

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

Sixth Day

Tuesday, January 27, 2015

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; and Recording Secretary Sunny Grant.

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

PUBLIC COMMENT - NONE

COUNTY DEPARTMENT REPORTS, Discussion and Consideration

Claims - Schar Boyd

McCleary moved, seconded by Schoen, to approve claims dated January 22, 2015 and additional claims emailed to BCC on January 26 from JoLynn Drage for per diem for \$67.00, and Ferguson for \$137.64, \$378.93, \$1.70, \$46.77 and \$41.34. Motion carried unanimously.

Operations Director - Char Nelson

- Blaine County Weed Department Manager John Cenarrusa is working on contracts for 2015 chemicals.
- Cenarrusa and Weeds Department staff will attend Idaho Weed Control Association meeting next week.
- The Old County Courthouse elevator is not working. Diagnostics tool is on the way.
- Staff is getting quotes for radon mitigation for the Judicial Building basement.

County Administrator - Derek Voss

Blaine County Road and Bridge Levy

Also present: Local consultant Kathryn Goldman.

Greenberg will host a strategizing workshop with local city officials, local organizations and other interested stakeholders this week.

Road and Bridge Levy Polling, Discussion and Consideration

Also present: Sun Valley Board of Realtors Government Affairs Director Bob Crosby and local consultant Kathryn Goldman.

The BCC believes polling would provide useful information and supports a poll that would cost under \$10,000. BCC members will work individually with the polling firm to formulate the questionnaire. Funds for a poll would come out of General Funds or Unappropriated Reserves. Voss will present an agreement for BCC approval as soon as possible.

CONTRACTS, GRANTS AND AGREEMENTS, Discussion and Consideration

- **CNH Industrial Capital Productivity Plus Account Application**Not Recorded
This is a standard credit application. The application will be modified to indicate it is a business liability only agreement.

Schoen moved, seconded by McCleary, to authorize application to CNH Industrial Capital Productivity Plus for a credit account, pending amendment to the agreement that this is a business liability only. Motion carried unanimously.

CONSENT CALENDAR

- **Resolution 2015-06 Forfeited Cafeteria Funds Transfer** Record #624133

McCleary moved, seconded by Schoen, to adopt the Consent Calendar for January 27, 2015. Motion carried unanimously.

BOARD of COUNTY COMMISSIONERS REPORTS, Discussion and Consideration

Hailey Chamber of Commerce Meeting – Greenberg

Greenberg presented the County's Social Host Ordinance to the Hailey Chamber.

Idaho Association of Counties Legislative Meeting – Schoen

Schoen attended as an alternate. A number of issues of interest to Blaine County will likely come before the Legislature this session.

Safe Haven Update

Also present: *Idaho Mountain Express* reporter Greg Moore.

Safe Haven has received documentation from the Department of Health and Welfare for its Skilled Nursing Facility license and expects to be out of the old Blaine Manor building in two to three weeks. Safe Haven's Bell Mountain facility Open House last weekend was well attended. The facility is already over-subscribed.

Correspondence

- Schoen asked the BCC to review a letter he drafted to Idaho House Resources Committee about Rock Creek Wildlife Management Area.
- The BCC wants to discuss potentially refinancing the Public Safety Facility bond.

BOULDER-WHITE CLOUDS NATIONAL MONUMENT, Discussion and Consideration

Also present: Idaho Conservation League Central Idaho Associate Dani Mazzotta; Wood River Bike Coalition Executive Director Brett Stevenson; and *Idaho Mountain Express* reporter Greg Moore.

McCleary supports national monument status for the Boulder-White Clouds because it protects more acres and she feels it offers better overall environmental protection.

Schoen feels the new "SNRA+" bill and an Act of Congress would offer greater protection for a large area of central Idaho. National monument status and management could lead to better outcomes for many interest groups, but monument proclamation and the planning process could be highly contentious and potentially politically destructive. Schoen suggested the BCC support the SNRA+ bill in both the House and Senate. If SNRA+ doesn't pass, it is likely the President would designate the Boulder-White Clouds as a National Monument.

