

**OFFICE OF THE BOARD OF COUNTY COMMISSIONERS
OF BLAINE COUNTY
REGULAR MEETING OF THE APRIL 2016 SESSION**

Second Day

Tuesday, April 12, 2016

Pursuant to Statutory Provisions, the Board of Blaine County Commissioners (BCC) met this day at 9:00 a.m. Present were Chairman Jacob Greenberg, Vice-Chair Angenie McCleary, Commissioner Lawrence Schoen; County Administrator Derek Voss; County Clerk JoLynn Drage; Recording Secretary Sunny Grant; and *Idaho Mountain Express* reporter Andy Kerstetter.

Chairman Greenberg called the meeting to order at 9:01 a.m.

PUBLIC COMMENT - NONE

NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK 2016

Also present: Blaine County Emergency Communications Director Robin Stellers; Blaine County Dispatcher Certified Training Officer / Assistant Terminal Agency Coordinator Rebecca Shupe and Telecommunications Supervisor Rebecca Simpson; Wood River Fire Protection District Chief Bart Lassman; Ketchum Fire Chief Mike Elle; Sun Valley Assistant Fire Chief Charlie Butterfield; and Ketchum Police Chief Dave Kassner.

Blaine County Emergency Communications Director Robin Stellers awarded a Certification of Recognition in honor of National Public Safety Telecommunicators Week to Rebecca Simpson.

Telecommunications Supervisor Rebecca Simpson said it was humbling to work with the amazingly talented and giving people who push themselves to do more and better for the community.

Public Comment:

- Ketchum Fire Chief Mike Elle and Police Chief Dave Kassner had also worked with Becky, when she was a Ketchum dispatcher and firefighter. Kassner said the current Blaine County Dispatch crew was the best ever.
- Wood River Fire Protection District Chief Bart Lassman had also worked with Becky. He knows how tough the job is for dispatchers and their families.
- Blaine County Administrator Derek Voss thanked Becky for 18 years of impeccable service as a dispatcher and her contribution to the Blaine County Leadership Team.

DESIGNATION OF PRECINCT POLLING PLACES, Idaho Code 34-302

Commissioner McCleary read the precinct polling places into the record.

Schoen moved, seconded by McCleary, to approve Blaine County polling places for the upcoming May 17, 2016 election, as read into the record. Motion carried unanimously.

BLAINE COUNTY POLLING PLACES		
PRECINCT #	PRECINCT NAME	POLLING PLACE
001	North Blaine County	Hemingway School, 111 8 th Street West, Ketchum, ID
002	Sun Valley	Sun Valley City Hall, 81 Elkhorn Road, Sun Valley ID
003	North Ketchum	Hemingway School, 111 8 th Street West, Ketchum, ID
004	South Ketchum	Hemingway School, 111 8 th Street West, Ketchum, ID
005	Quigley	Community Campus, 1050 Fox Acres Road, Hailey ID
006	Deer Creek	Community Campus, 1050 Fox Acres Road, Hailey ID
007	NW Hailey	Community Campus, 1050 Fox Acres Road, Hailey ID
008	NE Hailey	Community Campus, 1050 Fox Acres Road, Hailey ID
009	SW Hailey	Community Campus, 1050 Fox Acres Road, Hailey ID
010	NW Woodside	Community Campus, 1050 Fox Acres Road, Hailey ID
011	SE Woodside	Community Campus, 1050 Fox Acres Road, Hailey ID
012	Poverty Flat	Bellevue Elementary School , 305 North 5 th Street, Bellevue ID
013	Bellevue	Bellevue Elementary School , 305 North 5 th Street, Bellevue ID
014	Carey	Carey City Hall, 20482 North Main, Carey ID
015	Gannett / Picabo	Silver Creek Convenience Store, 18918 Highway 20, Picabo ID
016	Yale	Mail Ballot Precinct
017	Absentee	Blaine County Courthouse & Mail, 206 1 st Ave South, Hailey ID

COUNTY DEPARTMENT REPORTS, Discussion and Consideration

Claims - Schar Boyd

- Deputy Auditor Schar Boyd presented the claims.

