

**OFFICE OF THE BOARD OF COUNTY COMMISSIONERS
OF BLAINE COUNTY
REGULAR MEETING OF THE JANUARY 2015 SESSION**

Third Day

Tuesday, January 13, 2015

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

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

ELECTION OF OFFICERS, BLAINE COUNTY BOARD OF COMMISSIONERS

Also present: Blaine County Chief Deputy Treasurer Gail Peterson.

McCleary and Greenberg thanked Schoen for his chairmanship the last two years. McCleary and Schoen agreed that chairmanship of the Board of County Commissioners carried extra responsibility and commitment. Greenberg said he was proud to work for Blaine County and with County staff. He was honored to be elected to the office of County Commissioner. He looked forward to being chairman but understood it would require extra time. He expected he would lean on the Board's Vice Chair at times.

McCleary moved, seconded by Schoen, to nominate Commissioner Jacob Greenberg as Blaine County Commission Chairman and Commissioner Angenie McCleary as Vice Chairman. Motion carried unanimously.

Incoming Chairman Greenberg took over the role of Chairman.

PUBLIC COMMENT - NONE

COUNTY DEPARTMENT REPORTS, Discussion and Consideration

Claims – Schar Boyd

Boyd presented additional claims that were emailed to the BCC on January 12, 2015: S. Robinson & Associates for \$1873.91, Eric Thomas for \$480.00, Jodi Brown for \$600.00, Greg Greenfield for \$960.00, and Narda Pitkethly for \$720.00.

McCleary moved, seconded by Greenberg, to approve claims dated January 7, 2015, plus additional claims emailed to the BCC on January 12, 2015. Motion carried unanimously.

Clerk's Report – JoLynn Drage

Also present: County Operations Director Char Nelson.

The County Clerk's staff is moving back into the Old County Courthouse today. The Clerk would like to stay in the Judicial Building in order to spend more time with District Court staff. The Chief Deputy Clerk can move into the Clerk's old office in the OCC.

Staff is working to address a space deficit in the Judicial Building.

Operations Director – Char Nelson

- Operations forwarded Road and Bridge work orders for snow plowing to the BCC.
- Public service announcements and social media posts will notify the public that the OCC is reopened.

County Administrator – Derek Voss

Also present: Blaine County Land Use Administrator Tom Bergin; County Operations Director Char Nelson; County Disaster Services Coordinator Chuck Turner and County Chief Deputy Assessor Martha Heuston.

Blaine County Road and Bridge Levy Update and Discussion

The BCC needs to decide on a levy amount so the cities can develop a project plan for using their share of the levy revenue.

- Schoen is concerned about the public's willingness to pay additional property tax and suggests the lowest possible levy amount.
- The public wants to know what will be done with levy revenue. Road and Bridge has given the BCC a comparison of what work can be done and capital needs purchased with different levy amounts.
- The County needs an annual levy of at least \$3 million to keep roads at a minimum service level until the state or federal government raises the gas tax or offers a better solution
- If the levy doesn't pass, the BCC will have to consider funding the Road and Bridge department out of the General Fund, Local Improvement District(s), vacating roads in some subdivisions or letting deteriorated asphalt roads revert to gravel.
- The 2014 Road and Bridge levy for the higher \$5 million only failed by a small number of votes.
- Ketchum, Hailey and Bellevue support the levy.

The BCC discussed polling citizens to see what they will support. McCleary and Greenberg will explore polling possibilities and cost.

McCleary will meet this week with a group of citizens who represent the public and/or large stakeholder groups.

