

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

Second Day

Tuesday, October 13, 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 Clerk JoLynn Drage; Human Resources Generalist Henry Brown; Recording Secretary Sunny Grant; and *Idaho Mountain Express* reporter Amy Busek.

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

COUNTY DEPARTMENT REPORTS, Discussion and Consideration

Claims - Schar Boyd

McCleary moved, seconded by Schoen, to approve claims dated October 8, 2015. Motion carried unanimously.

The BCC suggested they review if having one service facility for all County vehicles would save money.

Weeds - John Cenarrusa

• **Noxious Weeds Protest Hearing - Monge**

Also present: Blaine County Weed Department Manager John Cenarrusa; and Weed Department Outreach Coordinator Bronwyn Nickel.

DISCLOSURE: Schoen knows Mr. Monge personally, but has no knowledge of Monge's personal property.

On July 22, 2015, the appellant was sent a notice to eradicate noxious weeds on his property. Idaho State Law provides five days to remove noxious weeds. A second inspection on August 11 noted the weeds were still present. The County contacted its pest management contractor to spray the weeds and sent the appellant a bill for the service. The appellant asked that the \$100 enforcement fee be removed since he had purchased the property a week prior to the weeds notice letter and was out of town at the time the notice was received.

Schoen said the timeframe is set by Idaho Code, but five days is a relatively short time for appellants to respond, especially since so many local landowners are out of the town much of the time. The BCC acknowledged that the \$100 administration fee wasn't part of state statute, but had been added by Blaine County years ago. Schoen asked if the herbicide application was still viable this late in the season. County Weed Department Manager John Cenarrusa said the application includes a residue that makes it effective even when applied later in the season.

Schoen moved, seconded by McCleary, to deny the appeal by Thomas Monge for a waiver of weed violation penalty. Motion carried unanimously.

PUBLIC COMMENT

Democrat Gulch

Present: Phil Rainey; and private property caretaker Justin Sheffield.

The BCC is looking at how to mitigate weeds in the Democrat Gulch area and reopen the public road, and will address this issue in an upcoming BCC meeting. In the meantime, Sheffield was notified that NO TRESPASSING signs facing Croy Canyon Road were misleading.

RESOLUTION 2015-52 AMENDED BLAINE COUNTY 2015 PROPERTY TAX LEVIES

Resolution 2015-52 is to correct a mistake made on the Public Safety Facility Bond Redemption levy and restores the increment value for urban renewal agencies.

Schoen moved, seconded by McCleary, to approve Resolution 2015-52 amending Blaine County 2015 property tax levy relating solely to the Public Safety Facility Bond Redemption Fund. Motion carried unanimously. Record #2015-52

CONTRACTS, GRANTS AND AGREEMENTS, Discussion and Consideration

• **Memorandum of Agreement between Minidoka County, State of Idaho and Blaine County for Juvenile Detention Record #730772**

Also present: Blaine County Jail Administrator Captain Jay Davis.

McCleary moved, seconded by Schoen, to approve the Memorandum of Understanding between Minidoka County, the State of Idaho (representing the Mini-Cassia Juvenile Detention Center) and Blaine County for juvenile detention services in the amount of \$125 per day for each juvenile in the detention center. Motion carried unanimously.

- **Inmate Telecommunication Location Agreement with Telmate, LLC** [Record #630890](#)

Also present: Blaine County Jail Administrator Captain Jay Davis.

Telmate provides phones and phone service for inmates for prepaid and collect calls, and local calls to their attorneys; and gives the County a commission on the calls made. The FCC will be reviewing inmate phone companies and fees, and perhaps regulating them in the near future.

Schoen moved, seconded by McCleary, to approve the Inmate Telecommunication Location Agreement between Blaine County and Telmate LLC for telecommunication services for inmates at the Public Safety Facility. Under the terms of the agreement, the County will receive 42% of gross revenue received by Telmate, which provides the service. Schedule A discloses rates for different kinds of calls by inmates. Motion carried unanimously.

- **Property Disposition Service Agreement** [Record #630868](#)

Also present: Blaine County Sheriff's Captain Curtis Miller.

PropertyRoom.com provides disposition services of unclaimed, unwanted and seized property. PropertyRoom now asks that items be shipped to them, which is not cost-effective for the County, and the service may not be of benefit in the future.

Schoen moved, seconded by McCleary, to approve Property Disposition Service Agreement between Blaine County and PropertyRoom.com for the disposition of property obtained through various law enforcement activities, as specified in the agreement and subject to a commission where the County receives a portion of the proceeds of items disposed of. Motion carried unanimously.

- **Contract for Services Agreement between Blaine County and Lamar Waters for Waterways Program Coordination** [Record #630323](#)

Also present: Blaine County Waterways Coordinator Lamar Waters.

