

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

Fourth Day

Tuesday, January 26, 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; Human Resources Generalist Henry Brown; and Recording Secretary Sunny Grant.

Chairman Greenberg called the meeting to order at 9:02 a.m.

PUBLIC COMMENT - NONE

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 January 20, 2016 with additional claims for Idaho Power for the Public Safety Facility for \$3,729.29; Verizon for county cell phones for \$1,024.98; Les Schwab for Buildings and Grounds for \$117.50; and Western Records Destruction for E-911 \$12.50, as presented by staff. Motion carried unanimously.

County Administrator - Derek Voss

- Met with Hulen Meadows representatives to discuss their utilities upgrade project. Hulen Meadows is concerned about culverts, if required by the County standards, and related expense.
- Residents want Land Use to warn people about problems when they pull a building permit, but not all property improvements require a building permit.
- Voss and Administrative Services Manager Henry Brown met with Road and Bridge staff to evaluate how the department works as a whole.
- Exploring EPA's Brownfields program to see if the County can get grant funding for an environmental assessment on the former Blaine Manor property. A Brownfields initial assessment would take about three months, followed by an additional five months of testing, followed by actual remediation. The BCC agreed to allow time to apply for the Brownfields Program.

Land Use Administrator - Tom Bergin

No report at this time.

FY2016 FIRST QUARTER BUDGET SNAPSHOT AND ANALYSIS

Also present: Blaine County Sheriff Gene Ramsey; County Land Use Administrator Tom Bergin; County Treasurer John David Davidson; County Administrative Specialist Andrea Walton; Chief Deputy Assessor Martha Heuston; Blaine County Emergency Communications Director Robin Stellers; and Sun Valley Mayor Peter Hendricks.

County Administrator Derek Voss presented highlights of the June 18, 2015 FY16 Budget Reduction Guiding Principles and Strategies. He felt that across-the-board countywide budget cutting by a certain amount was not the best way to address budget shortfalls. The County doesn't want to compromise on public services; and the entire County organization should share the burden with minimum impact on customers and team members.

During early FY2016 budget discussions, the County Administrator committed to reducing his budget by \$300,000; the County Sheriff by \$300,000; the County Clerk by \$100,000; and other offices and departments committed to reducing expenses wherever possible. To date, the Sheriff has saved \$180,000 and future reductions should realize the \$300,000 savings by the end of the year. The Clerk reduced staff to lower her budget by \$100,000, but was subsequently asked to extend hours and needs to add-back a full-time position, so she will not realize \$100,000 in savings. The County is on track with expenses and revenues as budgeted. The County received a fairly substantial Payment in Lieu of Taxes (PILT) payment in October. The PILT formula and payment for summer isn't known yet. Tax supported funds reserve going into FY2017 should be about \$3.1 million.

The FY2016 budget is on track for both revenue and expenses. Expenses will be less than anticipated.

INDIGENT (MEDICAL EXPENSE CAPS), Discussion and Consideration

Also present: Blaine County Indigent Services Manager Brooke Baird and Assistant Amy Rivkin; and *Idaho Mountain Express* reporter Andy Kerstetter.

Blaine County pays the first \$11,000 of medical expenses for indigent applicants, and the Catastrophic Health Care Cost Board (CAT) pays the rest of the bill. The County asks the indigent to reimburse the County, if possible.

The BCC discussed what income and allowable expenses are allowed for indigent applicants:

- Childcare expense is currently allowed at whatever amount is being paid. If there is a non-working adult in the household, proof is required that the person is looking for a job.
- Health insurance premiums are allowed.
- The BCC discussed covering car insurance only for the indigent individual and working members of the household, with special consideration for other work-related vehicles.
- Staff allow life and accident insurance premiums if they are in place and current; and check to see if it is possible to take a loan against a life insurance policy. The majority of the BCC supported supplemental insurance; but the BCC didn't support life insurance expense.
- Home and renters insurance are allowed.

YEW PLANTS, Discussion and Consideration

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; Social Media Services Provider Bronwyn Nickel; Blaine County Administrative Specialist Andrea Walton; Idaho Fish and Game Conservation Officer Alex Head; Webb Landscaping Dave Johannningmeier; College of Southern Idaho Horticulture Instructor Chance Munns (by phone); Y. Robles, Robles Garden & Landscaping; Mickey Garcia; Jim Kuehn; Eloise Christensen; Erin Smith; G. Goodrich; Larry Lloyd; Paul Stevenson; Megan Davis; Carol Comtaruk; Daralene Zinnell; and Kit Nichols.

