

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

**FINAL MINUTES**

**March 28, 2017**

**(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 08:30 A.M. ON MARCH 28, 2017 IN THE MEETING ROOM AT THE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD OFFICE, 1365 N. ORCHARD STREET, ROOM 172, BOISE, IDAHO. MEMBERS WAYNE HUNSUCKER (CHAIRMAN), GEORGE MCQUISTON, LOUISE STARK, BOB BAROWSKY AND TOM LONG WERE PRESENT. ALSO PRESENT WERE EXECUTIVE DIRECTOR LORI THOMASON, OFFICE SUPERVISOR I AMANDA HARPER, OFFICE SPECIALIST II TERESA SAUCEDA, BOARD ATTORNEY ROGER HALES AND ENFORCEMENT SUPERVISOR RANDY WADLEY.**

**Director's Report-New Office Supervisor**— Director Thomason introduced Amanda Harper to the Board as the new Office Supervisor I. Director Thomason explained that Amanda comes from a background of financial management overseeing three cosmetology schools. Amanda processed financial aid to students. **Confirmation Hearings**-Tom Long and Wayne Hunsucker appeared before the Senate Resources Committee on February 15, 2017. Their letters of confirmation should be forthcoming. **Clarification of Idaho Statutes 36-2102 (g) and 36-2109 (a)**-The legislation to clarify Idaho Statute 36-2106 (g) and 36-2109 moved through the House and Senate with no objections. **Sparks vs IOGLB**- In the case of Sparks vs. IOGLB, it was dismissed on March 16<sup>th</sup>. Mr. Sparks asked for reconsideration. At this time IOGLB is waiting for the Judge to rule on the reconsideration. **Fiscal Year 2018 Budget**- On March 6<sup>th</sup> 2017, the budget was passed by the JFAC Committee. **CEC Merit Increase**- CEC recommendations in the amount of 3% were approved by the Legislature. With the Board's approval and based on performance evaluations, staff that meet the performance criteria will receive the 3% increase. **South Fork of the Payette River** – Director Thomason explained that she and Board member Tom Long attended a meeting held by the Boise National Forest Service with the key cooperators/agencies on the South Fork of the Payette. A discussion took place to identify triggers for hazard warnings on river and access point closures. Also reviewed was what the emergency procedures are and who should be notified of the hazards that may take place on the river, such as flooding and debris in the river. The meeting also noted the important roles that the outfitters play in dealing with river safety and the notifications to the proper authorities that need to be followed when safety is a concern on the river. Board member Tom Long was asked to monitor the river and notify the appropriate authorities if the river becomes unsafe. **Annual Kamiah Outfitter Meeting**- Director Thomason stated that she, along with Board Chairman Wayne Hunsucker and Office Supervisor I Amanda Harper, will be attending the meeting in Kamiah on March 30, 2017. **IOGA Opinion Letter to IOGLB** – IOGA expressed its concerns regarding the authority of IOGLB to assess a fine to Idaho licensed guides submitting renewal applications for failure to report criminal convictions that are not defined by Idaho Code 36-2113(a). Director Thomason explained to the Board IDAPA Rule 25.01.01.010.02 Examination by Board. This IDAPA rule does allow for an administrative fine to be imposed for any violation. Director Thomason asked the Board for Direction on

the response to Mr. Echo Hawk. **Cyber Security/Executive Order-** Due to security reasons and the State of Idaho, Cyber Security requirements are changing. It is mandatory that social security numbers be removed from the IOGLB data base and the Access Idaho Online licensing system. IOGLB is in the process of removing that personal information. Director Thomason also went on to add that the credit card system will be changing due to the fact that the current credit card system used is not encrypted. To stay with the current system would cost over \$40,000.00 to start the process of encryption. This is not a cost that the Licensing Board can absorb. Access Idaho already has an encrypted credit card payment system called Pay Port that will ensure that IOGLB meets the requirement on the Executive Order. Director Thomason is asking the Board for permission to sign the Pay Port Agreement with Access Idaho.