One contract is for administrative fees (e.g., prepare grant applications) and the other contract is for dock maintenance.

McCleary moved, seconded by Schoen, to approve Contract for Services Agreement between Blaine County and Lamar Waters for Waterways Program Coordination for \$30/hour, not to exceed \$3,600, and mileage reimbursement up to \$450, for a total not to exceed \$4,050. Motion carried unanimously.

- **Sentinel Fire & Security Installation and System Monitoring Agreement** [Record #630277](#)

Schoen moved, seconded by McCleary, to approve System Monitoring Agreement between Blaine County and Sentinel Fire & Security for system monitor and remote programming services for seven locations on Blaine County properties, for a total of \$193.00/month for all seven locations. Motion carried unanimously.

- **Blaine County Public Defender Contract with Josh Stanek** [Record #630529](#)
- **Blaine County Public Defender Contract with Amanda Breen** [Record #630462](#)
- **Blaine County Public Defender Contract with Selim Star** [Record #630471](#)
- **Blaine County Public Defender Contract with Roark Law Firm** [Record #630521](#)
- **Blaine County Public Defender Contract with Christopher Simms** [Record #631225](#)
- **Blaine County Public Defender Contract with Cheri Hicks** [Record #630425](#)

There are two mistakes in the public defender contracts: The amount, as determined during budget hearings, should be \$28,607.83, or \$2,383.98 monthly. The years in some contracts need to be corrected to 2016-2017. The contracts should be clarified in the future to state a drug trial public defender can withdraw from certain cases, with approval of the court, after nine months.

Schoen moved, seconded by McCleary, to approve public defenders contracts between Blaine County and attorneys who provide public defender services: Josh Stanek, Amanda Breen, Selim Star, Cheri Hicks, Christopher Simms and the Roark Law Firm, with months for each attorney specified in the contracts, with amended contract amount of \$28,607.83, and the year corrected where appropriate. Contracts also state various circumstances where additional payments would be appropriate. Motion carried unanimously.

UNIVERSITY OF IDAHO EXTENSION QUARTERLY REPORT

Also present: University of Idaho (UofI) Extension Educator Lauren Hunter and County Extension Administrative Assistant Sarah Busdon.

UofI Extension Educator Lauren Hunter presented a FY Community Clientele Contact Report they give the University each year, which is used to request funding from the State. The report has three categories:

- Cross-Systems – Hunter had over 8,000 professional and clientele contacts in face-to-face teaching, professional contacts and development, and team collaborating projects.
- 4-H Development – Kathi Kimball worked with 2,000 youth in Blaine County.
- Other programs, primarily horticulture-related, presented by other extension educators with expertise in specific topics.
 - The Extension office tracks walk-in face-to-face contact every year ... homeowner questions, professional landscapers' concerns, etc.
 - Extension offered a Master Gardener program in Blaine County last fall. Students are required to do 40 hours of community service before receiving Master Gardener certification.

The Extension Quarterly Report for June through September, 2015, highlighted the following programs:

- Hunter received the 2015 National Association of County Agriculture Agents Achievement Award for her cover crop research.
- Hunter worked with the local Community Food Assessment team on a year-long survey.
- Extension hosted Idaho Association of Counties Agriculture Agents in a local tour, including small-scale pilot Syringa Mountain School farm-to-school program.
- 4-H participated in the Hunger Coalition's summer Lunch in the Park program that provided lunch and learning activities for over 200 youth, which was 72% more than in the previous year.
- Several summer and fall camps teach leadership and survival skills, animal husbandry, etc.
- The Blaine County Fair was a huge success. 86 market animals sold for a total \$165,000.
- 4-H programming involved 1,706 individuals with minimum of six hours of youth-adult contact.

BOARD of COUNTY COMMISSIONERS REPORTS, Discussion and Consideration

Sun Valley Economic Development Summit – Commissioners

BCC considered it a good workshop, with over 200 attendees from different sectors concerned about economics, quality of life and area growth. The BCC appreciated the question about planning for growth in the area. Workforce housing was a shared concern.

Local Emergency Planning Committee (LEPC) Meeting – Greenberg

- The Training and Exercise Committee discussed how to use available grant funds.
- A Sawtooth National Recreation Area representative led a brief discussion about the Boulder-White Cloud Wilderness Area and educating the public about new wilderness area regulations.
- National Oceanic and Atmospheric Administration (NOAA) National Weather Service in Pocatello presented how to use their website.