Schoen moved, seconded by McCleary, to approve claims dated April 6, 2016, as presented by staff. Motion carried unanimously.

CAREY CITY PARK - COUNTY-OWNED PROPERTY TRANSFER REQUEST

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; Carey Mayor Randy Patterson; Carey City Clerk Tess Cenarrusa; and Carey P&Z Administrator Brandi Hennefer.

Blaine County Attorney Tim Graves said the County can transfer property to another governmental entity without compensation, pursuant to Idaho Code 31-808 (9), if the transaction is in the public interest. The decision must be made in a legally-noticed public hearing.

Commissioner Schoen and County Land Use Administrator Tom Bergin related history of the potential transfer. The City of Carey requested transfer of Blaine County-owned property to the City of Carey. There is a city park on the property. The current map of the area on County GIS is not accurate, and needs to be updated to reflect that a portion of a road and alley that run through the Fairgrounds were vacated some years ago and transferred to the County and the Fair Board. The Fair Board will search location of the well and main water line serving the Fairgrounds. Fairground parking is limited, especially during Fair week.

- Carey Public Works employees found a property pin and were surprised to discover that the roadway infringes on the park and Fairgrounds.
- Carey P&Z Administrator Brandi Hennefer said the city is also working on a potential land transfer with the Rodeo Association, whose fencing is partially in the road right-of-way.

Schoen said it would be most efficient to resolve all related issues at the same time, as much as possible. The priorities are to make the Fairgrounds more functional, including an easement to access the well and a statement from the City on the street width so south-end Fairgrounds property boundary can be defined. Chairman Greenberg wanted to know the valuation of parcels involved in a potential transfer to determine if a transfer is in the public interest. Commissioner McCleary said there were several entities involved—the Fairgrounds, Rodeo Association, a public park and the City of Carey—that should be compatible.

County Attorney Tim Graves said Blaine County owns the property on behalf of the Fair Board, which is not authorized by law to own property. Some title deeds may not be correct. Mayor Patterson will ask the Carey City Council to decide on the road width and dedicate it.

BLAINE COUNTY FAIR BOARD MEMBERSHIP

Also present: Blaine County Fair Board President Morgan Drage.

Fair Board President Morgan Drage said Noelle Clark has moved from the area and resigned. Kelli Young has expressed an interest in filling Clark's seat for the remainder of her term.

Schoen moved, seconded by McCleary, to reappoint Kyle Green, Devra Mary, and Amy Federko for new terms on the Blaine County Fair Board, new three-year terms, their terms expired in January of 2016; and, furthermore, to appoint Kelli Young to complete the term of the retiring Noelle Clark. In discussion, Commissioner Schoen would like to commend and thank Noelle Clark for her years of service on the Fair Board. She's been an enthusiastic and committed Fair Board member who really loves the Fair. I know she wouldn't be leaving the Fair Board were she not moving, and Blaine County and the whole Fair and 4-H community really appreciates Noelle's service. McCleary said thank you to those who are willing to continue to serve, thank you to those who have served, and thank you to the new members. **Motion carried unanimously.**

County Administrator - Derek Voss

- The Department of Environmental Quality will be onsite at the Blaine Manor property today to do an initial assessment of its potential as a Brownfields project.
- As soon as final property acquisition papers are signed, the Adams Gulch Bridge project will move forward. Due to delays, some elements of the project will have to restart, which will increase the initial cost.

County Projects April Update – Derek Voss

Also present: Blaine County Land Use Administrator Tom Bergin; Blaine County Planning Assistant Michele Johnson; Blaine County Administrative Specialist Andrea Walton.

- **Health**

Commissioner McCleary will schedule a review of the Designated Examiner process for the BCC in a future meeting. Health and Welfare recently trained some new designated examiners available for the Blaine County area.