PUBLIC COMMENT:

- The Idaho Conservation League has supported Idaho Congressman Mike Simpson's Central Idaho Economic Development and Recreation Act (CIEDRA) bill for years, but ICL now feels that national monument status is a better way to get the job done.
- The Wood River Bike Coalition feels national monument status would best meet their goal to protect the Boulder-White Clouds area the way it is—pristine and with great recreational opportunities.
- Mickey Garcia asked the BCC to support a Presidential proclamation of National Monument status.

BLAINE COUNTY "SOCIAL HOST" ORDINANCE, Discussion and Consideration, CONTINUED

An ordinance prohibiting a host, as defined in the ordinance, from knowingly permitting a gathering where alcoholic beverages are possessed or consumed by minors.

Also present: Blaine County Prosecutor Jim Thomas; Blaine County Chief Deputy Prosecuting Attorney Tim Graves; Blaine County Sheriff Gene Ramsey; Blaine County Community Drug Coalition Executive Director Michael David; Mickey Garcia; Joyce Nales; and Troy Thayer.

The BCC discussed possible substantive changes in the ordinance:

- Definition of "host" "in charge of or in control of the premises"
- Definition of "gathering" is now five or more persons on any premises where a minor is in possession, consumes or is under the influence of alcohol.
- Definition of "knowingly" means, for purposes of this section, having actual knowledge that is sufficient to warrant further inquiry or inspection. General knowledge is sufficient.
- Greenberg wants to make the first or second violation of this ordinance an infraction, to give a minor who hosts a party a second chance without getting hit with a criminal misdemeanor.

PUBLIC COMMENT:

- Mickey Garcia said the County already has ordinances to cover this. Prohibition will create more criminality. This will undermine relationships between parents and their young adult children.
- Troy Thayer, father of three high school students and volunteer for youth events, urged adoption of the ordinance. He confirmed that binge drinking occurs in Blaine County almost every weekend; and that repeat hosts know about the parties, whether they are present or out of town.
- Joyce Nales said the County needs to enforce existing laws or pass a new ordinance. Nales related the story of her niece, whom she raised. Her niece went to parties and started drinking in her early teens, and claimed drinking was just part of being a teenager. Nales' niece is chronically suicidal, overdosing on alcohol and prescription drugs, and in trouble with the law.
- The Blaine County Community Drug Coalition applauds BCC for their support. The proposed Social Host ordinance can augment current laws and law enforcement with better community education. Alcohol use affects developing young brains, and parents don't want other people taking liberties with their children.
- Sheriff Ramsey said the law is to protect youth, even if they resent it.

- Sheriff Ramsey, Blaine County Prosecutor Jim Thomas and BCCDC Executive Director Michael David would prefer a second offense be a misdemeanor, to better protect victims. Making the second offense a criminal offense gives a clear message that the offender needs to not repeat the offense. A misdemeanor allows a judge the opportunity to address the issue through education, community service, diversion programs, etc. Commissioners Greenberg and McCleary wanted the first two offenses to be an infraction and the third offense a misdemeanor.
- Schoen delivered a public comment from Jim and Vicki Cenarrusa who own 7,000 acres in the Carey area and allow people onto their property through the Access Yes! program. The Cenarrusas are concerned that they will be held legally responsible for knowing that underage youth sometimes accompany parents and friends and drink with the group. Graves said an owner of 7,000 acres is probably not going to have specific knowledge that someone underage is drinking out in a far corner of the property.
- Greenberg received emails from Gerald Amick and Robin Davis, who are opposed to the ordinance; one because someone could lie about a situation in order to incriminate someone.

McCleary moved, seconded by Greenberg, to support the concept of an ordinance prohibiting a host, as defined in the ordinance, from knowingly permitting a gathering on any premises where a minor is in possession of or consumes an alcoholic beverage with changes as discussed in today's meeting. In discussion, Commissioner Schoen said he will vote against the ordinance because he opposes the provision for a second infraction. **Schoen opposed. Motion carried 2/1.**

OLD COUNTY COURTHOUSE CONSTRUCTION UPDATE, Discussion and Consideration

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Clerk JoLynn Drage; County Operations Director Char Nelson; Sheriff Gene Ramsey; Old Blaine County Courthouse renovation project Architect Steve Trout, Kreizenbeck Constructors Courthouse Project Manager Graham Estep; Kreizenbeck Constructors Courthouse Project Superintendent Robert Wheeler; Ketchum resident Mickey Garcia; and *Idaho Mountain Express* reporter Greg Moore.