**Purchase of New Phone System-**The current phone system is two years past the lifetime of the phone system. There are no longer any power supplies or parts to fix it should it go down, so something as simple as a power surge could take out our phone system with no parts available. Director Thomason stated that she has projected out the current budget for the current fiscal year end and has subtracted the cost of the new phone system from the budget. It looks like we are still going to be able to turn back \$150,000 to \$155,000 at the fiscal year end in June this year. The quote for the phone system through the state of Idaho Department of Administration will cost around \$6,500.00. There may be some additional costs that we have not been quoted yet. With the state's phone system there are additional features and no additional programming charges. Director Thomason went on to explain that the last thing we want to happen is to have the phone system go out and be without phones for 6 weeks. The current system could last 3 or 5 more years or go out next week- at this point it's anyone guess.

*Board Prosecutor Michael Kane entered the Board Meeting.*

The Board further discussed the March 16, 2017 IOGA letter which was accompanied by a letter from Paul Echo Hawk dated March 13, 2017 regarding Legal Opinion – Authority of the IOGLB to assess a fine to Idaho licensed guides submitting renewal applications for failure to report criminal convictions. **MSC (MOTION: LONG , SECOND, MCQUISTION; AYES - HUNSUCKER, BAROWSKY AND STARK NAYES - NONE) TO DIRECT BOARD ATTORNEY ROGER HALES TO RESPOND TO THE IOGA COVER LETTER DATED MARCH 16, 2017 AND THE LETTER FROM ATTORNEY PAUL ECHO HAWK DATED MARCH 13, 2017.**

*Board Prosecutor Michael Kane left the Board Meeting.*

**Director's Report (cont.)** – The Board continued the discussion on the Governor's Executive Order on Cyber Security which has resulted in looking at Access Idaho's Pay Port system to process credit cards, which is cyber security compliant. Director Thomason asked the Board what they wanted to keep in IOGLB's licensing database for identification purposes. The Board felt that maiden name, date of birth, height, weight, eye color, hair color and gender should be maintained on the licenses. **MSC (MOTION: BAROWSKY, SECOND, STARK; AYES - HUNSUCKER, LONG AND MCQUISTON, NAYES - NONE) TO DIRECT THE EXECUTIVE DIRECTOR TO SIGN THE AGREEMENT FOR THE PAY PORT CREDIT CARD PROCESSING THROUGH ACCESS IDAHO.**

**IOGLB Phone System - MSC (MOTION: LONG, SECOND, BAROWSKY; AYES - HUNSUCKER, STARK AND MCQUISTON, NAYES - NONE) TO DIRECT THE EXECUTIVE DIRECTOR TO ACQUIRE A NEW PHONE SYSTEM THROUGH THE IDAHO DEPARTMENT OF ADMINISTRATION.**

*Darl Allred, Travis Bullock and Grant Simonds entered the Board Meeting.*

**Idaho Fish and Game (IDFG) Brad Compton** – Mr. Compton discussed IDFG changes to Big Game Seasons and Rules. There has been an increase in outfitter allocated tags and especially in controlled hunts through Idaho Fish and Game for the 2017-2018 Seasons, and Mr. Compton wanted to be available to the Board to answer any questions or concerns.

Travis Bullock requested the board minutes reflect that he would like to thank Mr. Compton for the hard work that Mr. Compton and the IDFG Department has done with big game tag allocation.

**Mike Stockton Teleconference Amendment Hearing** – A letter was received by IOGLB staff from Travis Reggear, Reggear Outfitters requesting Mike Stockton guide for Mr. Reggear. Due to Mr. Stockton still being on restricted probation, Mr. Stockton needed to appear before the Board to ask permission to amend his guide license to work for Reggear Outfitters. **MSC (MOTION: STARK, SECOND, MCQUISTON; AYES - HUNSUCKER, BAROWSKY AND LONG; NAYES - NONE) TO ALLOW MIKE STOCKTON TO AMEND HIS GUIDE LICENSE TO GUIDE FOR REGGEAR OUTFITTERS**

**Director's Report (cont.)** – Executive Director Thomason requested guidance from the Board dealing with river outfitters wanting to amend guide courses and swift water training courses on to their licenses. The Board provided direction to the Executive Director that so long as the outfitter is licensed for the river and the guides are licensed and properly trained they are not required to amend guide/educational or swift water rescue courses on to their licenses.