Blaine County Regional Transportation Committee Meeting – McCleary

- ITD has installed pedestrian warning and 35mph signs around Galena Lodge.
- The Blaine County Recreation District, Forest Service, Sheriff and ITD will work on parking area issues on Highway 75 north of Ketchum and a possible proposal for public transportation to Galena Lodge this winter.
- St. Luke's Hospital, ITD and Nichol Landscaping have been asked to consider what can be done about the weeds and lack of landscaping on two ITD lots by the hospital.
- The City of Hailey has a grant to look at driver and pedestrian friendliness of Highway 75 / Main Street in Hailey. ITD is responsible for State Highway 75, even where it goes through cities.

Community Food Assessment Update – McCleary

- The Community Food Assessment is researching four topics: food consumption, food security, food production and food waste and recovery. They hope to present results early 2016.
- BCC may want to consider a concept similar to Boulder County's Food and Agricultural Policy Council after completion of the updated Blaine County Comprehensive Plan Agriculture Chapter and the Community Food Assessment report.

Correspondence

BCC received emails that the former Blaine Manor building was "cleaned out" of useful equipment and amenities that could have been given to appropriate recipients. In fact, the Advocates were notified, but didn't want to sort through the stuff themselves. The County Clerk and Buildings and Grounds Manager sorted out potentially useful things, which were donated to the Land Trust Thrift Store.

South Central Public Health District – McCleary

McCleary will request clarification of information received from District Director Rene LeBlanc regarding services in the Bellevue Public Health office.

FRIEDMAN MEMORIAL AIRPORT AUTHORITY MEETING PREVIEW

Also present: Friedman Memorial Airport Manager Rick Baird.

Chairman Greenberg reported airport-related items of discussion at the recent Hailey City Council meeting. For now, the FAA is allowing Friedman Airport to make safety modifications to allow it to remain in Hailey until it is relocated. Airport Manager Rick Baird agreed that a new airport in a new location is probably not financially feasible for at least 20-30 years.

The FMAA needs to resolve components of Master Plan Chapter D items at this evening's Friedman Memorial Airport Authority (FMAA) meeting so the consultant can complete this chapter.

The FMAA will also discuss possible airport replacement sites, and a realistic cost to relocate the airport. Previous discussions of a new airport assumed that the sale of Friedman would contribute significant capital to the new airport and the FAA would participate in funding the airport. In reality, the FAA will likely fund acquisition of the land and the local community will be responsible for most airport improvements.

Friedman's Noise Abatement program works well. Sometimes noise incidents occur when pilots make decisions based on safety. Baird will explain Friedman's Runway Use program at tonight's meeting, and how it affects safety.

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.

Schoen moved, seconded by McCleary, 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 #2015-42 Medical Indigent Application for Assistance, based on staff recommendation. Motion carried unanimously.

BREAK

LAND USE and BUILDING SERVICES HEARINGS

- **Comprehensive Plan - Agriculture Chapter**, CONTINUED. Public hearing and consideration of proposed amendments to Title 8, Ch. 1, Comprehensive Plan. The proposed Agriculture chapter would replace Section 1, Agriculture, of the current Plan. Agriculture is a required element of a comprehensive plan per I.C. Section 67-6508. The chapter was recommended for approval by the P&Z Commission on August 13, 2015.

Also present: Blaine County Land Use Administrator Tom Bergin; County Senior Planner Kathy Grotto; Comprehensive Plan Update Consultant Lisa Horowitz; Julie Cord; Cynthia Luck Carr; and *Idaho Mountain Express* reporter Amy Busek.

Grotto reviewed latest revisions to the new Agriculture chapter, and how Blaine County 2025 and subdivisions have fragmented farms. The BCC and Agriculture Chapter team members made additional comments:

- Schoen said development and agriculture have not always been compatible.
- Irrigated land, both farmland and development, has increased considerably.
- Schoen would like to see more information on Concentrated Animal Feeding Operations (CAFOs). He suggested the team consider CAFOs under Regional Trends. CAFOs and southern Idaho dairy farms have an impact on Blaine County's agricultural success.
- Schoen suggested the multiple uses of public lands be considered under Regional Trends.
- Housing for workers, including subdividing agricultural parcels, short plats, cluster development.
- Season-extending possibilities such as greenhouses.
- Encourage non-lethal predator control.
- Geothermal potential.
- Cynthia Carr said agriculture should include diversified farming, and housing should include family housing as well as "bunkhouse" arrangements.
- Julie Cord worked on the Agriculture Short Plat, and feels it is an ongoing challenge.

McCleary moved, seconded by Schoen, to continue the Comprehensive Plan Agriculture chapter to November 3, 2015 at 1:30 pm. Motion carried unanimously

- **Stream Alteration Permit** CONTINUED. Public hearing and consideration of an application by Idaho Transportation Department (ITD) to replace the existing bridge across the Big Wood River just north of St. Luke's hospital with a new bridge to accommodate four travel lanes. The project site is within ITD's right of way, is zoned Low Density Residential District (R-1) and within the Floodplain Overlay District (FP).