County Project Updates

- Safe Haven is hosting an open house for Bell Mountain on January 23. The move-in date is now projected to be in mid February. Schoen visited a friend who is a resident of Safe Haven. He was impressed with the facility and staff.
- Operations will inventory the old Blaine Manor furnishings and property in anticipation of a request for appraisal.
- St. Luke's is organizing a consortium of local hospital, police and sheriff's personnel and the prosecuting attorney to discuss mental health issues and the County's designated examiner process. The county attorney has been discussing a contract for designated examiner services with an independent company.
- Greenberg and Chris Corwin are attending Idaho 911 Emergency Communications Commission (IECC) and IECC subcommittee meetings on Next Gen 911 this week.
- Schoen, Ketchum Mayor Nina Jonas and Stanley City Council President Steve Botti will meet this week with Idaho Representative Mike Simpson and his staff to discuss an upcoming Boulder-White Clouds Wilderness Bill proposal.
- Schoen met with various representatives of federal agencies a few months ago to encourage them to visit Idaho to discuss national monument status for the Boulder-White Clouds. Schoen will attend the National Association of Counties (NACo) legislative conference in Washington, DC the end of February and, while there, will again encourage White House representatives and others to visit Idaho to discuss the Boulder-White Clouds.
- Greenberg asked a United Oil representative to tell the County what a local fuel depot might save.
- Voss is working on building a framework for Blaine County Organizational Review, which will include job descriptions. Voss is also working on some specific individual job descriptions.
- Voss and HR are updating the Employee Manager Handbook sections on workers compensation and payroll.
- Voss is drafting a Fiscal 2016 Budget Guide.
- Blaine County-owned properties that should be put on the tax rolls:
 - Carey pasture property is waiting for the county attorney to recommend a course of action.
 - Property in Ketchum needs County weed control before transfer to the City of Ketchum.
 - Elkhorn open space properties can be transferred to Sun Valley-Elkhorn Association with SVEA Board approval.
 - Greenberg will follow up on Elkhorn driveway properties that are waiting for recommended course of action from the assessor and county attorney.
- Public defenders contract – Greenberg asked District Judge Bevan for a definition of public defender “expenses”. The County will revise the contract if necessary when the state committee rules on standardized public defender reporting requirements.
- The Bicycle-Pedestrian Master Plan's first phase is complete, with resolutions of support from Ketchum, Sun Valley, Hailey, Bellevue, Blaine County Recreation District, Mountain Rides Transportation Authority, Wood River Bike Coalition, and expressed support from Carey. Mountain Rides agreed to work with different jurisdictions to move Bike-Ped Master Plan projects forward.
- Wildlife Crossing Committee is working on non-traditional signs posted along the highway.
- Blaine County right-of-way issues are complex and long-standing. Voss and team are drafting a Right-of-Way Management Plan.
- Hailey wants to discuss its Area of City Impact (ACI) with the County. Bellevue's northern Area of City Impact involves Hailey.
- County staff and Schoen met with Meadows Wastewater Treatment Facility owner, who is moving cautiously with any further wastewater treatment project improvements. Schoen, Voss and Bergin will meet with prospective buyer of adjacent undeveloped parcel, who may be interested in wastewater treatment alternatives in the area.
- Schoen will discuss Ohio Gulch property with BLM.
- Transferable Development Rights (TDRs) receiving areas will be part of ACI discussions. County may set up a TDR “bank” account under the County Clerk's control to receive TDRs.
- Veterans Memorial – Schoen will meet with attorney Chris Simms to get the project back on track.
- County needs to schedule workshop- or retreat-type discussion with Sun Valley Economic Development to discuss the County's role in economic development.
- Beaver Creek Fire recovery and restoration:
 - 5B Restoration Coalition, facilitated by the National Forest Foundation and comprised of federal agencies, County, and interested organizations and individuals—will focus on ecological restoration needs in Deer Creek.
 - McCleary has been asked to work with Army Corps of Engineers, Homeland Security, FEMA and other members of the Silver Jackets to create post-fire flood mitigation resources for other counties and cities, including a website and printed material.
- Add evaluation of four-day work week to County's natural resource conservation and protection programs. Nelson is preparing a public information report.

PUBLIC HEARING: RESOLUTION 2015-01

BLAINE COUNTY SOLID WASTE SYSTEM DISPOSAL FEES Record #623842

Also present: County Operations Director Char Nelson.

