

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

Second Day

Tuesday, March 8, 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; Recording Secretary Sunny Grant; and *Idaho Mountain Express* reporter Andy Kerstetter.

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 March 2, 2016. Motion carried unanimously.

LAND, WATER and WILDLIFE LEVY PROGRAM CONTINUATION of February 23, 2016 public hearing on the Deer Creek Watershed Restoration Project - Idaho Conservation League (ICL), Trout Unlimited (TU) and National Forest Foundation (NFF) applicants, with partner U.S. Forest Service (USFS): Consideration of the Full Application for conceptual approval for funding for the project from the Land, Water & Wildlife Levy for \$496,300 total for (a) the restoration of 1,535 acres of upland vegetation and white bark pine (\$105,300) and (b) floodplain restoration and road relocation (\$391,000) to be matched with funds from the USFS, on USFS land northwest of Hailey in the Deer Creek drainage that were burned during, and otherwise damaged after, the 2013 Beaver Creek Fire. Other project components including recreational improvements and additional ecological restoration will be funded by the USFS, NFF, 5B Restoration Coalition, and Idaho Dept. of Parks and Recreation.

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; Blaine County Deputy Land Use Administrator Kathy Grotto; Blaine County Disaster Services Coordinator Chuck Turner; Land, Water and Wildlife (LWW) Levy Advisory Board (LAB) members Alan Reynolds, Ben Sinnamon, Rob Santa, and Lili Simpson; Blaine County Land, Water and Wildlife Levy Advisory Board Coordinator Clare Swanger; Sawtooth National Forest Ketchum District Ranger Kurt Nelson; USFS Ketchum Ranger District Aquatics Program Manager Erika Phillips and Recreation Staff Specialist Zach Poff; Sawtooth National Forest Wildlife Biologist Bobbi Filbert; ICL Central Idaho Associate Dani Mazzotta; National Forest Foundation Conservation Connect Director Karen DiBari (by phone); Len Harlig; Elaine French; Chip Deffé; Linn Kincannon; Paul Ries; Linda Ries; Steve Edsall; Ed Northen; Carmen Northen; Nancy Humphrey; Tom Page; Susan Giannettino; Jed Sidwell; Jan Mason; Trish Klahr; Betsy Mizell; and Daniela Anguita.

The February 23, 2016 public hearing was originally continued to April 5, but the applicant requested the continuation be moved earlier if possible so they can begin work this summer if the project is approved. The only notice required for today's meeting is agenda notice, but this continued hearing was also posted around the County, on websites, and distributed to public information officers and interested parties.

The BCC has received a total of 53 public comments on the project.

The application is by the Idaho Conservation League, Trout Unlimited, and the National Forest Foundation, in partnership with the U.S. Forest Service. The funding request is for \$496,300 for stream, riparian and floodplain restoration, and restoration of upland vegetation and whitebark pine habitat on 1,535 acres and construction of a new road in the vicinity. This public hearing is to request the Blaine County Commissioners' *conceptual* approval of the proposed terms of the project.

ICL Central Idaho Associate Dani Mazzotta presented an updated project plan. Some areas of USFS land are "roaded recreation", which are multiple use recreation that can include roaded access. Most of the Ketchum Ranger District is inventoried roadless areas, which are basically trail systems and do not allow road development or roaded recreation opportunities. If the Deer Creek floodplain is to be restored, the road running through it and the three bridges must be removed; and the road relocated to provide access.

5B Restoration is a coalition of private and public agencies, businesses and citizens that is raising private funds, researching grant opportunities, and managing volunteers for trail work. The National Forest Foundation is matching contributions dollar for dollar, up to \$100,000.

PUBLIC COMMENTS:

- Several people encouraged support of the project because the LAB judiciously and unanimously recommended it after extensive research and scrutiny.
- Elaine French supported the Deer Creek project, which has broad-based public benefit and public support; and is a great example of public-private partnership.
- Carmen Northen said there will be more fires and more natural events, and supported the watershed restoration project to improve resilience.

