

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

FINAL MINUTES

February 14, 2008

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

THE REGULAR MEETING OF THE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD WAS CALLED TO ORDER AT 7:45 A.M. FEBRUARY 14, 2008, IN THE BOARD ROOM, 1365 NORTH ORCHARD, ROOM 172 BOISE, IDAHO. MEMBERS SCOTT FARR (CHAIRMAN), WAYNE HUNSUCKER, WILL JUDGE, MARCUS GIBBS WERE IN ATTENDANCE. TOM LONG PARTICIPATED BY CONFERENCE CALL. ALSO PRESENT WERE EXECUTIVE DIRECTOR JAKE HOWARD AND BOARD SECRETARY LORI THOMASON, BOB LUND CHIEF ENFORCEMENT OFFICER, ROGER HALES BOARD ATTORNEY, STEVE TOBIASON BOARD PROSECUTOR

IOGA - Grant Simonds, Executive Director of the IOGA, Louise Stark from White Cloud Outfitters, Chris Swersey' from Silver Cloud Expeditions, Alison Steen from Yellow Jacket River Guides and President of the IOGA, appeared before the Board to discuss the Board's consideration of their asking for the Federal Employment Information Numbers (FEIN) with annual outfitter applications, the recent completion of MOU with the Idaho Department of Fish and Game and the guidance letter. Alison Steen, President of IOGA explained industry's concerns from her viewpoint. Mr. Simonds stated that development of a joint working group between the Board and industry members had been established last year and several meetings had taken place that focused on unlicensed outfitting and third party agreements. Mr. Simonds explained the legislation know House bill 473 was an outcome. He encouraged collaboration on similar matters in the future. The Board explained the FEIN information was needed to expedite communication with Idaho Department of Labor; the Idaho State Industrial Commission so guide employment can be quickly verified. They explained that with some matters such as the MOU with individual agencies, IOGA's involvement may not be warranted and that the purpose of the guidance letter was provide guidance to Idaho's outfitters to help them understand and avoid circumstances involving inappropriate "third party" agreements. The stated IOGA looked forward to being able to continue a close working relationship between the industry and the IOGA.

Joshua Osten Hearing – A hearing for Mr. Josh Osten on Idaho Code 36-2107, 2113 and 2114 to investigate and prosecute complaints related to the conduct of outfitting and guiding in the state of Idaho. Mr. Osten participated by conference call. Witnesses present for the hearing were: Tom Zahradnicek, Keith Hammetts, Brad Chambers, Rick Gray, Nick Smith and Michael Sitts, Bob Lund OGLB Enforcement Chief. Witnesses were sworn in and gave testimony.

MSC (MOTION, HUNSUCKER; SECOND, GIBBS – AYES FARR, JUDGE; NAYES -- NONE) THE BOARD BELIEVES THAT EVIDENCE GIVEN TODAY ESTABLISHES THAT THE ALLEGATIONS IN THE COMPLAINTS ARE TRUE. MR. OSTEN HAS VIOLATED IOGLB LAWS AND RULES IN COUNTS I AND II. IN COUNT I THE BOARD WILL IMPOSE A FINE OF \$5,000.00 (FIVE THOUSAND DOLLARS). IN COUNT II COST RECOVERY, REVOKE HIS GUIDE LICENSE AND FLAG HIS FILE,

DIRECT THE EXECUTIVE DIRECTOR TO CONTACT OTHER STATES OF MR. OSTEN'S ACTIONS AND TO PROVIDE THEM WITH A COPY OF THE TAPED PROCEEDINGS.

Consent Agreement - Selway Ridgerunners/Cody Sewell – Mr. Tobiason explained that Selway Ridgerunners had failed to pay their annual tags allocation fee and had ignored several notices from the Executive Director to do so. Mr. Sewell was ordered to pay seventy dollars (\$70.00) for the allocation fees and special processing fee within ten (10) days of the acceptance of this agreement by the Board. The Board shall be reimbursed its costs and attorney fees in the amount of three hundred and fifty dollars (\$350.00) within ten (10) days of the acceptance of this agreement.

MSC (MOTION, GIBBS; SECOND, HUNSUCKER – AYES FARR; NAYES -- NONE) THAT THE BOARD ACCEPT THE CONSENT AGREEMENT ON SELWAY RIDGERUNNER OUTFITTERS

Chairman Farr recessed the meeting for lunch break at 11:50 a.m. and reconvened at 1:15 p.m. with all listed above present.

Allocation Manual Review- The Board continued to review the allocation manual to continue the process of clarifying and providing the industry with a manual that is easier to understand.

MSC (MOTION, JUDGE; SECOND, HUNSUCKER – AYES FARR, GIBBS NAYES -- NONE) AT 2:10 P.M. THAT THE BOARD ADJOURN TO EXECUTIVE SESSION TO DISCUSS POTENTIAL LITIGATION RELATED TO THE SALE OF OUTFITTING BUSINESSES WITH BOARD ATTORNEY IN ACCORDANCE WITH THE PROVISIONS OF SEC. 67-2345, IDAHO CODE. MSC (MOTION, GIBBS; SECOND, HUNSUCKER, AYES FARR; NAYES - NONE) THAT THE BOARD END EXECUTIVE SESSION. EXECUTIVE SESSION ENDED AT 2:30 P.M. WITH NO DECISION MADE.

MSC (MOTION, GIBBS; SECOND, HUNSUCKER – AYES FARR; NAYES -- NONE) THAT THE BOARD DIRECTS THE EXECUTIVE DIRECTOR TO BETTER INVESTIGATE THE TWO PROSPECTUSES PROPOSED BY IOGLB, BLM CHALLIS FIELD OFFICE FOR AREA IN CUSTER COUNTY, IDAHO TO BETTER IDENTIFY THE OPPORTUNITIES, WORK WITH FISH AND GAME AND REPORT BACK TO THE BOARD WITH HIS FINDINGS AT THE APRIL BOARD MEETING.

MSC (MOTION, GIBBS; SECOND, HUNSUCKER – AYES FARR; NAYES -- NONE) THAT THE BOARD AUTHORIZE 4X4 OUTFITTERS/GARY MADSEN BE ABLE TO SELL HIS BUSINESS THAT REFERS TO OPERATING AREA #5 AND THEY FOLLOW ALL THE REQUIREMENTS THAT MEET THE BOARD RULES.

Unit 45 - The Board asked Director Howard to check with IDFG on status of the Unit 45 prospectus.

With no further business to come before the Board, Chairman Farr adjourned the meeting at 2:45 p.m., Thursday February 14, 2008.

February Minutes

SCOTT FARR, CHAIRMAN

ATTEST:

JAKE HOWARD, DIRECTOR