

**OFFICE OF THE BOARD OF COUNTY COMMISSIONERS  
OF BLAINE COUNTY  
REGULAR MEETING OF THE FEBRUARY 2014 SESSION**

**Third Day**

**Tuesday, February 25, 2014**

Pursuant to Statutory Provisions, the Board of Blaine County Commissioners (BCC) met this day at 9:00 a.m. Present were Chairman Lawrence Schoen, Vice-Chairman Jacob Greenberg, Commissioner Angenie McCleary; County Administrator Derek Voss; Operations Director Char Nelson; Deputy Auditor Schar Boyd; and *Idaho Mountain Express* reporter Greg Moore.

Chairman Schoen called the meeting to order at 9:03 a.m.

**PUBLIC COMMENT**

Ken Worthington came to represent Fiddlers Inc. and inform the BCC that he wants to bring the State Championship contest to Bellevue on the weekend of May 17<sup>th</sup>. He left a flyer for display.

**EXECUTIVE SESSION – §67-2345 1(d) Indigent** - Consideration of records that are exempt from disclosure as provided in Chapter 3, Title 9, Idaho Code  
There were no Indigent cases to present.

**COUNTY DEPARTMENT REPORTS, DISCUSSION and CONSIDERATION**

**Claims** – Jayne Bailey

- County Recorder Jayne Bailey presented claims. The Commissioners approved the payment of an extra claim for Idaho Power in the amount of \$3793.94 for the PSF.

**McCleary moved, seconded by Greenberg, to approve claims dated February 20, 2014 with additional claim presented by staff. Motion carried unanimously.**

**EMERGENCY NOTIFICATION SYSTEM- FIRSTCALL DEMONSTRATION**

There was no presentation.

**KENWORTHY GRAVEL PIT PURCHASE**

Also Present: Blaine County Operations Director Char Nelson; Blaine County Chief Deputy Prosecuting Attorney Tim Graves

**Greenberg moved, seconded by McCleary, to amend the agenda to consider the purchase of the Kenworthy Gravel Pit in Carey. Motion carried unanimously.**

Char Nelson stated that the purchase will assure Blaine County a source of gravel for the next 15 years. The purchase price is \$62,615.00.

**McCleary moved, seconded by Greenberg, to approve the purchase of the Kenworthy Property for \$ 62,615.00 and to authorize the chairman to sign closing documents. Motion carried unanimously.**

**Approval of BOARD of COUNTY COMMISSIONERS MEETING MINUTES**

- **July 24, 2013 Regular Meeting**
- **July 30, 2013 Special Meeting**
- **January 22, 2014 Special Boulder-White Clouds Meeting**
- **February 11, 2014 Regular Meeting**
- **February 18, 2014 Special Joint Meeting with Carey**

**McCleary moved, seconded by Greenberg, to approve the minutes of the Board of County Commissioners as amended July 24, 2013; July 30, 2013; January 22, 2014; February 11, 2014 and February 18, 2014. Motion carried unanimously.**

**ROAD AND BRIDGE FUNDING, SPECIAL LEVY, Discussion and Consideration**

Also Present: County Administrator Derek Voss; Blaine County Operations Director Char Nelson, Operations Assistant Lynn Timm; Blaine County Chief Deputy Prosecuting Attorney Tim Graves; Blaine County GIS Program Manager Joel Hall; Ned Williamson with City of Hailey; Idaho Mountain Express Reporter Greg Moore

Commissioner discussion included mention of how all the cities involved had been notified and kept informed of all progress and had been asked for input. Schoen noted that there was very little response. Sun Valley is not supportive of the levy. Voss presented a visual explanation of the areas that would be covered by the levy funds, how the funds would be used, and why the levy is needed. Voss suggested that a two year County only levy be put on the ballot. He said 100% of the funds would be used for Road and Bridge construction projects. There will be no additional Blaine County employees hired. If necessary, subcontractors will be used for hauling, delivery, traffic control etc.

Schoen supports a County only levy; Greenberg and McCleary support a County/City levy. Schoen stated he will add his support to their position so that they are all aligned in purpose. The Board directed Graves to craft the language of the levy.

### **Land Use and Building Services**

Also Present: Blaine County Land Use Administrator Tom Bergin, Blaine County Planning Assistant Grant Administrator Michele Johnson.

Tom Bergin said there were three candidates for P&Z Commissioner positions: Pat Murphy, Ned Williamson and Judy McLean. He was hoping to co-ordinate with the BCC to arrange interviews with the candidates.