Blaine County Attorney Tim Graves said the County can only regulate plants within the County, and has no authority over cities. The best way for the BCC to regulate yew plants is probably through the County's existing noxious weed program, wherein the State would have to include the yew on its noxious weed list. The broad definition of a noxious weed is any plant that poses a danger to public health, but the yew is not invasive and generally problematic and the state director may not consider it noxious. If the County designates the yew as a noxious weed, it would have to enforce prohibition and set penalties under County ordinances.

Idaho Fish and Game Conservation Officer Alex Head said the dead elk were healthy and not starving, and their stomachs were full of yew, which is what killed them. He said there are many elk and food is scarce, so the elk are coming down. It is likely more elk will die from eating yews, and the plant can kill domestic animals as well.

Webb Landscaping has discontinued all varieties of yews from their inventory. All varieties of yew are toxic. Yew berries, the only part of the plant that is not toxic, are a staple food for deer and elk in northern Idaho. The seeds, which are toxic, are excreted intact. Johannningmeier added that there are many native plants and fruit bushes and trees that are as toxic as the yew.

College of Southern Idaho Horticulture Instructor Chance Munns said deer and elk graze on the taxus genus all over the country, but are used to eating it and don't die. Munns reiterated that many plants all over the hills and in yards are toxic.

PUBLIC COMMENT:

- The BCC received 32 emails (entered into the public record) from unique individuals in support of yew regulation.
- Mickey Garcia gave some details of yew plants (*Taxus* genus); and read a list of locally common plants that are toxic, including hydrangea, rhubarb, lupine, columbine, asparagus, apple seeds, etc. He said there shouldn't be any more laws.
- Eloise Christiansen asked if anything was being done to feed elk that are coming into the valley to avoid starvation.
- Daralene Zinnell supported preventing yew plants from being brought into the County. Deadly plants should not be used for decoration.
- Megan Davis agreed, and asked Webb if yew plants stock would be prohibited forever or just for the next season. She asked nurseries to notify customers who had purchased yews in the past that the plants were dangerous; and suggested nurseries provide information sheets on poisonous plants. Dave Johannningmeier said Webb would send a letter to all their clients; and can dispose of yews for homeowners if requested to do so. If yews are tagged with information on their toxicity, all other toxic plants would have to be tagged as well.
- Paul Stevenson said a lot of plants were toxic, so he suggested a few plants could be identified as particularly dangerous and homeowners advised to remove them.
- Jim Kuehn said human population has diminished wintering grounds for wildlife, which is forcing elk into the area. He asked if feeding stations or a preserve should be provided. Fish and Game has one active feed site out Warm Springs, specifically to keep elk from coming into town, where they can end up on the roads and highway, and cause other problems. A preserve isn't practical because the elk would somehow have to be relocated to the preserve. Head reiterated that the elk are not starving, and there is always going to be winterkill.

CSI Horticulture instructor Chance Munns left the conversation at this time.

Johannningmeier said yew been available for landscaping a very long time. They are a unique ornamental that perfectly fits a specific landscape, but Webb may discontinue stocking yews in the future.

Commissioners' input:

- Commissioner McCleary said education is very important, but she would also like for the BCC to pursue an ordinance, if practical. The mayors of Ketchum and Hailey are also following this issue.
- Commissioner Schoen thinks the County should focus on public education, and the Extension Service should be involved. He didn't think it would be difficult for the County to pass an ordinance, but the County has limited resources for enforcement of noxious weeds already on the state list. He suggested the BCC engage the community, who are already very passionate about protecting wildlife.
- Chairman Greenberg said more education and outreach will help the industry and public be self-regulating.
- Social Media Services Provider Bronwyn Nickel will post an update summary on the yew discussion.

LANDFILL GAS TO ENERGY AT MILNER BUTTE LANDFILL, Discussion and Consideration

Also present: Southern Idaho Solid Waste (SISW) Executive Director Josh Bartlomé; SISW Landfill Gas to Energy Project Manager Stephen Freiburger PhD; and *Idaho Mountain Express* reporter Andy Kerstetter.

SISW Executive Director Josh Bartlomé said they need to know the landfill's future direction by October, 2017, when their Tier 1 Operating Permit is up for renewal.

Stephen Freiburger, owner of Paragon Consulting, said SISW has been capturing landfill gas since 2009; and has worked with SISW on a feasibility study to capture and convert landfill gas to energy production since 2014. SISW currently produces enough gas to supply a 1600kW generator at 100% capacity. Initial cost of infrastructure and engine is estimated at \$6.4 million, which includes a 15% contingency. Projected net revenue over a 20-year period, on a cash basis, after initial and operating costs, is \$11.3 million. Converting landfill gas to energy should break even in 2028, and is environmentally positive.

