

**STATE OF IDAHO
OUTFITTERS AND GUIDES LICENSING BOARD
BOARD MEETING**

DRAFT MINUTES

April 24 – 26, 2006

**(KEY: MSC = MOTION MADE, SECONDED, CARRIED
MSF = MOTION MADE, SECONDED, FAILED)**

MONDAY, APRIL 24, 2006

THE REGULAR MEETING OF THE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD WAS CALLED TO ORDER AT 2:20 PM, MONDAY, APRIL 24, 2006, IN THE BOARD ROOM, 1365 NORTH ORCHARD, ROOM 172, BOISE, IDAHO. MEMBERS WILL JUDGE (CHAIRMAN), WAYNE HUNSUCKER AND MARCUS GIBBS WERE IN ATTENDANCE. ALSO PRESENT WERE EXECUTIVE DIRECTOR JAKE HOWARD, BOARD ATTORNEY STEVE SCANLIN, AND TECHNICAL RECORDS SPECIALIST BONNIE FOGDALL. BILL BERNT AND SCOTT FARR WERE EXCUSED.

Chairman Judge called the meeting to order at 2:20 p.m.

MSC (MOVED HUNSUCKER, SECOND GIBBS, AYES GIBBS, HUNSUCKER, JUDGE; NAYES -- NONE) AT 2:22 P.M. THAT THE BOARD ADJOURN TO EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF SEC. 67-2345, IDAHO CODE. LITIGATION AND POTENTIAL PERSONNEL MATTERS WERE DISCUSSED. MSC (MOVED HUNSUCKER, SECOND GIBBS, AYES GIBBS, HUNSUCKER, JUDGE; NAYES -- NONE) THAT THE BOARD END EXECUTIVE SESSION. EXECUTIVE SESSION ENDED APPROXIMATELY 2:50 P.M. WITH NO DECISIONS MADE OR ACTIONS ASSIGNED.

Chairman Judge called the regular session to order at 2:53 p.m.

Review of Agenda:

Director Howard reviewed the agenda with the Board.

1. Steve Elam, IDFG from Jerome would discuss Unit 45 matters.
2. Director Howard moved the Booking Agent agenda item to the Director's Report because he was only interested in identifying Board member to participate in a committee formed to consider changes to statute, rules and policy regarding the subject.
3. Tuesday, Jay Crenshaw, IDFG, was originally scheduled to present a bear and cougar briefing, but Steve Nedeau IDFG would be here in his place.
4. Wednesday, the license denial hearing with Sandy Podsaid will be held at the Ada County Courthouse.
5. Director Howard asked the Board to adopt the consent agenda. He will give financial report and then postpone the probationary report until later.

Because Board Members Scott Farr and Bill Bernt were not going to be available until tomorrow, Chairman Judge suggested that the consent agenda acceptance be tabled until then.

Grant Simonds, IOGA and Steve Elam, IDFG, joined the meeting at 2:53 p.m.

UNIT 45 Update; Steve Elam, IDFG, Director Howard

Steve Elam was present to represent Dave Parrish, Region 4 Manager, and to answer any questions.

Director Howard explained that in 2004 at the Board's direction a working group was organized to prepare a prospectus that would place outfitter in Unit 45. The Board intent was that the prospectus be written so that an outfitter would work with public and private landowners in unit 45 help better public facilitate access to both and to help the IDFG meet resource management objectives. In turn, the outfitter selected to fulfill the prospectus would be licensed to operate on public lands and on those private land where landowners would be willing to help meet stated objectives.

After reviewing that applications, the Working Group informed the Board that none of 5 the applicants that responded to the prospectus met its intent, however, the Working Group felt that one applicant who brought the largest landowner in Unit 45 to the table should be give additional time to put together information that would meet the requirements of the prospectus. Therefore, at their February 2005 meeting, the Board accepted the Working Group's recommendation and awarded High Country Outfitters, Mr .George Peter additional time to put together the information that would meet the requirements of the prospectus

