONGER INTERESTED IN PURCHASING THE A. W. ANGELL BUSINESS;

AND (2) THE BOARD IS AWARE THAT HIS CURRENT BOND WILL NO LONGER BE IN EFFECT AFTER DECEMBER AND THAT HE BE ADVISED THAT UNTIL SUCH TIME AS HE DOES SECURE THE NECESSARY BOND, THAT HE CONDUCT NO ADVERTISEMENT OR BOOK CLIENTS OR OTHERWISE DO BUSINESS UNTIL SUCH BONDING REQUIREMENTS HAVE BEEN MET AND THE BOARD NOTIFIED WITH A COPY OF SAID BOND.

**Michael Scott:** The Board reviewed Mr. Scott's letter of November 30, 1987 which is a protest to Mr. Carl Pence, Superintendent of the Sawtooth National Recreation Area, as regards the SNRA's not issuing a special use permit for conduct of outfitted activities in Fish and Game Management Unit 36A. Following a discussion of this matter, MSC (Vaughn-Miller) THAT A LETTER BE ADDRESSED TO CARL PENCE, SUPERVISOR-SNRA, TO: (1) EXPRESS THE BOARD'S SUPPORT OF MR. SCOTT'S ACTION IN THIS REGARD; (2) REGISTER THE BOARD'S CONCERN FOR THE APPARENT LACK OF CONSISTENCY IN THE ISSUE OF SPECIAL USE PERMITS FOR OPERATION ON FOREST SERVICE LANDS BETWEEN THE CHALLIS NATIONAL FOREST AND THE SAWTOOTH NATIONAL RECREATION AREA; AND (3) REQUEST HIS ASSISTANCE/GUIDANCE IN RESOLUTION OF THIS MATTER.

**Budget:** The Board reviewed the budget printout ending November 30, 1987 to note that it appears we are pretty well on target on our projected budgeted amounts and are satisfied with the results.

**Supreme Court Bond Schedule:** The Board reviewed the letter from Kit Furey regarding the Supreme Court bond schedule. Following a discussion of this matter, MSC (Baird-Miller) THAT A LETTER BE ADDRESSED TO MS. FUREY INDICATING THE BOARD WOULD LIKE TO RECOMMEND A CHANGE IN THE BOND SCHEDULE "(6) OUTFITTERS AND GUIDES OFFENSES" AS FOLLOWS: 36-2104 OUTFITTING WITHOUT A LICENSE - \$1,000.00; 36-2104 GUIDING WITHOUT A LICENSE - \$500.00; 36-2116 WILLFULLY OPERATING AS AN OUTFITTER IN ANY AREA OR FOR ANY ACTIVITY FOR WHICH HE IS NOT LICENSED - \$500.00; 36-2116 EMPLOYMENT OF AN UNLICENSED GUIDE BY AN OUTFITTER - \$500.00. THIS IS IN KEEPING WITH THE PROPOSED LEGISLATIVE CHANGE TO STRIKE THE DIFFERENTIAL BETWEEN THE IDAHO RESIDENT AND NONRESIDENT STATUS AND THAT IT WOULD BE CENTERED ON THE OFFENSE ITSELF RATHER THAN RESIDENCY.

**Dan Rotthoff:** This denial hearing was held from 0900 hours and extended through to 1400 hours for its conclusion. A decision is pending following review of evidence and testimony offered before the Board.

**Jim McManus:** A hearing was scheduled to review the Board's action relative to the licensing of Mr. McManus. Counsel for Mr. McManus and the Board's attorney Dan Chadwick appeared before the Board in discussion of the matters relating to said hearing, following which MSC (Baird-Vaughn) THAT THE BOARD HAS HEARD THE STIPULATION OF THE ATTORNEYS CONCERNING THE ADOPTION OF THE DEFINITION; THAT THE DEFINITION WILL BE THAT OF THE U.S. FOREST SERVICE DECISION NOTICE AS IT RELATES TO HANDICAPPED CLIENTS. IN ADDITION, THE BOARD WILL USE THE DESCRIPTIVE LANGUAGE CONTAINED IN LINDA PALL'S LETTER OF DECEMBER 4, 1987 AS GUIDANCE IN APPLYING THE DEFINITION; THAT THE ATTORNEYS WILL REDUCE THAT STIPULATION TO WRITING AND MAKE IT A PART OF THE PERMANENT RECORD OF THE FILE OF JIM McMANUS; AND THAT COUNSEL AGREES AND STIPULATES TO CONTINUE THE HEARING SET FOR THIS MATTER TO JANUARY 29, 1988 BETWEEN THE HOURS OF 9:00 A.M. AND 11:00 A.M. THE PURPOSE OF THIS STIPULATION IS TO RESOLVE THE ISSUE AS TO THE DEFINITION WITHOUT THE NECESSITY OF HEARING.