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

Resolution 2015-01 includes a new chart of solid waste disposal fees. A few of these fees are proposed to increase more than 5%. Most fees will remain the same or be reduced. Southern Idaho Solid Waste District is revising fees throughout the district to cover costs and make dumping more efficient for transfer station staff and customers. Blaine County’s fee schedule format will be used as a template for other counties in the SISWD; and fees will eventually be consistent throughout the district.

Schoen moved, seconded by McCleary, to approve Blaine County Resolution 2015-01, a resolution amending previous Blaine County Resolution 2010-65, including a fee schedule for Blaine County solid waste disposal system, providing for payment and compliance and other technical details, and an effective date of March 1, 2015. Motion carried unanimously.

OLD COUNTY COURTHOUSE CONSTRUCTION UPDATE, Discussion and Consideration

Also present: Old Blaine County Courthouse renovation project Architect Steve Trout (by phone), and Kreizenbeck Constructors Courthouse Project Manager Graham Estep (by phone).

- The OCC second floor has a Certificate of Occupancy. Clerk’s office will move in and offices will be open to the public.
- The metal roofing is almost done. Soffit, fascia and downspouts are installed on three sides. Gutters will be installed and the snowmelt system will be operational.
- Third floor interior finish work is in process.
- Scaffolding can be removed as soon as a decision is made on final coat of paint.
- Crews are checking on specs and warranty of applying cold weather paint.
- There will be no retention bars because the roof is designed to shed snow.

Kreizenbeck expects to get a weather claim from Wright Brothers. Kreizenbeck will evaluate the claim with the project architect and Operations Director and respond appropriately.

• Certificate of Substantial Completion (Wright Brothers)

The majority of punch list items have been resolved. Project architect, County maintenance staff, Operations Director and some BCC have done walk-throughs. Third floor and attic still need some work. The Certificate of Substantial Completion will be presented to the BCC after the Construction Manager and all construction parties sign off.

CONTRACTS, GRANTS AND AGREEMENTS, Discussion and Consideration

• Independent Contractor Agreement for Designated Examiner Services

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves.

Approval of this contract is postponed until the County Attorney receives a signed contract from Alliance Family Services that includes insurance coverage.

In the meantime, Blaine County’s designated examiners will likely come from Twin Falls and some patients have been sent to Twin Falls. A local DE is currently doing pre-hearing DEs for Blaine County, but does not want to be on call or under contract.

• FY 2014 and 2015 USGS Joint Funding Agreement for Water Resources Investigations

These two agreements have been approved by the BCC and USGS for maintenance of the stream gauge. The BCC also agreed to additional funding for maintenance in FY2014 and FY2015. The last two FY2014 quarterly invoices came in late and will be paid in FY2015, in addition to the four quarterly 2015 invoices. The BCC authorized paying the two FY2014 bills and FY2015 expenses out of Contingency. The Clerk will prepare a Budget Adjustment resolution.

BOARD of COUNTY COMMISSIONERS REPORTS, Discussion and Consideration

Board Member Roles and Liaisons

Also present: Blaine County Commissioners’ Assistant Jenny Lovell.

The BCC went through the list of Board Member roles and liaisons, and decided on the most appropriate Commissioner for each liaison role. BCC members will attend Leadership Team meetings when they don't conflict with other meetings. The BCC agreed to try to re-establish the Blaine Leadership Council to foster collaboration on outreach for the Road and Bridge levy.

BREAK

LAND USE and BUILDING SERVICES HEARINGS

- **D-B Ranch Subdivision.** Public hearing and consideration of an application by Lana Granden for a short plat subdivision consisting of two lots, 30.8 and 25.2 acres in size. The property is zoned Productive Agricultural District (A-20) with areas of Wetlands Overlay and Riparian Setback District and is located at 28 Punkin Center Road, within Section 11, T1S, R19E, BM, Blaine County.