- **Public Safety**

Administrator Voss thinks there is progress in emergency communications long term capital planning. Senate Bill 1212 creates a new group to consolidate old groups and take a leadership role in

developing policies necessary for state and counties emergency communications management funding toward NextGen 911.

Chairman Greenberg said counties still not collecting the additional 25¢ grant fee per phone line can be assessed the additional 25¢. Regional District Interoperability Governance Boards (DIGBs) are being reactivated to present local input in decision making.

- **Natural Resource Conservation and Protection**

Commissioner McCleary said an East Fork resident has 40 yew plants and would like them to be grandfathered, or the County can remove the yew plants and pay for new plants. McCleary let the resident know the terms of the ordinance and that the County has no money budgeted to help individual landowners. The BCC agreed that the homeowner is responsible to comply with the ordinance.

- **Water Conservation Strategy**

The Wood River Water Collaborative supports a grant application to the Bureau of Reclamation for development of projects, programs and policies supporting sustainable water use.

- **Recycling**

The Forest Service may not get to the Smiley Creek Recycling site until later in the year. Commissioner McCleary will see if County staff can do some of the work to enable recycling in Smiley Creek this summer.

Commissioner Schoen met with County Administrative Specialist Andrea Walton and ERC Executive Director Hadley DeBree to design a brochure template explaining what can be recycled in Blaine County. The emphasis is on clean and dry recyclables.

Chairman Greenberg will suggest W.A.T.E.R. Club students hand out recyclable bags in front of grocery stores for Earth Day.

- **Capital Improvement Projects**

The County Administrator continues to evaluate facilities, especially the County Prosecutor's office. This will be discussed in the budget process.

- **Blaine County Organization Professionalism**

Administrative Services Manager Henry Brown is currently out of the office on medical leave and internal communications are on hold.

- **Blaine County Property**

County staff are getting accurate legal descriptions of miscellaneous Ketchum properties in anticipation of transferring them to the City of Ketchum.

- **Contracts**

Chairman Greenberg will work with public defender Keith Roark on the County's public defender contracts prior to upcoming budget discussions.

- **Transportation**

Also present: Road and Bridge Manager Steve Thompson.

The Wood River Bike Coalition and the Wood River High School Mountain Bike Club would like to participate in a County Adopt-a-Road program to clean up local roads. Commissioner McCleary will work with Road and Bridge Manager Steve Thompson to see if safety and coordination with staff to pick up trash bags are workable.

Chairman Greenberg said the County will receive more funding than anticipated from State gas tax revenue.

- Blaine County Code and Right-of-Way Management Plan are moving forward.

- The County Administrator will take over fleet management. He proposes a new purchase plan to replace hand-me-down less-than-reliable vehicles.

- Mileage reimbursement will be reviewed.

- The County is now on a fuel purchasing network program.

- The County is going to piggyback on Mountain Rides' fuel network purchasing program.

- Chairman Greenberg suggested County departments contract with local mechanics for vehicle maintenance.

Clerk's Report - JoLynn Drage

- A County recorder employee is retiring. Since the County's HR person is on medical leave, the Clerk will begin the search process.

Also present: Blaine County Administrative Specialist Jenny Lovell.

- The Clerk presented a tentative FY2017 Budget Workshop Schedule for community service agencies and County departments.

EXECUTIVE SESSION – §74-206 1(d) INDIGENT - Consideration of records that are exempt from disclosure as provided in Chapter 3, Title 9, Idaho Code

Present were: Blaine County Indigent Services Director Brooke Baird.

Schoen moved, seconded by McCleary, to enter Executive Session under Idaho Code 74-206 1(d) to consider records exempt from disclosure, in this case, indigent medical records. Schoen (aye), McCleary (aye), and Greenberg (aye). Motion carried unanimously.

OPEN SESSION RESUMED

Schoen moved, seconded by McCleary, with respect to Medical Indigent Application #2016-04, to deny the application based on staff recommendation. Motion carried unanimously.