**IOGA- Allocation Discussion dealing with the Allocation Manual** – Mr. Darl Allred, on behalf of the IOGA, presented to the Board three concerns about the allocation manual. One, the way the Board calculates verified historic use in recalculation of allocated tags. Two, nowhere in Idaho Fish and Game statutes or rules does it talk about recalculation of outfitter use within a zone every five years. Three, according to Idaho Code 36-2107 (j), use of Idaho Code rules may well contradict the current policy used for the distribution of allocated deer and elk tags to individual outfitting businesses operating within capped or controlled Fish and Game zones, area, or units.

After discussing IOGA's position it was agreed upon that the allocation discussion would continue at the June Board meeting. In the meantime a subcommittee would be formed consisting of two IOGLB board members, several members from IOGA, and input from non IOGA members. IOGA would send out a survey industry wide to gather input relative to the allocation manual and any concerns or changes hunting outfitters may want to see. This subcommittee would meet prior to the June Board meeting to put together a general consensus with all involved and present their finding at that time.

Brad Compton from IDFG stated that he would be available to the subcommittee should they need any assistance.

*Meeting recessed for lunch at 12:15. Meeting reconvened at 1:30 with all listed above present.*

**MSC (MOTION: LONG, SECOND, MCQUISTON; AYES - HUNSUCKER, BAROWSKY AND STARK; NAYES – NONE) TO GO INTO EXECUTIVE SESSION TO DISCUSS POSSIBLE LITIGATION.**

**MSC (MOTION: LONG, SECOND, MCQUISTON; AYES - HUNSUCKER, BAROWSKY AND STARK; NAYES – NONE) TO COME OUT OF EXECUTIVE SESSION WITH NO DECISIONS MADE**

**Allocation Manual Revisions-** Board members Louise Stark and George McQuiston were prepared to present the allocation changes that they had made to the allocation manual. However, after the morning's presentation with IOGA, the Board decided to table the allocation manual revision changes until the June Board meeting, so they can review the subcommittee's findings.

**Big Game Tag Allocation Report-** Office Specialist II Susan Knappek said the Fish and Game had created a number of new allocated big game tag opportunities. Ms. Knappek has been working with Brad Compton from IDFG to determine where there were new opportunities. She presented the calculations for the eligible outfitters. **MSC (MOTION: STARK, SECOND, BAROWSKY; AYES - HUNSUCKER, MCQUISTON AND LONG; NAYES - NONE) TO ACCEPT NEW ALLOCATED CONTROLLED HUNT RECOMMENDATIONS.**

**Office Supervisor's Report –** Amanda Harper explained to the Board that as of 3/6/17, 338 outfitters have renewed their outfitter licenses and 38 outfitters still needed to renew. Ms. Harper also told the Board that the application forms have been updated to remove all credit card information from them, due to the Cyber Security compliance requirements. She explained that postcards have been prepared and are ready to mail out informing the outfitters that IOGLB will no longer keep a credit card on file or allow any credit card information to be provided on any forms. **Applications for the SA7A and SA8 –** Northwest River Adventures has requested an SA8 float opportunity, Rapid River Outfitters has requested an SA7A float opportunity, and Tyler Farnsworth has requested an SA7A float opportunity.