- Linn Kincannon, formerly with the Idaho Conservation League and co-chair of the effort to pass the levy in 2008, related some history of the Land, Water and Wildlife levy. She said use of levy funds on public lands was not considered at the time. She supports the Deer Creek project, and supports relocating the road, but said the levy was not intended to pay for a road on public land
- Trish Klahr was with the Nature Conservancy and co-chair of the Land, Water and Wildlife levy campaign in 2007-08. She said use of levy funds on public land was not considered at the time; but she added that 80% of the land in Blaine County is public land, and the levy states that eligible entities receiving funds include government agencies, but she would like to see a higher leverage for this kind of project.
- Jed Sidwell supported the levy to buy up easements to keep them from development, not to rebuild a Forest Service road. But he didn't want to lose access; and suggested off-road sticker funds be investigated as a source of funds.
- Tom Page spent over 100 hours volunteering, mostly on public land. He said funding begets funding, and levy funds would encourage discretionary federal funds on this and future projects.
- Daniela Anguita is a new resident. This project meets the original goals of access and watershed protection. The Forest Service is expending a lot of resources into restoring trails, but trails aren't much good if you can't access them.
- LAB member Rob Santa wasn't present for the vote on this project, so he added his vote of approval at this time. He said public access is important, and the project meets intended goals.
- Susan Giannettino, 5B Restoration Committee member / retired Forest Service and BLM employee, said the federal government no longer has unlimited resources. The only way to compete for federal funds is to form collaboratives and offer matching funds.
- Idaho Council of Trout Unlimited President Ed Northen said Trout Unlimited supports fisheries habitat and rivers throughout the system, and supports this project.
- Len Harlig supports the LWW levy, the Deer Creek project and restoration work, but has reservations about the proposed hillside road and parking area, and any development on the hillside that, if it were not on US Forest Service land, would be in the Mountain Overlay District. He said it didn't seem right to put money and effort into the road and streambank, which nature could again easily destroy.
- National Forest Foundation Conservation Connect Director Karen DiBari commended Blaine County on their strong passion for environmental/social/economic community health.
- Jan Mason said the Mountain Overlay District is of utmost importance to the whole county.
- Forest Service staff confirmed that the area would be planted and seeded with native species, and Deer Creek flows and fish habitat are being studied.
- LAB member Lili Simpson has always strongly supported the MOD, but she feels the road should be removed from the riparian area even if it's put on the hillside. This is not private land and the County has no jurisdiction over the mountain here. Simpson said over \$1 million of levy funds had been spent on private land easements; and she supported spending some of the money on restoration and protection of stream habitat and public land.

Mazzotta said the original proposal was for the road to cross North Fork on a bridge, but the engineering report said the road would be more stable if it backtracked down from the parking area and crossed a lower bridge to the west side.

County Attorney Tim Graves said the Mountain Overlay District (MOD) is vitally important in Blaine County, and the BCC's interpretation of the MOD has been affirmed in the Idaho Supreme Court. This application is a request for funding, not development approval; and this proposed project is on federal land, so the County and BCC do not have jurisdiction and the MOD does not apply.

Commissioners McCleary and Greenberg agreed with the LAB's decision that this project meets Land, Water and Wildlife (LWW) levy program objectives. Commissioner Schoen acknowledged the merits of this project and the collaborative effort that has gone into it, but said the LWW levy was not intended to fund projects on public land and this is how voters and taxpayers understood it at the time.

McCleary moved, seconded by Greenberg, to conceptually approve the Deer Creek Watershed Protection Plan with funding up to \$496,300. The project now returns to the Land, Water and Wildlife Levy Advisory Board for due diligence and final review, after which it will return to the Blaine County Commissioners for consideration of approval. In discussion, Commissioner McCleary asked that the LWW levy project contract make note of the project's status in relation to the Mountain Overlay District. **Schoen was opposed. Motion carried 2/1.**

PETITION FOR DIVISION OF WOOD RIVER VALLEY IRRIGATION DISTRICT #45

Also present: James White.