Mr. Elam explained over that past 12 months that Mr. Peter attempted to put together this information and the Working Group had met with him several times but did not feel that the information met prospectus. Director Howard explained that Mr. Peter met with the Board in August of 2005 and Board allow him additional time. At the February Board 2006 meeting, the Board asked that Director Howard make Mr. Peter aware that he had until mid April to put together an acceptable proposal the Board asked Director to put together a meeting and discuss what to do. A Working Group meeting was held in Jerome on April 14 to reviewed Mr. Peter proposal and the overall project. Board Members Scott Farr and Marc Gibbs were appointed to serve on the Working Group, replacing former Board member Ray Lyon. Mr. Elam presented to the Board a letter from the Working Group indicating that they had determined that Mr. Peter had been unable to complete meeting the terms of the prospectus Board member Farr had also provided the Board an e-mail providing a synopsis of this meeting with the same conclusion.

The working group recommendations were to (1) step away from the prospectus and (2) work to put together a new prospectus to be issued around the first part of 2007.

Chairman Judge asked Mr. Elam about lessons learned from the last prospectus. Mr. Elam identified the following:

1. Two areas were made with a road boundary that will now be one area only,
2. Pilot project for Access Yes in the Magic Valley region to encourage landowners to participate,
3. Public vs. private lands issues need to be addressed (antlerless harvest, public access),

4. Provide opportunity for legal outfitting in that area. Previously, two of the largest landowners in the area had applied, so there is interest in that area if the prospectus is properly worded.

Mr. Elam indicated the new prospectus needs to include the previous applicant as well as landowners in the area. Timeframe would be to see where the Access Yes program, Landowner Appreciation tags, etc. goes with the IDFG Commission.

Director Howard explained because none of the applicants had met the terms of the prospectus it would be appropriate to invite all of them to reapply.

Board member Gibbs commented that this could also be a program that could ultimately be successfully implemented throughout the state; therefore, going slow and getting a good project is paramount.

Steve Elam explained that LAP and Access Yes tags cannot be sold. Unit 45 is one of the highest sought after tag areas in Idaho.

Executive Director Howard asked the Board to take action to resend the current prospectus and issue a new one.

Board member Gibbs recommended postponing the decision until Vice Chairman Scott Farr was present (because he was on the subcommittee) to provide input.

Board member Hunsucker recommended that there be an exact set of criteria to facilitate Board evaluation, in order to ensure that a decision was made based on a specific set of criteria and eliminate non-responsive applications during preliminary review. He also stated that it is standard procedure with bid opening, grants and etc that a prescreening be completed by staff or a working group and those applicants who are non-responsive would be eliminated at that point. The Board agreed with this approach.

Steve Elam left the meeting at 3:30 p.m. Enforcement Chief BJ Snooks joined the meeting at 3:35 p.m.

Review of Consent Agenda:

MSC (MOTION GIBBS, SECOND HUNSUCKER, UNANIMOUS) TO APPROVE CONSENT AGENDA.

Financial Report

Director Howard presented the financial report. IOGLB has 3 months left in the FY. IOGLB is projected to finish the year approximately \$450K and well within the budget. Therefore, additional funds will be available for accumulation in the free fund balance. Enforcement agents received the approved raise and the Enforcement Division has been more aggressive in pursuing enforcement actions this incurring additional expenses. Director Howard said that as operational efficiencies continue to improve funding balances; online licensing has become very effective. Director Howard said that he is concerned additional staff resources may be needed process

increased buy/sell agreement, amendments and big game tag allocation if it continues to grow or if get any more complicated. He said that he anticipated requesting somewhere in the neighborhood of \$25K in one time spending in this year's budget request to update the agencies Data base system to accommodate operating area descriptions, the GIS Mapping system and the online use reporting system with Access Idaho.

Chairman Judge asked about the funding level for enforcement staff. Chief Snooks indicated that additional staff is needed to coordinate covert operations. A couple of retired F&G officers are being hired and will be onboard to supplement staff as the high-influx season is beginning. Chief Snooks indicated increasing the hours for regional coordinators would be most beneficial.

Discussion ensued about having enforcement authority delegated by the Legislature. Director Howard asked that the Board recognize Chief Snooks accomplishments in the fact that his workload has increased as well as the number of cases solved, presentation of facts, etc. Chairman Judge also acknowledged Chief Snooks ability to solve cases and present information in a way the Board can understand what is happening.