**Larry Moats:** The Board met with its attorney to discuss various matters of interest, one of which was the matter of the Larry Moats appeal. [Mr. Moats appealed the Board's decision to remove cougar hunting for nonuse of said activity in the Lemhi County Joint-Use area.] Following a discussion of this matter, it is the Board's position to instruct its attorney to seek a stipulation for remand and dismissal of the appeal with reinstatement of the cougar hunting activity within the Lemhi County Joint-Use area for a period of one (1) year ending March 31, 1989 during which time Mr. Moats must demonstrate that he can and will utilize the licensed activity.

**John V. Rose:** Following a discussion relative to the Board's show cause hearing for suspension/revocation of Mr. Rose's outfitter's license and inasmuch as there is no basis for such action, MSC (Vaughn-Miller) THAT THE COMPLAINT AGAINST JOHN V. ROSE BE DISMISSED AND SHOW CAUSE HEARING CANCELLED.

**Boise State University:** The Board discussed the correspondence by and between the Board and BSU and the status of BSU's Outdoor Adventure Program with its attorney Dan Chadwick. Mr. Chadwick was requested to review the most recent BSU Outdoor Adventure Program catalog as well as the correspondence received regarding this matter with recommendation to the Board as to any further action that should be taken.

**Jeff Peavey dba Northwest Voyageurs:** The Board reviewed Mr. Peavey's amendment request for mountain bike touring in Fish and Game Management Units 14 and 18, following which MSC (Crane-Vaughn) THAT MR. PEAVEY'S AMENDMENT REQUEST FOR MOUNTAIN BIKE TOURING IN FISH AND GAME UNITS 14 AND 18 BE DENIED. AUTHORITY FOR THIS DENIAL IS IN ACCORDANCE WITH THE PROVISIONS OF IDAHO CODE 36-2109(b)(4) AND (b)(5) AND OUTFITTERS AND GUIDES BOARD RULE AND REGULATION NO. 19.f.

**Canoesports Idaho, Inc.:** The Board reviewed the file and application for conduct of canoeing activities on the Owyhee River [OW1], following which MSC (Miller-Vaughn) THAT BASED UPON THE PLAN OF OPERATION SUBMITTED FOR THE CONDUCT OF A UNIQUE EXPERIENCE AND OUTFITTING OPPORTUNITY AS PROPOSED BY CANOESPORTS IDAHO, INC. AND THE RECOMMENDATIONS MADE BY THE BUREAU OF LAND MANAGEMENT REGARDING APPLICANTS INTERESTED IN CONDUCT OF OUTFITTED ACTIVITIES ON OW1 [BLM LETTER DATED NOVEMBER 13, 1987], CANOESPORTS IDAHO, INC. BE AWARDED THE SLOT FOR CONDUCT OF SAID ACTIVITIES IN ACCORDANCE WITH THEIR OUTFITTER APPLICATION AND OPERATING PLAN.

**Philip S. Lansing:** The Board reviewed Mr. Lansing's outfitter license application to become the Managing Agent for Canoesports Idaho, Inc., following which MSC (Miller-Crane) THAT MR. LANSING BE APPROVED AS MANAGING AGENT AND, FURTHER, THAT BASED UPON THE EXPERIENCE ROSTER THAT HE HAS SUBMITTED AND LETTERS OF RECOMMENDATION RECEIVED, HE BE DEEMED QUALIFIED AS LEAD BOATMAN.