Commissioner McCleary said Presentation of the Petition for Division of Wood River Valley Irrigation District #45 was not properly noticed, and has been rescheduled for Tuesday, March 29, 2016 at 10:30 a.m.

COUNTY DEPARTMENT REPORTS, Discussion and Consideration

Administrator - Derek Voss

- Blaine County Administrator Derek Voss introduced the BCC to Blaine County's new Road and Bridge Manager Steve Thompson.
- Blaine Manor Brownfields application is before Department of Environmental Quality, which should be in Blaine County in April for an initial assessment.

- Voss and County Attorney Tim Graves have discussed negotiations with neighboring property owners with Adams Gulch Bridge consultant.
- The proposed ITD lease on the Carey Gravel Pit property has been delayed due to consideration of an existing 50-year lease on the property. Attorney Graves is reviewing the existing lease to see if there can be an additional ITD lease.

CONTRACTS, GRANTS AND AGREEMENTS, Discussion and Consideration

- **Blaine County Facilities Use Agreement with the City of Hailey** Not recorded
The Hailey Police Department is required by statute to assume all liability for use of the facility, and agrees to leave the building at least as good as they find it.

Schoen moved, seconded by McCleary, to approve the Blaine County Facilities Use Agreement between Blaine County and the City of Hailey to use the Blaine Manor building for police canine training. Motion carried unanimously.

- **2nd Amendment to Addendum B to the Service Level Agreement for Electronic Transaction Payments to Blaine County Assessor** Record #633649

Also present: Chief Deputy Assessor Martha Heuston.

This new vendor for electronic transaction payments will reduce the transaction fee.

Schoen moved, seconded by McCleary, to approve the 2nd Amendment to Addendum B to the Service Level Agreement for Electronic Transaction access for PayPort electronic payments to the Blaine County Assessor. Motion carried unanimously.

CONSENT CALENDAR

- **Junior College Residency Forms:**
College of Southern Idaho, Spring, 2016: Milagros Ortega.
College of Western Idaho, Spring 2016, Dual Credit: Benjamin Romero.

McCleary moved, seconded by Schoen, to approve the Consent Calendar for March 8, 2016. Motion carried unanimously.

PROCLAMATION 2016-01 FAIR HOUSING MONTH

Also present: Blaine County Grants Manager Michele Johnson.

Excerpted: Whereas, equal opportunity for all, regardless of race, color, religion, sex, disability, familial status or national origin, is a fundamental goal of our nation, state and city; and whereas, equal access to housing is an important component of this goal, as fundamental as the right to equal education and employment; and whereas housing choice impacts our children’s access to education, our ability to seek and retain employment options, the cultural benefits we enjoy, the extent of our exposure to crime and drugs, and the quality of health care we receive in emergencies, Blaine County proclaims April 2016 as Fair Housing Month.

McCleary moved, seconded by Schoen, to approve Blaine County Board of Commissioners Proclamation 2016-01 proclaiming April 2016 as Fair Housing Month. Motion carried unanimously.

FRIEDMAN MEMORIAL AIRPORT AUTHORITY MEETING PREVIEW

Also present: Friedman Memorial Airport Manager Rick Baird.

Topics on tonight’s meeting:

- Concerns expressed about the effect of de-icing fluid run-off on Bellevue’s drinking water have been forwarded to the FAA and Idaho Department of Environmental Quality, both of which will respond to the concerns.
Friedman Airport uses saline-based chemical that is believed to be safe. Air carriers use glycol-based chemicals that are also supposed to be environmentally safe.
The airport’s dry well and storm water run-off is filtered through grass and soil and will be tested.
- An accusation that two aircraft shared the same airspace over Bellevue.
- There was a complaint on an FAA hotline about Friedman Airport management and air traffic control. FAA’s research did not substantiate community concerns about airport incompetence; but Friedman Memorial Airport Manager Rick Baird filed a Freedom of Information Act (FOIA) request to get details.

