

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

**Third Day**

**Tuesday, July 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, County Administrator Derek Voss; County Clerk JoLynn Drage; Chief Deputy Assessor Martha Heuston; Recording Secretary Sunny Grant; and *Idaho Mountain Express* reporter Madelyn Beck.

Commissioner Schoen was absent from today's meeting.

Chairman Greenberg called the meeting to order at 9:00 a.m.

**PUBLIC COMMENT - NONE**

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

• **Findings of Fact: Little Wood Headwaters Ranch Plat Note Reconsideration**

Also present: Blaine County Land Use Administrator Tom Bergin; Zoning Specialist Nancy Cooley; County Permit Tech and Special Projects/Office Manager Karen Osborne.

**McCleary moved, seconded by Greenberg, to approve the Findings of Fact, Conclusions of Law and Decision amended July 12, 2016, of the Little Wood Headwaters Ranch LLC for a Stream Alteration Permit and a Mountain Overlay District Site Alteration Permit for the work already completed, that removes Condition #7, with the two edits made today. Motion carried 2/0.**

• **Building Permit Refund: George and Barb Knowles**

Also present: Blaine County Permit Tech and Special Projects/Office Manager Karen Osborne.

Blaine County's former building official allowed people who built a project for less than the anticipated cost on the building permit to apply for a refund on the permit fee.

**McCleary moved, seconded by Greenberg, to approve refund of [part of the] building permit fee in the amount of \$462 to George and Barb Knowles Building Permit #2015-059, based on the fact that they brought in receipts that reflect building expense less than originally stated. Motion carried 2/0.**

• **Building Permit Refund: Starr Weekes**

The Weekes' contractor Conrad Brothers obtained building permit #2016-05 and submitted a \$1,500 deposit. Weekes decided to not continue the project and Conrad Brothers withdrew the permit. Land Use supports refunding the building permit fee, minus the \$65/hour administrative cost.

**McCleary moved, seconded by Greenberg, to approve refund to contractor Conrad Brothers, for Building Permit #2016-015, for \$1,435, due to permit being withdrawn. Motion carried 2/0.**

• **Building Permit Refund: Guy Cherp**

The applicant decided to do a smaller project, and pulled a new permit for the smaller project. They would like a refund for the previous building permit.

**McCleary moved, seconded by Greenberg, to approve a refund of Building Permit fee for Building Permit 2014-159 for Guy Cherp for \$10,798.41. Motion carried 2/0.**

**COUNTY DEPARTMENT REPORTS, Discussion and Consideration**

**Claims - Schar Boyd**

**McCleary moved, seconded by Greenberg, to approve claims dated July 21, 2016 with additional claim submitted yesterday for Cloyce Edwards for \$1,144.00 for contract services. Motion carried 2/0.**

**County Administrator - Derek Voss**

- Voss complimented an *Idaho Mountain Express* story on weeds that featured quotes by Blaine County Weed Department Manager John Cenarrusa.
- Blaine County Administrative Services Manager Henry Brown returned to work last week after medical leave; but he will be out again due to additional complications.
- Adams Gulch Bridge construction will start next summer and take about two years. Limited construction has to be scheduled to coincide with water flow. The bridge is estimated to cost about \$2.267 million, and will receive \$2.1 million in federal aid. The County has already expended \$133,000 of its projected \$166,000 match.

**CONTRACTS, GRANTS AND AGREEMENTS, Discussion and Consideration**

• **Idaho State Public Defense Commission Indigent Defense Grant FY17**

Also present: Blaine County Planning Assistant Grants Manager Michele Johnson.

The State has assembled a State Public Defense Commission to standardize public defense throughout Idaho. Voss will track the state's requirements for public defense attorneys a year in advance so they can be incorporated into annual public defense contract. The public defender attorneys are responsible to provide translation services within their contract.

**McCleary moved, seconded by Greenberg, to approve Idaho State Public Defense Commission Indigent Defense Grant application for FY17. Motion carried 2/0.**

- **Contract for Services with Bronwyn Patterson Nickel** ..... Record #637000

Also present: Blaine County Social Media Services Provider Bronwyn Nickel.

The BCC approved a renewal six months contract in a recent meeting.

**McCleary moved, seconded by Greenberg, to approve Contract for Services between Blaine County and Bronwyn Patterson Nickel for social media services for the County for a term of six months for \$25/hour, not to exceed five hours/week without prior approval of the County. Motion carried 2/0.**

### **CONSENT CALENDAR**

- **Junior College Residency forms:** College of Southern Idaho, Fall 2016 - Spring 2017 term, David Bowman; Sarah Caballero; Jose Pedraza; Eva Sorensen; and Cherice Tatterson.
- **Beverage License renewals** for Rickshaw; Sun Valley Brewing; Senior Connection; Raspberry's; Casino Club; Carey Sport Shop; and Restaurant 103.
- **Resolution 2016-22** Authorizing Destruction of Information Technology Backup Records October 2010 through July 2011.

**McCleary moved, seconded by Greenberg, to approve the Consent Calendar for July 26, 2016. Motion carried 2/0.**

### **BOARD of COUNTY COMMISSIONERS REPORTS, Discussion and Consideration**

#### **Fly Sun Valley Alliance Meeting – Greenberg**

Items discussed in open session were new direct air service to Portland; the community airport survey; and the new approach minima that is expected to increase reliability.

#### **Airport Lease Committee – Greenberg**

They discussed renewal of a lease of one of the northern hangars; and Atlantic Aviation's request to build a new hangar space on land they currently lease from the airport and additional apron space.

#### **Dark Sky Reserve Meeting – McCleary**

Local cities in Blaine County are starting to promote dark skies as an asset, and Sun Valley Company might start using dark skies in their marketing, including upcoming meteor showers.