Schoen moved, seconded by McCleary, with respect to Medical Indigent Application #2016-06, to approve the application based on staff recommendations, and to order reimbursement at the rate of \$25.00 month. Motion carried unanimously.

Schoen moved, seconded by McCleary, with respect to Medical Indigent Application #2012-60, to forgive the balance of the amount, of the amount of indebtedness due, still due to Blaine County. Motion carried unanimously.

Schoen moved, seconded by McCleary, with respect to Medical Indigent Application #2012-03, to forgive a portion of the indebtedness still owing to Blaine County in the amount of \$4,011, to accept a settlement payment in the amount of \$3,000, and, after which payment, the indebtedness will be repaid in full. Motion carried unanimously.

PUBLIC COMMENT

- Hailey Chamber of Commerce Vice President Chris Roebuck told the BCC he has a viable party interested in building a hotel on the old Blaine Manor site. The potential buyer might be willing to take over what is necessary to mitigate environmental concerns if some concessions are made. The BCC has fulfilled its statutory requirement of offering the property at public auction, and can now consider transfer to another buyer by other means. Commissioner Greenberg said he'd talked to this and several other prospective buyers and directed them to talk to the County Administrator. Greenberg said the BCC would consider a bona fide offer from any prospective buyer. The buyer would have to present any prospective development plan to the City of Hailey.

BREAK

LAND USE and BUILDING SERVICES, Discussion and Consideration

- **Exterior Renewable Energy Mitigation Program Funds**

Also present: Blaine County Land Use Administrator Tom Bergin; County Building Official Jeff Giese; County Building Department Office Manager Karen Osborne; County Grants Manager Michele Johnson; and local contractor Brian Poster.

Blaine County adopted BuildSmart amendments in 2011. The County has collected funds from that mitigation program, and needs to decide how to use those funds. The County can use the funds on some kind of renewable energy on County buildings, or re-establish a private and public program funded by the state Community Audit and Retrofit Rebate Program (CARRP).

Blaine County Grants Manager Michele Johnson said the County and local cities received \$700,000 from CARRP. The first \$10,000 funded hot water solar panels on the Public Safety Facility; and the remainder funded private energy audits and subsequent energy improvements.

PUBLIC COMMENT:

- Master Green Building contractor Brian Poster was on the BuildSmart Committee and said they worked extremely hard and did a good job. The program and its requirements resulted in much improved HVAC and energy systems. The BuildSmart program was to be reviewed annually, but he didn't remember that happening. He questioned whether the Exterior Renewable Energy Mitigation Program (EREMP), which provided snowmelt, was appropriate in Idaho. He didn't think ground source heat was cost-effective or favorable locally, since groundwater temperatures are too low. Poster suggested one use of the funds could be to install rain sensors on irrigation systems, which would conserve water and benefit the entire County. He said LED lightbulbs, which are fairly expensive, could be helpful to people on limited income.

Commissioner comments:

- Commissioner McCleary supported community energy efficiency, perhaps in partnership with the Sun Valley Institute for Resilience Solarize Blaine Solar 101 program. She would like more information on cost-benefit.
- Chairman Greenberg said energy efficient projects could be beneficial for older homes; but most solar and energy efficiency improvements would take too long for return on investment.
- Commissioners Schoen and McCleary said BuildSmart fees are collected from construction within Blaine County jurisdiction and should probably be used within the County, unless using the funds in all jurisdictions had County benefit.

The BCC agreed to continue to research energy efficiency on County facilities. A CARRP program might work for the County and non-profit organizations, and individuals who could use assistance in retrofitting older homes.

- **Findings of Fact: 2016-03 Blaine County Amendments to the 2012 International Energy Conservation Code**

Also present: Blaine County Land Use Administrator Tom Bergin; County Building Official Jeff Giese; and County Building Department Office Manager Karen Osborne.

Schoen moved, seconded by McCleary, to approve the Findings of Fact, Conclusions of Law and Decision with respect to the adoption of 2012 BuildSmart Amendments to the 2012 International Energy Code. Motion carried unanimously.