BOARD of COUNTY COMMISSIONERS REPORTS, Discussion and Consideration

Southern Idaho Solid Waste District and Bannock County Landfill Gas to Energy Site Tour – Schoen

Commissioners Greenberg and Schoen visited the Bannock County Landfill gas to energy facility, along with other county officials and Southern Idaho Solid Waste District Executive Director Josh Bartlomé, District staff and SISW / Bannock County Landfill Gas to Energy consultant Stephen Freiburger. County officials discussed lessons learned and operational, financial, and economic components of the facility. SISW will decide later this week if they should authorize Idaho Power to move forward with a facilities feasibility study.

Big Wood River Assessment Report – Schoen

Organizations including Trout Unlimited and the Wood River Land Trust presented a report on the health of the Big Wood River corridor. The organizations particularly want to engage private landowners along the river who might want to do future stream restoration projects.

Climate Impact Research Consortium Report – Schoen

Presentation by Oregon State University researchers on how to access and use the water supply model they created for the Big Wood Basin, in anticipation of climate change affecting surface water and also the aquifer.

Idaho Legislature – Greenberg

Greenberg commented on a TV news report that accused the Idaho Legislature of stonewalling anything that might threaten their status quo; and how this affects communities all over the state and Idahoans of both political parties. Schoen said Idaho Association of Counties Legislative Committee tries to advocate for Idaho counties, which provide similar services regardless of political differences and share similar frustrations with the Legislature.

Dark Sky Reserve Meeting – McCleary

The Stanley City Council President is interested in the idea of creating a dark sky reserve in part of Blaine and Custer Counties. Dark sky reserves are located all over the world, but there are not yet any in the United States. Local mayors and Forest Service representatives seem to be excited about the possibility, which could be promoted as a travel attraction.

Blaine County Regional Transportation Committee – McCleary

- ITD will have money available in five years for preservation and restoration work on main streets in cities. The Committee voted to write a letter of support for this work to be done in Ketchum and Hailey. Preservation and work on main streets will help facilitate Ketchum and Hailey’s plans for bicycle/pedestrian improvements.
- Carey’s streets have a lot of truck traffic damage, but don’t meet minimum criteria for number of cars and people. The Blaine County Transportation Committee voted to write a letter of support to ITD empathizing the importance of preservation and restoration work on main street in Carey.
- The Forest Service is drafting a scoping letter and proposed action in the near future, to address winter parking, dispersed camping, roads within the Sawtooth National Recreation Area and possible road closures. The ITD often has money available for restoration projects, but it can’t be used for Deer Creek at this time.

Carey-Picabo Chamber of Commerce Meeting – Schoen

Schoen met with Carey-Picabo community members interested in pursuing economic development.

Ketchum River Property – McCleary

The Ketchum City Council passed a motion to accept the County-owned river property. However, there is still some debate over whether the property needs to be surveyed and who should cover those costs. McCleary will follow up with Mayor Nina Jonas.

BLM Environmental Impact Statement re Withdrawal of 10 Million Acres of Public and National Forest – Schoen

Schoen would like for Blaine County to be a cooperating agency. Cooperating agencies may negotiate the level of their involvement consistent with their available staffing and resources, so no financial commitment is made at this time.

Blaine County Drug Coalition – McCleary

Schoen will report on a recent meeting and the County’s cooperation with the Drug Coalition at a future BCC meeting.

APPROVAL OF BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

- February 9, 2016 Regular Meeting
- February 16, 2016 Regular Meeting
- February 25, 2016 Indigent Hearing

Schoen moved, seconded by McCleary, to approve minutes of regular County Commissioner meetings of February 9 and February 16, 2016; and February 25, 2016 Indigent Hearing, as amended. Motion carried unanimously.

ADJOURN

At the hour of 12:50 p.m., with no more business before them, the County Commissioners adjourned.

Attest: _____ Approved _____

JoLynn Drage
County Clerk

Jacob Greenberg
Chairman