MSC (MOTION HUNSUCKER, SECONDED GIBBS- UNANIMOUS) TO APPROVE THE FINANCIAL REPORT.

Chairman Judge recessed for a break at 4:00 p.m. and reconvened at 4:10 p.m. with Bart Butterfield, IDFG joining the meeting.

GIS Update

Mr. Butterfield, IDFG GIS Manager, updated the Board on the current GIS effort. He reminding them that this initially the project was funded through a grant from the Clearwater National Forest with additional funding coming from the Idaho Recreation and Tourism Initiative (IRTI) partners primarily the USFS, BLM, IDFG, IDPR and the IOGLB. Mr. Butterfield walked the Board thru several online screens that have been developed to show the options in selecting both recreational and big game activities.

Mr. Butterfield said Forest Service and BLM have provided input and reviewed the digitized effort and that it appeared that operating area on federal lands for big game and that land and river operation were largely accurate. It was explained that discrepancies exist include trails, recreation activities operating area and that these would be corrected over time. Director Howard explained there a number of business and territorial adjustment that have been made in the past 36 months that still needed to be digitized, and how to identify private lands needed addressed before going live with the system later this summer. He said that scale will be limited to individual operating areas and these operating areas will be linked to the IDFG hunt planer, the state tourism planner and other media. He said that all lake and river outfitters will be identified by lake and section. He said that most private land operating boundaries would not be digitized at least not initially but rather a GIS location would be provided. He said the Board had not received good descriptions of private land

operations and in many instances private land permits would good for period of time and were not longer valid. He said that Board needed to address this matter.

Mr. Butterfield demonstrated that queries can be done a number of different ways, for an example: regionally, by county, closest to a community, by hunt unit, by lake or river section, by activity and others. He said that contact information including email address and website address will be included and will be interactive. Director Howard said that the system will be dynamic and as discrepancies are found and are correct they will be undated on the system. Discussion ensued about future activities, which include obtaining input from the outfitters as to the correctness of the operating areas depicted on the GIS.

Director Howard said that plan is to go live sometime later this summer thus enabling outfitters to review the information provided on the system and provisions will be made to them to provide there comments so they can be addresses and the system can be corrected where needed. He said that he expect there to initially be a number of comments form the industry. He said that a disclaimer will be on the GIS website that informs the reader that the information is meant to mirror IOGLB records but the official and correct record will remain the Board license and accompanying operating description.

The Board commended Mr. Butterfield's efforts and instructed Director Howard to continue working with IDFG to complete this effort. The Board directed Mr. Howard to move forward with putting the GIS on line so that additional input can be taken. Director Howard told the Board that he will inform them when access is granted to outfitters to review the database.

Bart Butterfield and Grant Simonds left the meeting at 5:00 p.m. Chief BJ Snooks joined the meeting.

Probationary Report

Chief Snooks presented the probationary report.

MSC (MOTION – HUNSUCKER, SECONDED – GIBBS, UNANIMOUS) TO APPROVE PROBATIONARY REPORT.

Chairman Judge recessed the meeting at 5:20 p.m.

TUESDAY, APRIL 25, 2006

Chairman Judge reconvened the Board Meeting at 8:44 a.m. on Tuesday, April 25, 2006. The following Board members were present: Bill Bernt, Scott Farr, Wayne Hunsucker, and Marcus Gibbs. Also present were IOGLB Executive Director Jake Howard, Board Attorney Steve Scanlin, and Technical Records Specialist Bonnie Fogdall. Mike Branson of Wind River Outfitters was also present as well as Virgil Moore, IDFG.

Mike Branson, Wind River Outfitters

Mr. Branson gave a recap of the previous allocation discussions with the Board on April 25-28, 2005. Mr. Branson thanked Director Howard for following up the

conversation that they had during the Director presentation to the outfitters attending the Nez Pierce National Forest Annual outfitters meeting. He said that he would like an allocation of 8 additional tags. Mr. Branson reiterated his concern that he was not give adequate notice by former Director Sangrey of this being a zoned area.