Schoen moved, seconded by McCleary, to adopt Blaine County Ordinance 2016-03, an ordinance of Blaine County repealing references to the 2009 International Energy Conservation Code and adopting new references to the 2012 International Energy Conservation Code, with additional amendments relative to local conditions. Motion carried unanimously. Record #634412

• Findings of Fact: Upper Board Ranch Leasehold Parcel Platting, CONTINUED

Also present: Sun Valley Long Term Holdings applicant John Campbell and representative Linda Haavik.

The BCC discussed suggested revisions and corrections from applicant representative Linda Haavik.

- The Findings will be revised to indicate: “A non-motorized access easement at the site of an existing US Forest Service easement shall be granted by this plat.” Applicant John Campbell said the easement was for public use, but the public must park on Warm Springs Road and not at the base of the easement.

Commissioner McCleary said Jo Heiss had contacted her about the public access and its location. McCleary told Heiss that the project had already been approved and the BCC was approving Findings of Fact in this meeting. John Campbell assured the BCC that the access was in the best location.

- Applicant John Campbell said the countywide “Blaine 2025” rezone downzoned A-10 areas to RR-40, presumably to preserve south-county agricultural lands. The Warm Springs area and Upper Board Ranch are not agricultural land, and it makes no sense to require one lot in this plat to be 40 acres. Land Use Administrator Tom Bergin said the original lot of record must be 40 acres, according to Blaine County Code for Zone RR-40, and the largest lot in this project is a little less than 33 acres. Commissioner Schoen said the plat should comply with County Code. The Land Use Administrator will ask the County Attorney for his opinion, and re-present the Findings at an upcoming agenda.
- The BCC discussed the plat note regarding septic setback. Bergin will confirm the standard with South Central Public Health.

• Molyneux Subdivision, Lot 2 Halverson Plat Amendment, CONTINUED

Also present: Blaine County Land Use Administrator Tom Bergin; County Chief Deputy Prosecuting Attorney Tim Graves; Kristine Hilt; applicant Mick Halverson and representatives Brian Yeager, attorney Ed Lawson (by phone) and associate attorney Heather O’Leary; and Silver Creek Preserve Manager Sunny Healey.

This is a continuation from last week’s public hearing. No additional notice is necessary.

New materials provided to the BCC:

- Exhibit C2, excerpts from the Mountain Overlay District, including information on categorical exclusions.
- Exhibit C3, a portion of the Findings of Fact of approval of the Molyneux Subdivision approval in December, 2014, relating to hillside standards.
- The applicant submitted a draft conceptual site plan.

Applicant’s representative Brian Yeager said they were trying to resolve the difference of opinion on the definition of the Mountain Overlay District (MOD) Categorical Exclusion (CatEx). Yeager said his applicant would like to apply for a CatEx, and the Plat Note seems to allow the applicant to do that.

Yeager said the applicant is trying to screen the garage opening and garage activities from public view; and trying to keep the house from having any impact on agricultural activity. The applicant accepts the proposed Plat Note, which describes a structure and building envelope.

The applicant did not realize that creation of a building envelope precluded them from being able to do zoning-compliant activities such as a CatEx. Hillside subdivision standards shall apply to any portions of development in the Mountain Overlay District, and there are no additional standards in this particular area. Title 9 Zoning Overlay standards refer to a site alteration. The applicant is not asking for a site alteration permit. Yeager couldn’t find any requirement or reference in the Findings of the original subdivision that constrain the property and preclude it from opportunities available under Title 9. Title 9 clearly says that CatEx shall not apply in a buffer of less than 25% slope. Yeager added that the definition of “building envelope” isn’t totally clear.