**Edward I. Robertson, Jr.:** The Board reviewed Mr. Robertson's outfitter license application to become involved in the Canoesports Idaho, Inc., following which MSC (Crane-Vaughn) THAT MR. ROBERTSON BE APPROVED AS A MANAGING AGENT NOT QUALIFIED TO GUIDE. [This decision made relevant to telephone conversation/confirmation with Mr. Robertson for clarification of license status desired.]

**Cascade Adventures/Steve Jones:** The Board reviewed the file concerning the proposed sale of the Wild Rivers Idaho, Inc./Jamie Ross business to Cascade Adventures/Steve Jones, following which MSC (Miller-Vaughn) THAT THE PROPOSED SALE AND TRANSFER OF BUSINESS BE APPROVED UPON COMPLETION. [Steve Jones advised the Board that Hunter Homes is the parent company of Cascade Adventures, an Idaho corporation.]

**Scott Fasken/James Katz:** The Board reviewed the proposed sale and transfer of businesses between Messrs. Fasken and Katz; namely, Mr. Fasken's sale of his float boating business on SA6 to Mr. Katz and Mr. Katz sale of his float boating business on SN7 and SN8 to Mr. Fasken. Following a review of these files, MSC (Crane-Baird) THAT THE SALE AND TRANSFER OF BUSINESSES BE APPROVED UPON COMPLETION OF THE APPLICATION.

**Bill White:** The Board reviewed the file concerning the sale and transfer of business from Mr. Mike McCarthy to Mr. White to include licensed activities on Dworshak Reservoir, following which MSC (Vaughn-Crane) THAT SAID SALE AND TRANSFER OF DWORSHAK ACTIVITIES BE MADE FROM MR. MCCARTHY TO MR. WHITE. FURTHER, THAT ACTION SHALL BE EFFECTED BY AN ADMINISTRATIVE AMENDMENT TO MR. WHITE'S LICENSE.

**Bob Havice:** The Board reviewed Mr. Havice's file, following which MSC (Miller-Baird) THAT THE GUIDE LICENSE BE ISSUED.

**Forest Wimer:** The Board reviewed Mr. Wimer's file and outfitter license application for conduct of various big game hunting activities and summer recreational activities in Fish and Game Management Unit 15, following which MSC (Baird-Vaughn) THAT THE APPLICATION BE TABLED PENDING COMPLETION OF THE FOREST SERVICE ENVIRONMENTAL ASSESSMENT AND RECOMMENDATION REGARDING MR. WIMER'S APPLICATION AND REQUEST. FURTHER, THAT A LETTER SHOULD BE ADDRESSED TO THE FOREST SERVICE ADVISING THEM OF THE BOARD'S ACTION AND REQUESTING THEIR TIMELY COMPLETION OF THE E.A. WITH RECOMMENDATION TO THE BOARD AS SOON AS POSSIBLE TO ENABLE FINAL BOARD ACTION ON MR. WIMER'S APPLICATION.

**Quaker Hill Conference dba Backcountry & Beyond/Mike Crevelt:** The Board reviewed the file and Mr. Crevelt's amendment request to add rock climbing activities at various locations in and around the state. The Board also noted its previous action regarding Mr. Crevelt's qualifications and credentials for the conduct of such activities.. Following a discussion of this matter, the Board directs that Mr. Crevelt be requested to meet with the Board at its March meeting to discuss his amendment request to enable a better understanding of just what he proposes and how he proposes to conduct the requested activities.

**Kirk Bachman dba Sawtooth Mountain Guides:** The Board reviewed the file and Mr. Bachman's amendment request to note that it has not as yet received word from Fish and Game regarding this application, following which MSC (Vaughn-Miller) THAT THIS MATTER BE TABLED UNTIL THE JANUARY MEETING FOR CONSIDERATION AT THAT POINT IN TIME.

**Seven Devils Outfitters, Inc./Dave Stucker:** The Board took note of Mr. Stucker's telephone message of December 11, 1987 in which he wanted to know how soon the Board would act upon his amendment request. The Board reviewed the file in this regard to note that the Board addressed a letter to Mr. Stucker on September 18, 1987 requesting additional information to enable Board action on his amendment request and noted that to-date no response has been received from Mr. Stucker. Thus, the Board directs that a letter be addressed to Mr. Stucker advising him that upon receipt of a response to its September 18, 1987 letter, it will take appropriate action.