He said he was concerned with the lack of documentation provided by the previous owner for his big game hunting use. Board member Farr explained to Mr. Branson that allocation is based on the historical use provided by the outfitter in their use reports to the Board and that Mr. Branson inherited the sellers use at the time of the purchase. He also explained the allocation policy states that once an outfitters allocation is used it is legitimate to go to the general pool for additional tags if any are remaining. Board member Farr indicated if Mr. Branson were able to go back and provide proof that the outfitter he had purchased the business from had provided more hunts than indicated on the use reports the outfitter provide the Board those number would be considered in an adjustment. Mr. Branson said that might be difficult considering he purchased the business 11 years ago and the outfitter who we had purchased the business was deceased. Board member Farr said the federal agency use reports may be a source of information. Mr. Branson thanked the Board for their time as well as for some ideas about how to document his tag use.

Mr. Branson left the meeting at 9:10 a.m.

MSC (MOVED – HUNSUCKER, SECOND – GIBBS, AYES – BERNT, FARR, GIBBS, HUNSUCKER, JUDGE; NAYES - NONE) AT 9:17 A.M. THAT THE BOARD ADJOURN TO EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF SEC. 67-2345, IDAHO CODE. LITIGATION AND POTENTIAL PERSONNEL MATTERS WERE DISCUSSED. MSC (MOVED – FARR, SECOND – HUNSUCKER, AYES – BERNT, FARR, GIBBS, HUNSUCKER, JUDGE; NAYES - NONE) THAT THE BOARD END EXECUTIVE SESSION. EXECUTIVE SESSION ENDED APPROXIMATELY 9: 45 A.M. WITH NO DECISIONS MADE OR ACTIONS ASSIGNED.

Chairman Judge recessed the meeting for a short break at 9:45 a.m. and reconvened the meeting with all Board members, Attorney Scanlin, Executive Director Howard, IDFG Virgil Moore, and Technical Records Specialist Fogdall present at 9:56 a.m. Grant Simonds, IOGA joined the meeting at 10:00 a.m.

Working Session – F&G Letters and MOU

Director Howard opened the work session by discussing the MOU. He stated that he been working with the IDFG Staff to draft a MOU but has not had additional time to finalize it. He said that the MOU needed to cover policy and procedure regarding a number of areas where IOGLB and IDFG interface. He mentioned big game tag allocation, terminology, the management of the GIS mapping system, enforcement activities, scoping responses related resource allocation and licensing. He said that the nature of the outfitter and guiding industry requires close communication with the IDFG and he said that there seems to be a good working relationship with them. He said examples include cooperative activities like the Clearwater Bear and Cougar Management Plan, the Outfitted Salmon Fishing opportunities on the SA7, the work

being done to assign an Outfitter in Unit 45, outfitter territorial adjustments in the mountain lakes north of McCall and numerous instances where IDFG Enforcement staff have taken the lead or assisted the IOGLB Enforcement Staff..

Director Howard said that the more he got into the MOU the more he felt that its nature requires greater involvement from the Board and the Commission. He stated that the MOU should express an understanding between the Board and the F&G Commission related to policy guidance on procedural matters between the IOGLB and the IDFG. He said that as an example, IOGLB staff has received “scoping letters” from IDFG staff that have left them in a quandary on how to coordinate licensing and with issues identified in the comments they received. He said that he felt that process as an example, could be improved though better policy guidance and by agreeing to standard procedure. He said that in this regard, the MOU would be eventually integrated with the MOU that the IOGLB currently has with the Federal agencies which calls for “scoping” outfitter activities on federal lands.

Director Howard that he had mentioned at the February meeting that he would be requesting a Board member(s) be assigned to work on updating the MOU. He said that he had discussed this with Board member Gibbs due to his involvement with both the IOGLB and the IDFG. Gibbs stated he prepared to act as the liaison to between the Board and the IDFG Commission. He said that he will work with Mr. Gibbs as an adviser and that he will facilitate all clerical functions.

The Board subsequently discussed signatory issues with the agreement that it would be the Board and Commission signing the final MOU along with both Directors. Board member Gibbs reiterated the need to ensure that the term incidental is considered in the same fashion by all agencies. Board discussion on this subject focused on the need clarify in the MOU the activities an outfitter is able to perform.