Also present: Blaine County Land Use Administrator Tom Bergin; County Code Compliance Specialist Diane Shay; County Engineer Jeff Loomis; Idaho Transportation Department Engineer/Project Manager Steve Hunter; Parametrix Consultants Project Manager/Engineer Todd Johnson; Mickey Garcia; Julie Cord; and *Idaho Mountain Express* reporter Amy Busek.

DISCLOSURES: McCleary was called by Blaine County Land, Water and Wildlife Levy Advisory Board member Lili Simpson, who subsequently emailed her comments to the entire BCC.

At the previous public hearing on ITD's application for a Stream Alteration Permit, the BCC expressed concern about the Statement of Adverse Impact, debris in the river, the necessity and size of riprap around the piers, and placement of temporary structures. The BCC agreed that recent documentation answered their questions.

The current two-lane bridge is in good condition, and separate lanes will be used to carry traffic during construction of the four-lane bridge

County Code Compliance Specialist Diane Shay said no new notice was necessary since this a continuation of the prior public hearing. Shay said staff will write a condition of approval relating to Standard #3 and temporary structures in the floodplain. Loomis met with Blaine County Land, Water and Wildlife Levy Advisory Board (LAB) Coordinator Clare Swanger regarding a potential upstream stabilization realignment project that may be presented to the LAB.

ITD Engineer/Project Manager Steve Hunter and Parametrix Consultants Project Manager/Engineer Todd Johnson clarified questions from the previous meeting:

- Two temporary work platforms are proposed, Stage 1 on the west side of the existing bridge and Stage 2 on the east side.
- Bridge piers are designed so they shouldn't need riprap; but possible scour at the piers strongly suggests riprap around the piers. Industry standard methods suggest D50 rock size less than 1 ft, which ITD upsized to D50 rock size 1½ ft.
- Contract documents include the Stormwater Pollution Prevention Plan that covers permanent and temporary erosion control.
- Contractor will have required permits and will need to follow all other state and federal regulations. The Department of Environmental Quality requires turbidity monitoring. ITD worked with the Army Corps of engineers to identify and minimize impacts to wetlands area.

The BCC received a revised Statement of No Adverse Impact dated October 12, 2015. The application clearly states that this project has been carefully planned to address a variety of adverse impacts and is based on extensive research.

Schoen suggested the Findings note that the upstream work platform will remain in the river and could be compromised by a high flow event; and that the riprap is specified as rectangular stones which will interlock and stay in place better than rounded or square stones; and that ITD regularly inspects bridges and will look for any displaced stones that could cause negative downstream impacts. The contractor is aware that inserting pilings could impact underground infrastructure, including utilities serving the hospital. Hunter said the site would be closely monitored during high flow. Bergin said they would notify downstream residents of the temporary encroachment.

PUBLIC COMMENT

- Blaine County Land Water and Wildlife Levy Advisory Board member Lili Simpson suggested the BCC ask ITD to collaborate with Trout Unlimited on the project to provide better fish and wildlife habitat and passage, a safer public swimming area under the trestle bridge, and a reduction in stress load on the Highway 75 Bridge, perhaps requiring less armoring riprap.
- Mickey Garcia said there had been efforts to widen Highway 75 from Timmerman Hill to Ketchum for decades. Although the project today will cost many times more than it would have years ago, he encouraged the BCC to expedite the project.

Schoen moved, seconded by McCleary, to approve the application of Idaho Transportation Department for a Stream Alteration Permit to construct a replacement bridge located over the Big Wood River near Hospital Way, based upon Findings detailed in today's discussion that this project complies with applicable Standards of Evaluation set forth in Title 9, Chapter 17, Floodplain Overlay District and Riparian Setback District of the Blaine County Code, subject to staff-proposed conditions, and compliance with the FEMA Guidance Memorandum dated October 2009. Motion carried unanimously.

APPROVAL OF BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

- **May 26, 2015 Regular Meeting**
- **September 3, 2015 Executive Session Special Meeting**
- **September 8, 2015 Regular Meeting**
- **September 22, 2015 Regular Meeting**
- **September 24, 2015 Indigent Hearings Meeting**
- **September 24, 2015 Special Executive Session Meeting**
- **September 28, 2015 Special Meeting**

Schoen moved, seconded by McCleary, to approve Board of County Commissioner minutes of May 26 Regular Meeting, September 3 Executive Session Special Meeting, September 8 Regular Meeting, September 22 Regular Meeting, September 24 Indigent Hearing, September 24 Special Meeting, and September 28, 2015 Special Meeting, as amended. Motion carried unanimously.

ADJOURN

At the hour of 4:32 p.m., with no more business before them, the County Commissioners adjourned.

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