**Clayton Anderson:** The Board reviewed its November 19, 1987 letter in response to Mr. Anderson's request to be designated as its agent for purposes of preferring complaints for violation of the Idaho Outfitters and Guides Act and, in reconsideration of the authority granted by said letter, directs that a letter be addressed to Mr. Anderson stating this authority is for a one-year time span only or until June 30, 1988.

**Enforcement Coordinator:** Following a review and in consideration of the possibility of establishing an enforcement coordinator position as an exempt position under the Idaho Personnel Commission, MSC (Vaughn-Baird) THAT AN ENFORCEMENT COORDINATOR POSITION BE ESTABLISHED AS AN EXEMPT POSITION UNDER THE IDAHO PERSONNEL COMMISSION AND: (1) THAT SAID POSITION BE ESTABLISHED BY REQUESTING RECLASSIFICATION OF THE BOARD'S CURRENT FOURTH FTE [ADMINISTRATIVE SECRETARY] VACANT POSITION TO THAT OF AN ENFORCEMENT COORDINATOR; (2) THAT SAID POSITION BE ESTABLISHED AT PAY GRADE 27 AT AN HOURLY RATE OF \$7.58 NOT TO EXCEED SOME 1500 HOURS ANNUALLY AS AN INITIAL START; (3) THAT THE DRAFTED ENFORCEMENT COORDINATOR POSITION DESCRIPTION BE APPROVED AS OUTLINING THE PRIMARY DUTIES OF SAID POSITION [See Addendum #1]; (4) THAT AN ANNOUNCEMENT BE PREPARED AND DISTRIBUTED TO OUR CURRENT ENFORCEMENT OFFICERS AND TO THE STATE PERSONNEL COMMISSION TO SOLICIT INDIVIDUALS TO FILL SAID POSITION; AND (5) THAT NECESSARY PAPERWORK BE IMMEDIATELY INITIATED WITH ADVERTISEMENT OF SAID POSITION TO ENABLE SELECTION OF AN INDIVIDUAL TO FILL SAID POSITION NO LATER THAN THE MARCH 28-APRIL 1, 1987 BOARD MEETING.

IDAHO OUTFITTERS AND GUIDES BOARD  
MINUTES - December 10-11, 1987  
proceedings of the 11th

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With all business having been concluded, the Board adjourned at 1555 hours.

  
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WILLIAM R. MEINERS, Chairman of the Board

ATTEST:

  
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LINDA L. ELWOOD, Administrative Secretary

ENFORCEMENT COORDINATOR

I. INTRODUCTION

This position is one of enforcement coordinator to the Outfitters and Guides Licensing Board (Board) which has jurisdiction over Idaho Outfitters and Guides as set forth in Idaho Code, Title 36, Chapter 21 and Rules and Regulations as have been promulgated thereto. The Board, through the Chairman and/or Vice Chairman (in the absence of the Chairman), has jurisdiction for the implementation and exercise of responsibilities in employment and direction of staff and in licensing and regulating outfitting and guiding activities in Idaho. The position of Enforcement Coordinator is an exempt position under the Idaho Personnel Commission. Assigned duties in carrying forward and coordinating the Board's enforcement responsibilities are sensitive in nature and will require working with other state and federal agencies.

II. MAJOR DUTIES

A. Serves as assistant to the Chairman (Vice Chairman) in all matters pertaining to the enforcement responsibilities of the Board: 1) Acts as the liaison/contact person between the Board and other government agencies (state and federal) as well as the general public and groups interested in or concerned about the legal/illegal aspect of outfitting and guiding activities in Idaho; 2) Receives, compiles and evaluates incident or other reports of alleged violation of Idaho Code, Chapter 21 and Rules and Regulations to establish priority of enforcement effort consistent with Board guidance and capabilities; 3) Assigns and coordinates Board Enforcement Agents in their investigation and enforcement of Idaho Code, Chapter 21, rule, and regulation; 4) Personally initiates and/or enforces that investigation or action deemed necessary to establish a case record coordinate between or among other state and federal agencies, prosecute, or bring before the Board for appropriate action those matters of a particular sensitive nature or as otherwise not assigned to another enforcement agent(s); and, 5) Keeps the Board informed about the enforcement program on a routine basis. A consistently high degree of initiative, decision making, sound judgment and good public relations are standards of performance.