Grant Simonds asked when the industry would be allowed to provide comments. There was discussion whether the public would be invited to comment on a MOU that provides policy and procedural guidance between two agencies. Director Howard said that he felt that possibly some good idea may come for this type of review if it is handled properly. Discussion ensued with the suggestion that the public (specifically IOGA) be involved as the MOU is prepared into a review draft document once it is completed. Director Howard explained that MOU was still very preliminary and they were not where near ready to get outside comments.

Strategic Planning Process

Director Howard reminded the Board that they had committed the Idaho Outfitters and Guides Association to updating their strategic plan which was supposed to have been started last year. Director Howard discussed with the Board that the strategic plan might also answer some questions in the MOU. Director Howard discussed the process to be followed in developing the strategic plan acknowledging that this is a continuous process. Every year the Board would receive an annual report based on the goals and objectives of the strategic plan. Executive Director Howard explained that IOGLB would be able to perform in a more consistently having a strategic plan that contains provided measurable goals, and assessment criteria, and etc. Director

Howard reviewed the current strategic plan for IOGLB noting that it is vague and without overall long-term strategy that contains quantifiable goals against which performance could be measured. Director Howard asked for Board volunteers to work with staff on an implementation strategy. Board member Hunsucker said he would work with Director Howard on this task.

Coast Guard coordination

Board member Bernt asked if Chief Snooks could share his current working knowledge on the Coast Guard activities with Grant Simonds, IOGA, since Board member Bernt was not as up to date as Chief Snooks. Grant Simonds acknowledged that IOGA would be willing to contact government authorities about this issue.

Director's Report

Booking agents

Director Howard asked that a couple of Board members volunteer to participate in an industry panel would identify issues, present solutions, and make recommendations for topics such as: buy/sell manual, third party bookings, legislative wording, etc. Board members Judge and Farr agreed to participate. He said that he would be meeting with IOGA Executive Director Simonds and Attorney Jeremy Pisa to discuss this process.

Rules – Emergency rules.

Director Howard indicated that the only rule that would be processes for the coming Legislative session will be an emergency rule re-allocating outfitter use on the St. Joe River.

Grant Simonds and Virgil Moore left the meeting at 10:50 a.m.

Special Processing and Penalty Fee Waiver Requests

Director Howard reviewed the letters provided to the Board from Mike (Dawn) Richie and Lynn Scott relating to late fees. Board member Gibbs acknowledged that other organizations in which he participates regularly assess late filing fees and that this is a common practice in various industries. Board member Farr indicated that when an outfitter is dependent on outside organizations (i.e., insurance agencies) there should be consideration given.

Teresa Saucedo, Office Specialist joined the meeting at 11:00 a.m.

MSC (MOVED HUNSUCKER; SECOND FARR, CARRIED; AYES – JUDGE, FARR, HUNSUCKER, BERNT; NAYES -- GIBBS) THAT RICHIE PAY ALL LATE FEES AND THAT SCOTT BE SENT A WARNING LETTER AND LATE FEES REFUNDED.

Board proceeded to discuss use reports and Teresa agreed to add this to the Access Idaho portion of the outfitter renewal packet.

SA4A/B - License to be issued in May 2006

Per actions from the February Board Meeting, notices have gone out regarding this activity. End of the comment period is May 4. Director Howard will provide any comments received to the Board at the June meeting or earlier if needed.

Teresa Saucedo left the meeting and Grant Simonds rejoined the meeting at 11:15 a.m

Idaho Recreation and Tourism Initiative – MOU / GIS.

Director Howard asked the Board to approve the funding of the GIS effort to continue.

MSC (MOVED GIBBS; SECONDED HUNSUCKER; UNANIMOUS) THAT IOGLB BE APPROVED TO PAY THE ASSESSMENT AND BECOME PART OF THE MOU WITH THE IDAHO RECREATION AND TOURISM INITIATIVE.

Meeting May 23, Salmon, Idaho

Director Howard has been discussing the use of an operating area vacated as the result of the revocation of the Horse Mountain Outfitters license with the North Fork Ranger District staff -were unable to attend this meeting. Director Howard asked the Board if one or two Board members could be at a meeting in May in Salmon, Idaho, to discuss this area with the Forest Service. Board member Farr stated that he would like to be available for this meeting.