- Roof and roof detail work, gutters and downspouts, final electrical work, exterior trim and final coat of paint will be done in the next couple weeks.
- Clean up has begun.
- Clerk's office and Commissioners have moved back into the OCC.
- County staff will be trained on the heat mat system. The County will receive a training videotape.

The County has several options to paint the exterior: tent the building during cold weather, which is quite expensive; postpone final coat of paint until spring; or paint with cold temperature paint. The BCC decided to dismantle the scaffolding and asked for a Change Order to wait until spring to paint the building.

LAND USE and BUILDING SERVICES HEARINGS

- **IDAHO TRANSPORTATION DEPARTMENT - STANTON CROSSING BRIDGE REPLACEMENT.** **Public hearing** and consideration of a Floodplain Conditional Use Permit (FP-CUP) application for Idaho Transportation Department (ITD) to replace the bridge over the Big Wood River on US Hwy 20, 300' east of Stanton Crossing Rd. The property is zoned Productive Agricultural District (A-40) and is within the Floodplain Overlay District (FP).

Also present: Blaine County Land Use Administrator Tom Bergin; Zoning Specialist Nancy Cooley; ITD District IV Environment Planner Connie Jones; ITD staff engineer Brock Dille; Horrocks Engineering consultants to ITD Bryan Foote and hydraulic engineer Todd Awerkamp.

Cooley read notice and explained what properties it covered.

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

DISCLOSURES: McCleary received calls from an individual concerned with a fence across the river at the bridge. She contacted ITD and Blaine County Land Use about the fence; and asked the project engineers to check into it. McCleary has no financial interest in the application and it won't influence her decision.

This is a Floodplain Conditional Use Permit to replace the existing bridge (built in 1956) on U.S. Highway 20 at Stanton Crossing over the Big Wood River. Engineers Bryan Foote and Todd Awerkamp were hired by ITD to assist with the replacement of the bridge. ITD will probably begin construction of the new bridge in the fall of 2017.

Engineers carefully researched the project and bridge design to be sure there is no negative impact on the floodway. The new bridge will keep the river the same depth. After the project, the streambank should be a little more natural, with public access and a dyke that protects the campground.

Schoen requested more complete information when the Stream Alteration Permit application is presented in the future. Bridges on the Big Wood River have experienced problems in the past. Schoen suggested aerial photographs showing upstream and downstream alignment of the bridge, plus information on erosion and bridge placement, abutments, armoring, etc. Project engineers explained their plans for bridge angle and armoring.

Public comment – None.

Schoen moved, seconded by McCleary, to approve Idaho Transportation Department's Floodplain Conditional Use Permit application to replace the Stanton Crossing Bridge over the Big Wood River on U.S. Highway 20, based on conditions in the Staff Report, and that the BCC finds general conformity with standards of evaluation for the permit, no adverse impacts and no negative impact on potable water or public facilities. Motion carried unanimously.

Approval of BOARD of COUNTY COMMISSIONERS MEETING MINUTES

- **August 12 and August 26, Regular Meetings**
- **January 22, 2015 Indigent Hearings for 9:00 am, 9:30 am and 9:40 am**

Schoen moved, seconded by McCleary, to approve minutes of August 12 and August 26, 2014 and January 22, 2015 Blaine County Commissioner meetings, and three Special Indigent Appeal Hearings of January 22, 2015, as amended. Motion carried unanimously.

LAND USE and BUILDING SERVICES, Discussion and Consideration

- **Reappointment of Steering Committee Members**

Also present: Blaine County Land Use Administrator Tom Bergin; County Senior Planner Kathy Grotto; and Comprehensive Plan Steering Committee Vice Chairman Len Harlig.