#### **Cell Phone Hands-Free Driving Ordinance – Greenberg**

Studies show that cell phone use, hands free or not, is one contributor to distracted driving, which causes accidents. Chairman Greenberg said whatever restriction the County decides to consider should be consistent throughout Blaine County and its jurisdictions, and clearly signed for visitors.

### **BREAK**

**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 Greenberg, to convene in Executive Session pursuant to Idaho Code 74-206 1(d) to consider indigent medical applications. McCleary (aye), and Greenberg (aye). Motion carried 2/0.**

### **OPEN SESSION RESUMED**

**McCleary moved, seconded by Greenberg, to accept cancellation of hearing and final determination of denial in Application for Assistance #2016-14. Motion carried 2/0.**

**McCleary moved, seconded by Greenberg, to approve Case #2015-82 Medical Indigent Application for Assistance, with a \$25 monthly reimbursement, based on staff recommendation. Motion carried 2/0.**

**McCleary moved, seconded by Greenberg, to deny Case #2016-40 Medical Indigent Application for Assistance, based on staff recommendation. Motion carried 2/0.**

### **LAND USE and BUILDING SERVICES HEARINGS**

- **Deer Creek Watershed Restoration Project Final Approval Request**

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; Blaine County Land, Water and Wildlife Levy Advisory Board Coordinator Clare Swanger; Idaho Conservation League (ICL) Central Idaho Associate Dani Mazzotta; Trout Unlimited Big Wood River Project Director Chad Chorney; United States Forest Service (USFS) Ketchum Ranger District Recreation Manager Zach Poff; USFS Sawtooth National Forest botanist Deb Taylor; USFS Ketchum Ranger District Fisheries Biologist Erika Phillips; The National Forest Foundation Conservation Connect Director Karen DiBari; Susan Giannettino; Chris Leman; and *Idaho Mountain Express* reporter Madelyn Beck.

DISCLOSURE: Commissioner McCleary is a member of 5B Restoration.

ICL, Trout Unlimited and the USFS request the Blaine County Land, Water and Wildlife (LWW) levy program contribute \$496,300 for restoration work in the Deer Creek Watershed located northwest of Hailey. The USFS, National Forest Foundation, Idaho Department of Parks and Recreation, and 5B Restoration Coalition have collectively committed over \$1 million to the project; the LWW levy portion is 34.1%.

The project components are:

- Deer Creek Stream, riparian and floodplain restoration, request for .....\$391,000
- Restoration of upland vegetation of white bark pine habit .....\$105,000
- and numerous project components being funded by other groups.

The project has been through the LWW review phases, and received conceptual approval on March 8. The project contract between Blaine County and the USFS is available for BCC review. The LWW Levy Advisory Board (LAB) conducted its final review on July 13 and recommended the BCC fund the project.

An Uplands Decision Notice was signed in 2013. On July 1, 2016, USFS Sawtooth National Forest Ketchum District Ranger Kurt Nelson signed a Decision Notice finding no significant impact for the road realignment and floodplain riparian restoration portion of the project. The Decision Notices mean that the project can proceed. Work can begin in October.

As the USFS does work, they will bill the LWW levy fund through a Collection Agreement. There is no overhead in a Collection Agreement. If the USFS is under budget, the LWW fund pays less; if the USFS is over budget, they pay the difference.

- Exhibit 1 states that the County records all documents and links the Collection Agreement to the LWW Program.
- The LAB proposes adding Exhibit 3a, which depicts the entire project on one page.
- If the levy program funds this program, an additional \$100,000 in Forest Service funds will be freed up to be used for restoration on the side tributaries.
- ICL and Trout Unlimited will remain involved in the monitoring of community outreach.
- The road design continues to be engineered to be lower on the hillside.

The LAB's outside counsel is not present at today's meeting, but has been very involved in the project and approves the legal documents.

Trout Unlimited Big Wood River Project Director Chad Chorney, ICL Central Idaho Associate Dani Mazzotta, and National Forest Foundation Conservation Connect Director / 5B Restoration Coalition facilitator Karen DiBari (by phone) were present to support the project. Mazzotta presented some photos of USFS hikes and community crews doing restoration work. Chorney said healthy tributaries are key to a healthy watershed.

**PUBLIC COMMENT:**

- Chris Leman said it's gratifying to see the progress being made through this collaborative effort. He supports use of LAB funding for this project.
- Susan Giannettino, member of 5B Restoration Coalition and retired BLM and former USFS employee, said this is an exemplary example of how collaborative partnership improves public lands and makes the community stronger.

Commissioner McCleary said this is an exceptional conservation project that is happening because a lot of people and organizations worked together. The LWW contribution is 34.1%, which is lowest of all LWW levy projects to date; and the second largest dollar amount.

**McCleary moved, seconded by Greenberg, to approve Blaine County Resolution #2016-23, a resolution of Blaine County Board of Commissioners approving, pursuant to the established criteria and procedures of the Land, Water and Wildlife Levy Program, the disbursement of Land, Water and Wildlife levy funds in the amount of \$496,300 maximum. Motion carried 2/0.**

**McCleary moved, seconded by Greenberg, to approve the Collection Agreement between Blaine County, Idaho and the United States Department of Agriculture, US Forest Service Sawtooth National Forest for funding of the Deer Creek Watershed Restoration Project for a maximum total cost to Blaine County of \$496,300; and with the addition of Exhibit 3A a map overview of the project, and additional edits referencing this map; and authorize the Chairman to sign. Motion carried 2/0.**

**ADJOURN**

**At the hour of 1:58 p.m., with no more business before them, the County Commissioners adjourned.**

Attest: \_\_\_\_\_ Approved \_\_\_\_\_  
 JoLynn Drage County Clerk Jacob Greenberg Chairman