The BCC discussed several clauses in the proposed plat note. Schoen proposed the following revised plat note, which was subsequently revised: “All buildings or structures, etc., shall be located within the building envelope depicted on this plat map. Improvements related to building envelope access, including driveway, vehicle turnaround, parking, and grading shall be located in the immediate proximity or within the building envelope. All other improvements, including accessory uses, fencing and landscaping may be located anywhere within the parcel.”

Applicant Mick Halverson said he knows he has to comply with the conservation easement; and requested the right to trespass on and across the parcel, which is reserved in its natural state for grazing. He retains five acres in the northeast corner of the property.

Schoen moved, seconded by McCleary, to approve the application of Mick and Jen Halverson to amend plat notes that apply to Lot 2 of Molyneux Subdivision, providing for certain site alterations outside the building envelope, but within the Mountain Overlay District and the Mountain Overlay District buffer, finding that this amendment complies with the requirements of the Blaine County Code Titles 9 and 10. Motion carried unanimously.

Schoen added that the Findings will include the plat note amendment in today's hearing.

WATER RIGHTS PERMIT APPLICATION 37-22924, Discussion and Consideration

Also present: Blaine County Land Use Administrator Tom Bergin.

Commissioner Schoen said the Idaho Water Resources Board is protesting a water right application to put in a new well near Timber Way along Highway 75. The proposed well would be for irrigation, storage, aesthetics and a wildlife pond. The mitigation for the new groundwater right is to retire a downstream senior surface right for irrigation of 16 acres. The Idaho Deputy Attorney General is requesting BCC comment on whether the water right application is in the local public interest, pursuant to Idaho Code 42-203A (5). The Idaho Water Resources Board opposes the application because they want to protect their interest in the minimum stream flow reach. Hydraulic analysis shows that the pump, when operating, draws water from the Big Wood River during pumping and for a recovery time after pumping.

The BCC supported a letter to the Water Resources Board that the application is not in the local public interest. Schoen will draft a letter for approval by BCC.

BOARD of COUNTY COMMISSIONERS REPORTS, Discussion and Consideration

Blaine County Regional Transportation Committee Meeting – McCleary

- The Blaine County Regional Transportation Committee approved the first year of changes to the Bicycle-Pedestrian Master Plan.
- The Committee approved an artist for the hospital bridge project.
- ITD approved Main Street reconstruction work in both Carey and Hailey, scheduled for 2021.

US 20/St. Hwy 75 Intersection (Timmerman Junction) Safety Study Community Advisory Committee Meeting – McCleary

ITD did a safety audit at Timmerman Junction. The BCC are members of the Community Advisory Committee, which will review the safety audit and make recommendations.

Sawtooth Valley Wildland Fire Collaborative Meeting – McCleary

The Sawtooth Valley Wildland Fire Collaborative continues to work with the US Forest Service on proposed fire mitigation treatments in six different zones. As spring weather arrives, Forest Service representatives and Collaborative members will review conditions in the field and make recommendations. One Collaborative member felt Blaine and Custer County should be doing more to promote fire safe communities. Blaine County is currently updating its International Fire Code Ordinance and Blaine County Community Fire Protection Plan.

Mental Health Awareness Month – McCleary

The South Central Behavioral Health Board is working with its eight member counties to plan activities for Mental Health Awareness Month in May.

Sun Valley Economic Development Quarterly Report – Greenberg

- The presentation addressed zoning of Ketchum lots available for development. Under current zoning, development of the lots would cost more than market value.
- Ketchum made request for funding a proposed new city hall. Majority of SVED members did not support the proposal to construct a city hall.

Correspondence

- A Triumph resident complimented County Road and Bridge on their efforts to resolve issues regarding trees hanging over the County right of way.
- USFS Sawtooth National Recreation Area (SNRA) Ranger Kirk Flannigan requested a letter of support for proposed land acquisition of 618 acres of SNRA property which includes a portion of Pole Creek and the Salmon River.

ADJOURN

At the hour of 5:02 p.m., with no more business before them, the County Commissioners adjourned.

Attest: _____ Approved _____
JoLynn Drage County Clerk Jacob Greenberg Chairman