Bergin said rumor of Will Miller's resignation from the Steering Committee were greatly exaggerated.

McCleary moved, seconded by Schoen, to reappoint Lacie Hernandez, Richard Fosbury, Will Miller, Leonard Harlig, Linda Thorson, Randy Flood and Megan Stevenson to the Blaine County Comprehensive Plan Steering Committee. Motion carried unanimously.

- **Bellevue Comprehensive Plan Update**

Also present: Blaine County Land Use Administrator Tom Bergin; and Bellevue resident Diane Shay.

Bellevue City Council decided to postpone action on the Comprehensive Plan and appoint a group to assist with part or all of the Comprehensive Plan.

Bellevue Council will commence discussion on the Area of City Impact (ACI) as soon as possible.

UNITED STATES GEOLOGICAL SURVEY BIOLOGICAL MONITORING STUDY of BIG WOOD RIVER AND COOPERATIVE FUNDING, Discussion and Consideration

Also present: Blaine County Land Use Administrator Tom Bergin; County Grant Administrator Michele Johnson; USGS Idaho Water Science Center Director Michael Lewis; Trout Unlimited Big Wood River Project Manager Chad Chorney; Wood River Land Trust Stewardship Coordinator Keri York; and Len Harlig.

The United States Geological Survey (USGS) proposed doing cost-share biological monitoring of the Big Wood River in early 2014. Last fall, USGS collected biological analysis data at eight sites, seven of which were on the Big Wood River and its tributaries. The cost for 2014 data collection was \$60,000, with the Wood River Land Trust, The Nature Conservancy and Trout Unlimited paying half the cost. The 2015 second phase of the monitoring was projected to cost \$46,000 for data analysis, interpretation and publication. Trout Unlimited planned to seek matching funds from the Blaine County Land, Water and Wildlife (LWW) Fund, but didn't meet program criteria, so Trout Unlimited is asking the BCC for \$23,000 to complete the data analysis.

USGS biologist Dorene MacCoy has been working on a Silver Creek trend assessment and is ready to write a data analysis and interpretation report. The USGS has collected trend data since 2001 at Silver Creek and another The Nature Conservancy site, but there is no existing *comprehensive* study of the Wood River Basin aquatic ecology, which is necessary to do a bio-assessment of the river, including cycles of drought, demand for water, water temperature, biological communities, debris flows, etc., and proposed restoration effort on the river. This "snapshot-in-time" study will suggest long term impacts of the river community from the upper drainage in the Sawtooth National Recreation Area north of Ketchum and North Fork, Warm Springs, Trail Creek, the East Fork of the Big Wood, City of Hailey, south to Stanton Crossing and Silver Creek on the south end. Data collected will be according to standard protocol and can be compared to sites regionally and across the nation. Trout Unlimited, The Wood River Land Trust and BLM are doing a Big Wood River Watershed Assessment that will provide geology and habitat information that will guide restoration projects for the next decade.

Data will be available to the public and staff to assist in stream alteration applications and other uses. If Blaine County participates in funding the study, the BCC can suggest questions and request data.

PUBLIC COMMENT:

- Len Harlig suggested the study include recommendations on how to correct any problems that are found.

The BCC acknowledged the study's value, but funding would have to come from contingency. The BCC suggested it could contribute \$5,000 to the project, in cooperation with other potential funding partners.

BOARD of COUNTY COMMISSIONERS REPORTS, Discussion and Consideration

Public Safety Facility Refinance - Schoen

The County's bond agent feels this could be a good time to refinance the general obligation bond on the public safety facility construction project. County staff will meet with Piper Jaffray Vice President Michael Keith. The BCC scheduled an upcoming meeting for a presentation by Mr. Keith.

Rock Creek Ranch - Schoen

Idaho Fish and Game has requested the BCC send a letter to the Idaho Joint Finance-Appropriations Committee (JFAC) supporting Fish and Game's proposed purchase of Rock Creek Ranch.

ADJOURN

At the hour of 4:16 p.m., with no more business before them, McCleary moved to adjourn, seconded by Greenberg. Motion passed unanimously.

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