**MSC (MOTION: HUNSUCKER, SECOND, BAROWSKY; AYES - LONG, MCQUISTON AND STARK; NAYES - NONE) TO ACCEPT THE APPLICATIONS SUBJECT TO APPLICANTS' SUCCESSFUL COMPLETION OF APPLICATION PROCESS FOR SA7A AND SA8.**

**Education/Enforcement Supervisor's Report –** Education and Enforcement Supervisor Randy Wadley explained the current number of complaints and case investigations so far this year. **Complaint Cases and Investigation –** 69 total investigations for 2016. Randy Wadley, Randy White, Bill Snow, Bill Snyder, Bill Lewis, and Kai Ngo will be attending the Idaho Crime and Safety Conference held on April 5-6 2017. Supervisor Wadley asked for the payment approval on citations for the Mark Zoller, Kenneth Smith and Aaron Ventimiglia. **MSC (MOTION: STARK, SECOND, BAROWSKY; AYES - HUNSUCKER, MCQUISTON AND LONG; NAYES - NONE) TO ACCEPT THE FINE PAYMENT FROM MARK ZOLLER FOR \$100.00**

**MSC (MOTION: LONG, SECOND, BAROWSKY; AYES - HUNSUCKER, MCQUISTON AND STARK; NAYES - NONE) TO ACCEPT THE FINE PAYMENT FROM KENNETH SMITH FOR \$100.00.**

**MSC (MOTION: LONG, SECOND, STARK; AYES - HUNSUCKER, MCQUISTON AND BAROWSKY; NAYES - NONE) TO ACCEPT THE FINE PAYMENT FROM AARON VENTIMIGLIA FOR \$250.00.**

**Accepting Credit Card Payment from Guides-** Director Thomason asked the Board if they had any objection to the IOGLB staff taking credit card payments from guides. When citations are given to guides, guides have requested that they be able to pay for the fine instead of the payment coming from the outfitter. The Board had no objection in taking fine payments by credit card from guides.

**Financial Report** –The Board reviewed the financial reports for November 2016, December 2016, January 2017 and February 2017. **MSC (MOTION: STARK, SECOND, BAROWSKY; AYES - HUNSUCKER, LONG AND MCQUISTON; NAYES - NONE) TO ACCEPT THE FINANCIAL REPORT.**

**Consent Agenda** – The Board reviewed the Consent Agenda. **MSC (MOTION: LONG, SECOND, STARK; AYES - HUNSUCKER, MCQUISTON, BAROWSKY; NAYES - NONE) TO ACCEPT THE CONSENT AGENDA AS PRESENTED.**

**Vacated Area Discussion- Asking Federal agencies to put in writing their rationale as to when areas will be filled.** Board discussed vacated operating areas that are not being filled by the Federal agencies. The concern is that these vacated areas do not get filled and an outfitted opportunity could be lost. Director Thomason stated that she will make sure these areas are put on the existing New Opportunities Report so that they are kept track of.

**Middle Fork and Main Salmon Outfitters River providing drop camps** - The Board discussed float boat outfitters who are providing hunting drop camps. The Board wanted to make sure that each river outfitter and hunting outfitter understands the Rule in IDAPA 25.01.01.052 - **BOAT TRANSPORT OF HUNTING CLIENTS** - A person holding a boatman's license (either power or float) may not transport big game hunters to any big game hunting area unless he is licensed to outfit for big game hunting in that area or is in the employ of the outfitter who holds a license for that area. (3-1-86). Board member Louise Stark requested a letter clarifying this rule be sent to the outfitters and permit managers. **MSC (MOTION: LONG, SECOND, STARK; AYES - HUNSUCKER, MCQUISTON AND BAROWSKY; NAYES - NONE). TO DIRECT EXECUTIVE DIRECTOR THOMASON TO SEND A LETTER TO THE BOATING AND HUNTING OUTFITTERS AND THE PERMIT MANAGERS EXPLAINING IDAPA RULE 25.01.01.052**

The next scheduled Board Meeting date has been set for June 6 and 7, 2017.

With no further business to come before the Board, Chairman Hunsucker adjourned the meeting at 4:56 p.m., Wednesday, March 29, 2017.

  
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WAYNE HUNSUCKER, BOARD CHAIRMAN

  
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Date

ATTEST:

  
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LORI THOMASON, EXECUTIVE DIRECTOR

  
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Date