Idaho Wilderness Adventures – Tags

Director Howard provided the Board a letter to Mr. Zettel regarding tags for had been re-allocated based on the return to Mr. Zettel of a portion of the Horse Mountain Outfitters area that he had previously made available in the sale of his former business. Director Howard reminded the Board that they had seen an e-mail copy of this letter but he had provided it to make it part of the Board record.

Access Idaho

Director Howard indicated that agency's work with them keeps getting put on hold by them. The current status is that the new guide licensing and training logs will probably not be started until June available through Access Idaho until the end of this year. He said that he would be concerned with bringing a new license application program on-line during the peak of licensing and that potential problems would be easier to address during a slower period. Provided Access Idaho could finish programming, he was having it online later in mid summer 2007.

Board member Farr suggested that the Board allow outfitter to validate that the guide has appropriate training, rather than actually submitting a training forms, might be a more appropriate way to go. Director Howard said that he agreed but thought that because might be required in rule it might not be possible to do immediately, but he would investigate. He said that it may require a rule change to make it possible.

Chairman Judge recessed the meeting for lunch at 11:35 a.m. and reconvened the meeting at 1:15 p.m. with all Board members in attendance. Also in attendance were

IOGLB Enforcement Chief BJ Snooks and Enforcement Attorney Steve Tobiason as well as Executive Director Jake Howard, and Bonnie Fogdall, Technical Records Specialist.

Consent Agreements

James Curran

Chief Snooks explained the facts of the case. Mr. Curran received a F&G conviction for hunting ducks without a license in January 2006. Director Howard proposed and Mr. Curran accepted paying the costs of the investigation and a restricted probation for one year.

MSC (MOTION FARR, SECOND GIBBS --- UNANIMOUS) TO ACCEPT THE STIPULATION AND CONSENT AGREEMENT FOR JAMES CURRAN.

The stipulation accepted by the Board ordered Mr. Curran to: (1) reimburse the Board cost in the sum of \$97.47 and (2) be placed on restricted probation until March 31, 2007.

George T. Peter, Jr.

Enforcement Attorney Tobiason explained the facts of the case relating to (1) operating as an LLC while being licensed as a sole proprietor, (2) allowing liability insurance to lapse, and (3) advertised as an unlicensed outfitter (Trapper's Inn, LLC) to provide guided excursions for compensation.

MSC (MOTION HUNSUCKER, SECOND GIBBS -- UNANIMOUS) TO ACCEPT THE STIPULATION AND CONSENT AGREEMENT FOR GEORGE T. PETER, JR. WITH THE PROVISION THAT MR. PETER BE NOTIFIED THAT PAYMENTS MAY BE MADE OVER A PERIOD OF TIME.

The stipulation accepted by the Board ordered Mr. Peter to: (1) reimburse the Board costs in the sum of \$1,012.44 and (2) be placed on non-restrictive probation until March 31, 2008.

Scott Blahnik

Enforcement Attorney Tobiason explained the facts of the case relating to Mr. Blahnik falsely reporting that a Board enforcement agent filed erroneous statements in an investigative report concerning an incident of operating a boat without the required Clearwater sticker. Also, Mr. Tobiasen explained the facts that Mr. Blahnik also had made false statements to the enforcement agent during the investigation.

MSC (MOTION FARR, SECOND BERNT -- UNANIMOUS) TO ACCEPT THE STIPULATION AND CONSENT AGREEMENT FOR SCOTT BLAHNIK WITH A LETTER OF CAUTION FROM DIRECTOR HOWARD TO MR. BLAHNIK THAT BEARING FALSE WITNESS IS SERIOUSLY APPROACHING UNACCEPTABLE UNETHICAL CONDUCT.

The stipulation accepted by the Board ordered Mr. Blahnik to: (1) reimburse the Board costs in the sum of \$515.00, (2) write a letter of apology to Board's Enforcement Agent, and (3) he be placed on probation until March 31, 2008.

Update on Ken Price case

Enforcement Attorney Tobiason updated the Board on the status of the case:

- Price owns real property that he intends to sell to make restitution to the Board and others,
- The court agreed to reduce the assessed reimbursement to an actual judgment amount constituting a formal civil judgment,
- Board needs to authorize preliminary title report that would show any other liens or judgments on the real property.