### **RESOLUTION 2014-09, EXPRESSING QUALIFIED SUPPORT OF BOULDER-WHITE CLOUDS NATIONAL MONUMENT DESIGNATION , Discussion and Consideration**

Also Present: Ken Worthington; John Kelley; Carol Eleazer; Dave Bell; Brett Stevenson; Tom Blanchard; Lili Simpson; Dani Mazzotta; Courtney Washburn; Steve Botti; Renae Spaulding; Don Shepler, Wood River Bike Coalition; Eric Rector; David Spaulding; Evelyn Phillips; Clare Swanger; Rob Mason; Mia James; Jan Mason.

A draft was available to the public in attendance. The BCC discussed the proposed changes. The public has had a lot of input as to the final draft. Many entities want their specific concerns addressed and included. McCleary stated that of primary importance was the ecological aspect and the secondary focus is the recreational aspect. Schoen stated that he would like the resolution to be representative of what they are for rather than what they are against. Revisions to wording were made and all BCC agreed to them. Input from the public leaned toward a balanced approach of all aspects and interests if possible.

**McCleary moved, seconded by Greenberg, to approve Blaine County Resolution # 2014-09 record # 617114, a resolution of Blaine County Commissioners expressing qualified support for a Boulder White-Cloud National Monument as amended today. Motion carried unanimously.**

### **BREAK FOR LUNCH**

### **IDAHO CONGRESSIONAL DELEGATION STAFF VISIT**

Also present: Mike Matthews, State Director for U.S. Senator Jim Risch, AJ Church, Regional Director for U.S. Senator Mike Crapo and Linda Culver, Area Director for U.S. Congressman Mike Simpson

Linda Culver gave brochures to the commissioners detailing the resources they can help with. She explained that they can be liaisons for needs of the commissioners or the general public when there is confusion as to how to best access resources.

### **LAND USE AND BUILDING SERVICES HEARINGS**

#### **• Chaney Creek Stream Alteration Permit:**

Also Present: Steve Fisher; Blaine County Land use Administrator Tom Bergin, Blaine County Zoning Specialist Nancy Cooley

Nancy Cooley gave the posting notice.

**Greenberg moved, seconded by Schoen, that notice was adequate. Motion carried unanimously.**

Cooley stated that there were no new materials and that there were no comments or disclosures.

Steve Fisher, representing Elizabeth Grey and Chaney Creek Ranch , presented visual documentation of the site and maps detailing the pond and stream. The pond was excavated in 1994. He showed the difference between the temperatures of different areas of the location in question. He believes the silt heats the water and would like to remove silt from Chaney Creek in order to lower the temperature of the water.

Schoen asked if there was any public comment and there was none.

**Greenberg moved, seconded by McCleary, to approve the stream alteration permit for Chaney Creek Ranch LLC to use a floating suction dredge to remove approximately 220 linear feet of existing silt deposited in Chaney Creek, near the entrance to Chaney Creek Pond. Dredge material will be deposited in an "upland" agricultural field. This approval is subject to the conditions as decided at today's public hearing. This approval is based on the fact the Board finds the project is in compliance with the Stream Alteration Permit application Standards of Evaluation as set forth in Blaine County Code, Zoning Regulations, Ch.17,9-17-9D. Motion carried unanimously.**

**LAND USE and BUILDING SERVICES, Discussion and Consideration**

- **Ordinance 2014-02 Mountain Overlay District Emergency Site Alteration Text Amendment** ..... Record #617090  
**McCleary moved, seconded by Greenberg, to adopt Blaine County Ordinance 2014-02, an ordinance establishing Mountain Overly District Site Alteration Text Amendment. Motion carried unanimously.**
- **Findings of Fact: Mountain Overlay District Emergency Site Alteration Text Amendment**  
**McCleary moved, seconded by Greenberg, to approve the Findings of Fact regarding the Mountain Overly District Emergency Site Alteration Text Amendment. Motion carried unanimously.**

**LAND, WATER AND WILDLIFE PROGRAM – ROCK CREEK RANCH PROJECT Update**

Also Present: Clare Swanger; Blaine County Land Use Administrator Tom Bergin; Blaine County Chief Deputy Prosecuting Attorney Tim Graves; Idaho Mountain Express reporter Tony Evans.

Swanger presented three documents to the commissioners that are in first draft.

- Grant Agreement between Blaine County and Fish and Game.
- Draft M.O.U. prepared by Fish and Game
- Binding agreement (contract) between Blaine County and Fish and Game.

Graves is concerned about Fish and Game’s standing that Blaine County will have no special standing to regulate management of the property covered by these documents. He feels Blaine County should have input and control over the management of the property and not be excluded from that process. Swanger will present the concerns expressed to Fish and Game and get back to the Commissioners.