Project implementation will take about two years, and involve six basic components:

- Idaho Department of Environmental Quality Air Permits for emissions
- Generator Interconnection Agreement with Idaho Power. The landfill gas goes through a transformer into an Idaho Power generator interconnect box that cleans it up.
SISW will have to build a line from the Milner Butte generator facility to a 5-pole interconnect at the nearest Idaho Power distribution line a quarter mile away; and reimburse Idaho Power to build a mile-long power line to get the Milner Butte-generated power to an Idaho Power substation.
- Power Purchase Agreement with Idaho Power incurs a deposit and a date certain to deliver power. If the operating date is met, the deposit is refunded.
Idaho Power charges its cost to produce power from the resource, which for Milner Butte is natural gas. Freiburger suggested the SISW lock the rate as soon as it has the air permit, subcontractors lined up and a date certain to produce power.
- Design the system to Idaho Power's specifications.
- Procurement and installation.
- Commissioning and power production.

SISW will present the project to all counties in its district. If most agree to go forward, SISW county commissioners can visit the Bannock County landfill gas-to-energy facility in operation. If most counties agree to the project, those that participate will fund the project and share in the revenue. If most counties don't support the project, the SISW Board will have to decide if they should go forward and how to pay for the project.

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.

McCleary moved, seconded by Schoen, to convene in Executive Session pursuant to Idaho Code 74-206 1(d) to consider indigent medical applications. Schoen (aye), McCleary (aye); and Greenberg (aye). Motion carried unanimously.

OPEN SESSION RESUMED

Schoen moved, seconded by McCleary, to deny Case #2015-77 Medical Indigent Application for Assistance, based on staff recommendation. Motion carried unanimously.

BREAK

LAND USE and BUILDING SERVICES HEARINGS

- **Comprehensive Plan - Chapter 3 Recreation** CONTINUED

Also present: Blaine County Land Use Administrator Tom Bergin; County Senior Planner Kathy Grotto; Blaine County Comprehensive Plan Update Consultant Lisa Horowitz; Blaine County Comprehensive Plan Steering Committee member Len Harlig; and *Idaho Mountain Express* reporter Andy Kerstetter.

This hearing was continued on the record at the last BCC hearing. No notice is necessary.

Blaine County Senior Planner Kathy Grotto reviewed current edits with the BCC.

Blaine County Comp Plan Update Consultant Lisa Horowitz and the BCC reviewed desired outcomes. Commissioners' and Steering Committee comments:

- Recreation is central to Blaine County's economy, and balancing competing issues is central to recreation.
- Always consider sensitive wildlife habitat that may need protection from human activities.
- There is no mention of many individual recreation assets in the County, such as Boulder White Clouds or Lake Wolcott National Wildlife Refuge, which can affect Land Use plans for roads, law enforcement, etc.
- No discussion of Blaine County School District recreational assets.
- Include waterways as recreational assets.
- Geothermal recreational possibilities?
- Does the County need camping and RV sites?
- Consider sorting recreational assets by type.
- Capture extensive community efforts to provide recreational resources.
- Some "challenges" are actually needs or opportunities.
- Should be more information on public access to recreational amenities.
- Include information on invasive weed and alien species.
- Waste management and recycling at recreation sites.
- Consider including partnership with University of Idaho and 4-H.
- How are GIS maps updated?
- Include the Blaine County Bicycle/Pedestrian Master Plan.

Horowitz asked the BCC to consider forming a Blaine County Recreation Committee, similar to the Blaine County Transportation Committee, that would meet on regular basis.

Staff will make suggested revisions and re-present in a couple weeks.

LAND USE and BUILDING SERVICES, Discussion and Consideration

- **Resolution 2016-04 North Griffin Loop Right of Way Transfer**, CONTINUED: Public hearing on a proposal to transfer to the City of Carey, by deed, the dedicated 30' of Griffin Loop north of Lots 1 & 2, Redhawk Subdivision, Blaine County.

Also present: Blaine County Land Use Administrator Tom Bergin; Carey Planning and Zoning Administrator Brandi Hennefer; and *Idaho Mountain Express* reporter Andy Kerstetter.

A Carey landowner wants to annex property to the City of Carey. The property must be contiguous to Carey to be considered for annexation, but is currently separated from Carey by a portion of County-owned Griffin Loop Road. The City of Carey doesn't want ownership responsibility of Griffin Loop road any more than necessary for the applicant to accomplish annexation. Carey and the County have a shared road agreement that stipulates each will maintain and snowplow certain roads in Carey.

The BCC made minor revisions to draft Resolution 2016-04 North Griffin Loop Right-of-Way Transfer.

McCleary moved, seconded by Schoen, to approve Blaine County Resolution 2016-04, a resolution of Blaine County Commissioners, as amended in today's hearing, declaring that transfer of certain property to the City of Carey, another political subdivision, is in the public interest, pursuant to Idaho Code 31-808(9). Motion carried unanimously. Record #

BOARD of COUNTY COMMISSIONERS REPORTS, Discussion and Consideration

Snowmobile Grooming Signs for Rock Creek – McCleary

Also present: Wood River Land Trust Director of Conservation Keri York and Community Engagement Coordinator Mike McKenna; and *Idaho Mountain Express* reporter Andy Kerstetter.