Also present: Blaine County Land Use Administrator Tom Bergin; County Senior Planner Kathy Grotto; Applicants Lana Granden and Steven Eells, and applicants' representative Brian Yeager; Wood River Land Trust Secretary Ed Cutter, Board Members Dan Smith and Jack Kueneman, and Director of Conservation Keri York; Silver Creek Conservation Manager Dayna Gross; Silver Creek Preserve Manager Sunny Healey; the Nature Conservancy Conservation Manager David Weskamp; Kathy Lynn; Blaine County Land, Water and Wildlife Levy Advisory Board Chairman Ben Sinnamon.

Grotto read notice.

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

DISCLOSURES: Schoen said the Grandens are his neighbors and Lyle Granden has done work for him. Schoen has no financial relationship to the family, no interest in the outcome of this hearing, and can maintain impartiality.

The subject property was determined to be a single lot of record. The proposal is to divide this single 60-acre parcel of land into two lots approximately equal in size. The National Wetlands Inventory shows that some of the property is wetlands. Environmental consultant Trent Stumph did the wetlands delineation shown on the plat. There is an intermittent stream-fed creek on the eastern side of the property. Setbacks from wetlands and creek would be 100 feet. Plat notes disclose that any future building close to the wetlands or stream could be subject to further study and setbacks. This application does not request any reduced setback.

Another consideration would be whether to have plat note(s) related to the 1990 single groundwater irrigation right appurtenant to this property.

An area of land on the eastern boundary coinciding with the old railroad right-of-way showed up in a survey at one time to be part of the parcel. However, current deeds do not show it as part of the parcel. The railroad right-of-way that runs through the area is owned by Blaine County.

The property is across the street from Byington Acres Subdivision, which dedicated 30 feet of ROW from Punkin Center Road at the time of that subdivision. Twenty-five feet on the applicants' side has been dedicated. This plat would dedicate an additional five feet of ROW to provide a 60-foot public road.

Brian Yeager, on behalf of the applicants (who were present), said plat notes typically relate to something in perpetuity on the property. The reference to the groundwater right on this plat is valid today, but may not be directly relevant to the plat in the future if the groundwater is reapportioned or the groundwater numbers change, so he asked the BCC if they wanted it as a plat note.

The metes and bounds description is based on a quickie survey to a fence line done in the 70s or 80s. The fence line is on a 1930s railroad map, and is clearly interior to the railroad right-of-way existing at the time. The survey intends to correct the erroneous deed and the BCC may want to clear up confusion with a Quitclaim Deed. The BCC supported the Quitclaim Deed.

Idaho Department of Water Resources (IDWR) told the applicant to request division of the water right if the property is separated into two different ownerships.

There is a deep well on the south parcel next to the road that was intended as an irrigation well but never used for irrigation. Schoen said the lot without the well needs a guarantee to water access if the existing well is the sole source. Yeager said the well would be exclusively for the lot it's on, and the second lot would have to develop its own well if it wanted access to the water right. The applicant will have to clarify water rights for both lots with IDWR. Water rights can be at least as valuable as the land, and any potential buyer will carefully research the rights. Bergin said the County has no control over water rights, and no longer refers to water rights in plat notes.

The applicant has not indicated a building envelope, but offered to include a plat note indicating increased setbacks on the north and south property perimeters. The BCC supported increased setbacks, but is still concerned about wetlands in the middle of the property. The property is not on elk or deer winter range or migration corridors and does not have strict lighting restrictions, but future development will have to comply with standard lighting restrictions when applying for a building permit.

PUBLIC COMMENT – None.

Schoen moved, seconded by McCleary, to approve application of Lana Granden and Steven Eells for a short plat subdivision of 66 acres into two lots on Punkin Center Road, known as D-B Ranch, finding that it meets criteria of Title 10 Subdivision Regulations and Title 9 Zoning Regulations have been met, providing it also meets conditions as outlined in today's hearing for resolving several outstanding issues. Motion carried unanimously.