**APPEAL OF ADMINISTRATIVE DECISION, UPPER BOARD RANCH LEASEHOLD DETERMINATION**

Also Present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves, Blaine County Land Use Administrator Tom Bergin; Steve Brown, Sally McCollum, Linda Haavik, Tom Praggastis, Erin Clark , representing Sun Valley Long Term Holding; Tom Drougas.

Bergin gave the posting notice.

Clark presented the history and premise of the appeal. There are four leaseholder parcels in dispute- C,H,K and N. The documents required in order to comply with the ordinance are extremely hard to find and may not even exist at this time. Only 12 lots (out of 17) meet the requirements. She states they want lots C, H, K, and N to also be included. There are no physical copies of the leases for these four parcels despite a huge effort to locate them.

Bergin presented a visual spreadsheet of the parcels in question and spoke about the process he followed in order to come to his determination. His determination was made by strictly interpreting the requirements of Blaine County Code. He said the BCC would have more latitude and flexibility in these decisions than he had.

Graves advised the BCC to make a decision according to their interpretation of what the Ordinance means. The BCC feels the four lots should be included.

**McCleary moved, seconded by Greenberg, to direct Blaine County Chief Deputy Prosecuting Attorney Tim Graves to prepare a decision on the appeal of Upper Board Ranch that reflects the discussion and determination of the BCC today. Motion carried unanimously.**

**PROPOSAL FOR MUSIC & ART SHOWCASE in SUN VALLEY (MASSV) CONCERT LOCALE, Discussion and Consideration**

Also present: Mike Enschede, Alexis Loenard, Karen Stevens, Michael David, Stefany Mahoney, Keri Desler, Deide Rodrigues, Carlos Rodriguez, Decker Rolph, Brent Russell, Dan Van Der Meullen, Will Caldwell, Cathie Caccia, Sabina Plasse, Sarah Hedrick, Jordan Hawkes, Laura Boyd Cantor, Courtney Sibbett, Tyson Sibbett, Cohen Sibbett, Maddoz Sibbett, Bill McCann, Courtney Hall, Sawyer, Alina, Carlos, Amber, Holden, Lisa Carlson, Paul Cenn, Penny Thayer, Gwen Thompson, Denise Jackson Ford, Sharon Arms, Missy Russell, Dayle Ohlau, Andrea Nelson, Jeffrey Lyon, Sheri Thomas, Nate Thomas, Brenda Lyon, Traci Morales, Lori Morales, Rod Harten, Jodie Fuller, Tom Sanklin, John Sofro; Blaine County Land Use administration Tom Bergin, Blaine County Sheriff Gene Ramsey, Wood River Fire Chief Bart Lassman, Blaine County Chief Deputy Prosecuting Attorney Tim Graves, Blaine County Administrator Derek Voss, Code Compliance Specialist Diane Shay, Blaine County GIS Program manager Joel Hall.

Schoen addressed the standing room only crowd and informed them that this was not a meeting for Public Comment so none would be heard at this time. At such time that MASSV submits a Permit Application- there would be review of the permit and a hearing as per County code. The purpose of today’s proceedings is for Mr. Sofro to present information about the different sites in county jurisdiction that can be considered for the festival and to get guidance on how to proceed in the process of a permit application.

John Sofro spoke about a plan for a MASSV gathering this summer citing two different locations they are considering. He also described the benefits to the county of such an event. Dr. Brent Russell also spoke about the effort to get the event coordinated along with Decker Rolph.

The BCC has received numerous emails and other input pertaining to MASSV. Both positive and negative opinions were expressed. Schoen stated that proper procedure must be followed. Public health and safety is of paramount concern.

**EXECUTIVE SESSION**, for Property Acquisition, pursuant to Idaho Code 67-2345-1(c), and Potential Litigation, pursuant to 67-2345 1(f), concerning Croy Canyon Ranch Foundation Service Agreement; and 1(f) Imminent litigation regarding the Molyneux Gravel Lease.

Greenberg moved, seconded by McCleary, to convene in executive session for Property Acquisition, pursuant to Idaho Code 67-2345-1 (c); Potential Litigation, pursuant to 67-2345 1 (f), concerning Croy Canyon Ranch Foundation Service Agreement; and 1 (f), Imminent litigation-Molyneux Gravel Lease. Roll call: Greenberg (aye), McCleary (aye), and Schoen (aye).

**ADJOURN**

At the hour of 5:05 p.m., the BCC finding no more business before them adjourned.

Attest: \_\_\_\_\_ Approved \_\_\_\_\_  
JoLynn Drage Lawrence Schoen  
County Clerk Chairman