- B. Maintains an awareness of Board's activities and commitments. Particular attention is given to alleged or suspected illegal outfitting and guiding activities from whatever source to evaluate and compile a record of who, where, when, what and how such activities are conducted to enable prioritizing such matters and initiate appropriate action(s).
- C. Supervises several (1-10) part-time enforcement agents in the assignment, support and supervision on an on-need-basis in investigation, enforcement and prosecution of violation of Idaho law, Title 36, Chapter 21 and rule and regulation. Incumbent develops appropriate job performance standards, analyzes performance and makes recommendations for appropriate training to enhance performance, as approved by the Board. Spot checks performance for conformance to Board policy, provides guidance as needed.
- D. Other duties as may be assigned.

### III. FACTORS

#### A. Knowledge Required by the Position

Incumbent must have an intimate knowledge of the Outfitters and Guides Act (Title 36, Chapter 21), the Outfitters and Guides Board Rules and Regulations and a working knowledge and appreciation of the Board's organization and mission; a working knowledge of Idaho Department of Fish and Game law, rule and regulation; and, familiarity with other state and federal law as applicable to fish, wildlife and land management agencies. Incumbent must be certified by the Idaho Peace Officer Standards and Training Advisory Council or hold equivalent certification from another state; and, must have a good knowledge of investigative techniques and procedures, laws of arrest, search and seizure, rules of evidence and court procedures, and legal rights of citizens. Incumbent must have a demonstrated ability to: conduct investigation; gather and analyze facts and evidence and prepare case reports and recommendations; establish and maintain effective working relationships; communicate effectively orally and in writing; and, testify in court.

B. Supervisory Controls

Incumbent works within the supervisory framework established by the Board. The position is such that a great deal of independent discretion and action are necessary. The incumbent must possess and demonstrate a well-founded knowledge of law enforcement and understanding of its functions, people and procedures, and utilize this knowledge and understanding to advantage to implement and maintain an effective Board enforcement program.

C. Physical Demands/Work Environment

The incumbent's work requires walking, climbing - the everyday risks and discomforts of the office or meeting room. The incumbent also may be exposed to all weather conditions, weapons or situations that may be life-threatening. Weekend and holiday duty may be required and duties may have impact on personal life-style and could involve harassing phone calls, property damage or actual physical harm. Duty is often alone and miles from assistance.

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

\*\*ENFORCEMENT COORDINATOR: OPTIONAL PAY SCENARIOS

Pay Grade	Hourly Base Rate	Benefits <sup>±</sup>	Total Hourly Rate	Yearly Salary				
				By Total Hours Allocated to Position				
				1040	1385	1500	1800	2080
26	\$7.22	\$1.59	\$ 8.81	\$ 9,162	\$12,202	\$13,215	\$15,258	\$18,324
27	7.58	1.67	9.25	9,620	12,811	13,875	16,650	19,240
28	7.96	1.75	9.71	10,098	13,448	14,565	17,478	20,197
Conservation Officer								
30	8.78	1.93	10.71	11,138	14,833	16,065	19,278	22,277

\*\*Currently vacant fourth FTE position (Administrative Secretary) is budgeted at \$11,451. Reclassification of this position to an Exempt Position (under the Idaho Personnel Commission) would enable appointment of an Enforcement Coordinator to better facilitate the Board's enforcement program. This can be done as soon as the paperwork can be completed and does not have to await Legislative action of the Board's legislative package. Recommend Pay Grade 27 as an appropriate pay scale with a 1500<sup>+</sup> hour yearly ceiling which translates to an approximate 38 week assignment (Position) of some 40 hours per week as may be distributed (worked) within a year's time. Would further recommend that position be filled from among currently employed enforcement officers.

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IDAHO OUTFITTERS AND GUIDES BOARD  
ORGANIZATIONAL CHART

5/1/15