LAND USE and BUILDING SERVICES, Discussion and Consideration

• Comprehensive Plan Update

Also present: Blaine County Land Use Administrator Tom Bergin; and County Senior Planner Kathy Grotto.

- The Planning and Zoning Commission has recommended the BCC approve the Introduction chapter of the Comprehensive Plan.
- The Comp Plan will include links to the County's website and GIS information, and probably the County's Transportation Plan, Bicycle-Pedestrian Master Plan, etc.
- At an upcoming meeting, P&Z will consider a By-Laws amendment to allow the Chairman to serve longer than two years. It can be difficult to find P&Z Commissioners and a chairman, but there isn't a compelling reason to extend the term limit at this time.

BOARD of COUNTY COMMISSIONERS REPORTS, Discussion and Consideration

Local Emergency Planning Committee (LEPC) - Greenberg

The LEPC discussed avalanche preparedness and information on human survival in avalanches; and using residual 2013 Homeland Security Grant funds to purchase a battery for a repeater station.

5B Restoration Coalition – McCleary

The group will focus for now on ecological restoration in the Deer Creek drainage and trail conditions throughout the County.

Blaine County Regional Transportation Committee – McCleary

No updates at this time.

Community Food Assessment – McCleary

The Hunger Coalition Community Food Assessment will look at a variety of issues, including access to affordable food for everyone in Blaine County and nutrition of food that is available.

Correspondence

- An individual contacted McCleary about a fence across the river by Stanton Crossing. McCleary will discuss with Land Use and ITD.
- BCC received an email regarding concealed weapons.
- Complaint that the traffic light at Highway 75 and East Fork Road doesn't change quickly enough has been forwarded to ITD.

LAND, WATER AND WILDLIFE

- **Molyneux Family Legacy Project** - Final Review and Funding Decision for four perpetual Conservation Easements - with partners, The Nature Conservancy (TNC) and Wood River Land Trust (WRLT). Consideration of a \$992,190 request (36.2% of the \$2,739,814 total cost) to the Land, Water & Wildlife Levy for a project consisting of six perpetual conservation easements to protect 1,966 acres on properties around Blaine County owned by Molyneux family members with matching funds from Natural Resource Conservation Service, TNC, a foundation, landowner contributions, and the donation to Blaine County of three Certified Transferable Development Rights by WRLT.

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Land Use Administrator Tom Bergin; Blaine County Land, Water and Wildlife Levy Advisory Board member Ben Sinnamon and LAB Coordinator Clare Swanger; LAB consulting attorney Chuck McDevitt (by phone); Wood River Land Trust Executive Director Wood River Land Trust Executive Director Scott Boettger; Wood River Land Trust Director of Conservation Keri York and WRLT Board member Ed Cutter; Silver Creek Preserve Manager Dayna Gross; John and Kristy Molyneux; Kathy Molyneux; and Mick Halverson.

The Molyneux Family Legacy requests \$992,190 of Land, Water and Wildlife funding for partial cost of four conservation easements. The total project encompasses six conservation easements, all located in Blaine County; and the properties are owned by seven Molyneux family members. Other funding is from Natural Resources Conservation Service (NRCS) landowner and charitable contributions; easements purchased by The Nature Conservancy, and three Transferable Development Rights (TDRs) from the Wood River Land Trust to Blaine County.

The project meets LWW conservation criteria and six minimum criteria for funding. The project has gone through all phases of LWW review, and received conceptual approval from the BCC on November 18, 2014. The BCC requested two changes in the Conservation Easements, which have been made.

The four conservation easements subsequently received LWW approval for funding: "Due diligence investigations verify that the physical and legal condition of the property are as described in the full application." The landowner and partner are responsible for investigations and providing documentation for review and approval of all appurtenant documents, including title commitments for each property, grant agreements and closing documents. The LWW Levy Advisory Board and the LAB's outside attorney have carefully reviewed all documents.