Mr. Tobiason and Chief Snooks left the meeting at 2:05 p.m. Chairman Judge recessed the meeting for a short break at 2:05 p.m. and reconvened the meeting at 2:30 p.m. when Steve Nedeau, IDFG joined the meeting. Grant Simonds, IOGA, joined the meeting at 2:40 p.m.

IDFG Bear/Cougar Presentation by Steve Neddo

Mr. Nedeau gave a presentation to the Board about the latest statistics regarding bear and cougar hunting and impacts in Idaho, specifically in the Lolo, Selway, and Clearwater portions of the state. He answered the Board's questions and provided input on what is happening as far as the wolf issues in the state.

Steve Nedeau left the meeting at 4:00 p.m.

Area 45 Discussion (cont.)

Chairman Judge re-introduced the subject of the Area 45 discussion. Board member Farr discussed his perceptions of the meeting that had taken place on April 14. Board member Farr stated that the lessons learned from the original prospectus plus new IDFG initiatives such as Access Idaho and Landowner Appreciation Tags will facilitate putting together a new prospectus and subsequently encourage more landowners to participate.

MSC (MOVED GIBBS, SECOND HUNSUCKER, UNANIMOUS) THAT IOGLB SUPPORT THE NEED TO REISSUE A PROSPECTUS FOR UNIT 45.

This is to be a working group of Board members, BLM and IDFG staff to develop a prospectus that takes into account lessons learned from the previous prospectus.

Chairman Judge adjourned the meeting at 4:25 p.m. to be reconvened tomorrow morning at 8:30 a.m. at the Ada County Courthouse, Boise, Idaho.

WEDNESDAY, APRIL 26, 2006

Chairman Judge reconvened the IOGLB Board meeting at 8:40 a.m. in the Commissioner's Meeting Room of the Ada County Courthouse, 200 W. Front Street, Boise, Idaho. In attendance were Chairman Will Judge, Vice Chairman Scott Farr, Board Members Bill Bernt, Marcus Gibbs, and Wayne Hunsucker. Also in attendance were IOGLB Attorney and Hearing Officer Steve Scanlin, Enforcement Attorney Steve Tobiason as well as Executive Director Jake Howard, Enforcement Chief BJ Snooks, Sandy Podsaid, A_W Outfitters, and Bonnie Fogdall, Technical Records Specialist.

Outfitter License Denial Hearing Sandy Podsaid, A-W Outfitters

Hearing Officer Scanlin conducted the opening remarks and the swearing in potential witnesses, Director Howard, Chief Snooks, and Bonnie Fogdall. Mr. Scanlin then explained the hearing procedures and preliminary matters. Mr. Scanlin reiterated that this is a hearing for Mr. Podsaid's license application denial only. All other matters will be considered separately.

Mr. Scanlin reported that Chairman Judge had discussed possible recusal of himself; however, both Mr. Scanlin and Chairman Judge ultimately determined that this would not be necessary.

Mr. Scanlin noted that Mr. Podsaid had asked about copies of exhibits. Mr. Scanlin explained that originals of exhibits must be kept on hand for 28 days for appeal purposes. Mr. Scanlin then asked both the appellant and respondent if they had objections to his explanation of the preliminary matters. Both Mr. Podsaid and Mr. Tobiason had no objections.

Mr. Podsaid presented his opening statement and both Mr. Tobiason and Mr. Podsaid posed questions to Director Howard. Mr. Podsaid was cautioned several times to stay on the subject of the license denial and not move on to other unrelated subjects.

MSC (MOVED – HUNSUCKER, SECOND – GIBBS, AYES – BERNT, FARR, GIBBS, HUNSUCKER, JUDGE; NAYES - NONE) AT 10:02 A.M. THAT THE BOARD ADJOURN TO EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF SEC. 67-2345, IDAHO CODE. LITIGATION MATTERS WERE DISCUSSED. MSC (MOVED – FARR, SECOND – HUNSUCKER, AYES – BERNT, FARR, GIBBS, HUNSUCKER, JUDGE; NAYES - NONE) THAT THE BOARD END EXECUTIVE SESSION. EXECUTIVE SESSION ENDED APPROXIMATELY 10:15 A.M. WITH NO DECISIONS MADE OR ACTIONS ASSIGNED.