The Wood River Land Trust would like to erect signage to restrict motorized travel to groomed trails in order to protect wildlife habitat areas of their Rock Creek property. Blaine County contracts for snowmobile grooming of the area, so the Land Trust would like to include the County's and BLM's logo on the signs to show a cooperative relationship. Glendale Road and Rock Creek Road are County roads; Hattie Gulch Road is on private and BLM state land.

Commissioner Schoen expressed concern about setting a precedent of putting the County logo on NO TRESPASSING signs, but was willing to support signage that discouraged trespass on private land near public roads. County Land Use Administrator Tom Bergin added that the County has restrictions on signs and sign size.

CONSENT CALENDAR

- **Junior College Residency forms:**
 - College of Southern Idaho, Fall 2014-Spring 2015: Susan Sebold.
 - College of Southern Idaho, Fall 2015-Spring 2016: Brooke Wilkins, Jordan Dilworth, and Luis Garcia.
 - College of Southern Idaho, Fall 2015-Spring 2016 High School Dual Credit: Sienna Miley.
 - College of Western Idaho, Fall 2015-Spring 2016 High School Dual Credit: Jorgen Lawrence, Kenneth Pratt, and Sienna Miley.

- College of Southern Idaho, Spring 2016: Adam Porth, Emerson Griffin, Evan Whyte, Heriberto Mendoza, Kennedy Howard, Kimberly Herrera, Lauren Willows-Munro, Megan Jones, Melissa Molina, Owen Elias, Parker Bingham, Shayna Gelskey, Sonya Wilander, Stephanie Guzman, Taan Robrahn, and Yolanda Arriaga.
 - College of Southern Idaho, Fall 2016-Spring 2017: Gloria Aquino Mejico, Kelsey Barker, and Martin Pallas.
 - College of Western Idaho, Fall 2016-Spring 2017 High School Dual Credit: Gloria Aquino Mejico.
- **New beverage license** for an additional Sawtooth Brewery establishment in Hailey.

McCleary moved, seconded by Schoen, to approve the Consent Calendar for January 26, 2016. Motion carried unanimously.

BOARD of COUNTY COMMISSIONERS REPORTS, Discussion and Consideration

Blaine County Community Wildfire Protection Plan Update – McCleary

Also present: Blaine County Grants Manager Michele Johnson.

Representatives of the Forest Service and Idaho Department of Lands want to participate in the planning process for the update to the Blaine County Community Wildfire Protection Plan. Schoen invited representatives from different areas of the County to participate. University of Idaho College of Natural Resources Dean Kurt Pregitzer has indicated funding is available.

Renewable Energy Working Group Update – Schoen

Also present: Blaine County Grants Manager Michele Johnson.

Idaho Power’s new CEO has indicated a willingness to move toward renewable energy. Idaho Power is meeting with the local Renewable Energy Working Group, facilitated by Mike Pepper, to encourage projects in Blaine County. Recent topics were proposed updates to Idaho Power’s existing Green Power program for renewable energy credits and a community-based solar photovoltaic program.

Idaho Association of Counties Legislative Committee Meeting – Schoen

Fourth Judicial District Judge Hoagland dismissed the ACLU lawsuit over public defense. The ACLU is considering appeal.

Western Governors Association Endangered Species Act Initiative – Schoen

Government officials, private industry representatives and non-governmental organizations from across the Western United States met to discuss species conservation, with a focus on achieving better outcomes through planning and collaboration. Blaine County doesn’t have any endangered species, but does have some designated critical habitat.

Airport Noise Abatement Subcommittee Appointment - McCleary

The City of Bellevue suggested two candidates for the Friedman Memorial Airport Authority Airport Noise Abatement Committee, one as their own appointment and the other as a potential County appointment. Commissioner Schoen also has a candidate in mind for the County appointment.

Muldoon Canyon Grazing Allotment – Schoen

The BLM is looking for input on Muldoon Canyon grazing allotment.

EXECUTIVE SESSION – §74-206 1(c) Property Acquisition and 1(f) Potential Litigation

McCleary moved, seconded by Schoen, to go into Executive Session regarding the Adams Gulch Bridge Construction Easement, pursuant to Idaho Code 74-206 1(c) to conduct deliberations to acquire an interest in real property which is not owned by a public agency, and 1(f), to discuss with legal counsel legal options for pending or possible litigation. Schoen (aye), McCleary (aye), and Greenberg (aye). Motion carried unanimously.

ADJOURN

At the hour of 5:06 p.m., with no more business before them, the County Commissioners adjourned.

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