Mr. Scanlin reported that the Board felt that they had heard enough to understand both sides of the case and, although unusual, were ready for a summary judgment. Mr. Scanlin wanted all parties to understand that the Board will not decide the validity of the contract Mr. Podsaid entered into with Mr. Parks. This is a civil matter that is the responsibility of both parties to resolve possibly using other means such as the legal system. Board member Farr reiterated that the Board unanimously considers the sales contract valid until and/or unless additional information is brought before the Board to show otherwise. Mr. Podsaid then said that he had no problem with Director Howard's denial and would like the Board to make a decision on the denial letter.

MSC (MOVED GIBBS, SECOND HUNSUCKER, UNANIMOUS) TO ACKNOWLEDGE THE IOGLB LETTER OF MARCH 30, 2006 AS VALID IN DENYING MR. PODSAID'S OUTFITTER LICENSE. Hearing adjourned at 10:25 a.m.

Open Comments

Mr. Podsaid advised the Board that he was keeping his A-W Outfitter name and still wanted to have a license for snowmobiling on the Coeur D ' Alene Ranger District. .

He stated that he had a federal permit for this area and that he had been licensed for it in the past. Director Howard stated that his review of the matter that Mr. Podsaid had not been licensed for this activity in the area in the last five years. Mr. Podsaid then questioned the Board as to whether he should be amending his current outfitter license or submitting a new application.

Board member Hunsucker said that since this is a new entity, it should have a new application and any reference to what is being sold should not be confused with the new application.

MSC (MOVED HUNSUCKER, SECOND GIBBS, UNANIMOUS) THAT MR. PODSAID IS TO REVIEW RECORDS AND WORK WITH IOGLB STAFF TO DETERMINE IF SNOWMOBILING WAS EVER A SEPARATE OPERATING AREA PROPERLY LICENSED/PERMITTED AND PRESENT THE FINDINGS TO THE BOARD.

Mr. Podsaid then asked for clarification about submitting his guide license because he has a letter from Shawn Martz stating that Mr. Podsaid would be a guide for his outfitting business. The Board indicated that he would need to provide an application to Director Howard, which Mr. Podsaid subsequently did.

MSC (MOVED HUNSUCKER, SECOND GIBBS, WITHDRAWN) THAT THE BOARD MEETING BE ADJOURNED.

Board member Farr requested an Executive Session.

MSC (MOVED FARR, SECOND GIBBS, AYES – BERNT, FARR, GIBBS, HUNSUCKER, JUDGE; NAYES - NONE) AT 10:52 A.M. THAT THE BOARD ADJOURN TO EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF SEC. 67-2345, IDAHO CODE. LITIGATION AND POTENTIAL PERSONNEL MATTERS WERE DISCUSSED. MSC (MOVED – FARR, SECOND – HUNSUCKER, AYES – BERNT, FARR, GIBBS, HUNSUCKER, JUDGE; NAYES - NONE) THAT THE BOARD END EXECUTIVE SESSION. EXECUTIVE SESSION ENDED APPROXIMATELY 11:30 A.M. WITH NO DECISIONS MADE OR ACTIONS ASSIGNED.

MSC (MOVED GIBBS, SECOND HUNSUCKER, UNANIMOUS) THAT DIRECTOR HOWARD BE INSTRUCTED TO PROCESS THE GUIDE APPLICATION OF MR. PODSAID AND ADVISE THE BOARD ON ITS STATUS.

MSC (MOVED HUNSUCKER, SECONDED GIBBS, UNANIMOUS) THAT THE APRIL MEEITNG OF THE IOGLB BOARD BE ADJOURNED.

With no further business to com e before the Board, Chairman Judge adjourned the meeting at 11:48 a.m. April 26, 2006.

DRAFT
IOGLB Board Meeting
April 24-26, 2006

WILL JUDGE, CHAIRMAN

ATTEST:

JAKE HOWARD, EXECUTIVE DIRECTOR