

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

Third Day

Tuesday, October 20, 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; Human Resources Generalist Henry Brown; Recording Secretary Sunny Grant; and *Idaho Mountain Express* reporter Amy Busick.

Commissioner McCleary was absent until 9:02 a.m.

Commissioner Schoen was absent after 2:11 p.m.

Chairman Greenberg called the meeting to order at 9:00 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 Greenberg, to approve claims dated October 14, 2015, with additional late-submitted demands presented by staff. Motion carried 2/0.

Treasurer's Report - John David Davidson

- Master's Touch has inserts and envelopes ready to mail out property tax bills.
- A bond was called with 5.5% interest.
- Treasurer made a recent bank deposit that included a \$50 bill that was actually a washed \$5 bill with \$50 copied over it.

Commissioner McCleary arrived at 9:02 a.m.

Clerk's Report – JoLynn Drage

- The Recorder's office has been open on Fridays since October 2 from 8:00 to 6:00 p.m. Title companies close at 5:00 and there has been very little Friday business after 5:00. County Clerk JoLynn Drage requested changing Recorder's Friday office hours to close at 5:00 p.m. instead of 6:00 p.m.
Commissioner McCleary said three Fridays was not much of a sample. She asked if the Recorder's office was getting much Friday business before 5:00. The County Clerk said they were getting some recording traffic, mostly e-recordings from out of area that had always come in on Fridays.
The BCC supported closing the Recorder's office at 5:00 p.m. on Fridays.
- Current County Code states County offices are open 9:00 to 5:00, Monday through Friday, The County Clerk suggested the BCC should correct the Code to reflect current hours.
County Administrator Derek Voss will review the entire Blaine County Code for accuracy, and make recommendations.
- Blaine County realized \$17,478 from a public auction of excess and seized property last week.
- The Clerk would like to pay out about \$65,000 in old holiday accruals to law enforcement employees. She suggests the money could be taken from Unappropriated Reserves.

County Administrator - Derek Voss

- Radon mitigation in Judicial Building and Old County Courthouse has been completed. Buildings will be tested in the near future to make sure the areas are now safe.
- The appraisal of the former Blaine Manor building had incorrect information about zoning of the property. The appraisers re-evaluated the building with the correct zoning, and it has the same value.
- **Democrat Gulch Road**
Chairman Greenberg met with environmental consultant Will Miller at Democrat Gulch Road, and they talked with a neighboring ranch manager. Dense weed growth on the road and neighboring private land create a fire hazard. Greenberg suggested the BCC delay any decision on the road until they talk with neighboring landowners. Commissioner Schoen said the County's Road and Bridge Manager recommends more extensive treatment than he thinks is wise. The neighboring ranch manager will fix NO TRESPASSING signage and place signs that instruct people to stay on the road and trails, and off private land.
- **County Projects Update**
Also present: Blaine County Administrative Services Manager Henry Brown; County Planning Assistant Michele Johnson; and County Administrative Specialist Andrea Walton.
The BCC reviewed the list of County Projects, and discussed some of them, including the following:
 - The former Blaine Manor building has been cleaned out and is basically closed for winter.

- The Clerk will present a list of indigent applicants' typical expenses for BCC review and consideration of setting limits on these expenses.
- The BCC will discuss water conservation strategy and policy in a future meeting.
- McCleary asked that recycling outreach be added to the project list.

BLAINE MANOR PROPERTY AUCTION, Discussion and Consideration

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Buildings and Grounds Manager Patrick Boyle; Hailey Community Development Director Lisa Horowitz; and *Idaho Mountain Express* reporter Greg Moore.

Blaine County is required to auction public property as its first method to sell the property, with the understanding that the BCC can reject any and all bids. If the auction is not successful, the BCC can sell the property on whatever terms or process seems reasonable. Blaine County staff have prepared the former Blaine Manor building for public auction. County Attorney Tim Graves has reviewed an online auction contract from Musser Brothers.

The BCC discussed setting a minimum acceptable bid. A confidential minimal bid is problematic for Blaine County's desire to be transparent. Musser Brothers suggests setting a minimum acceptable bid price in the contract. If the highest bid is for less than the minimum acceptable bid price, the County would pay a percentage of that bid received.

The BCC discussed a minimum selling price of about \$2.4 million, which is 15% lower than the net appraised value.

RECYCLING AT SMILEY CREEK, Discussion and Consideration

Also present: US Forest Service Sawtooth National Recreation Area (SNRA) Realty Specialist Deidre Witsen (by phone); County Administrative Specialist Andrea Walton; Clear Creek Disposal Owner Mike Goitiandia; and *Idaho Mountain Express* reporter Greg Moore.

Commissioner McCleary reiterated that she had previously visited the Smiley Creek transfer station site with SNRA Realty Specialist Deidre Witsen and Clear Creek Disposal Owner Mike Goitiandia, and they all agreed with the proposal. McCleary said the USFS Special Use Permit that regulates Smiley Creek will probably just need minor amendments.

Commissioner Schoen said Southern Idaho Solid Waste should be able to provide recycling containers and paint them to be appropriate for the Smiley Creek site. Goitiandia confirmed that he had spoken with Bartlomé about providing recycling containers that will fit on the existing site. The Forest Service may help with earthwork at the site to accommodate the recycle bins and the berm area. Blaine County will need to provide fencing to screen the recycle containers. The recycling bins and expenses will be paid out of Unappropriated Reserves.

CONSENT CALENDAR

- **Junior College Residency forms:**
College of Southern Idaho, Fall 2014 term: Cody McCammon.

McCleary moved, seconded by Schoen, to approve the Consent Calendar for October 20, 2016. Motion carried unanimously.

BOARD of COUNTY COMMISSIONERS REPORTS, Discussion and Consideration

NACo Conference – Schoen

Commissioner Schoen presented photos he took on his recent trip to Ouray, Colorado to attend NACo's Rural Action Caucus. The NACo Rural Action Caucus represents rural counties all across America and 16 million people. The RAC attendees discussed:

- A flooded minesite that collapsed, releasing toxic waste into the Animus River that contaminated Durango's drinking water. There is some local concern that water in Blaine County's Triumph Mine could contaminate the East Fork of the Big Wood River.
- Legalized marijuana presents legal complexities, affects interstate and intrastate issues, and seems to result in increased drug trafficking, especially heroin.
- The White House Rural Council representative discussed youth in poverty and substance abuse. The Council focuses on whole families to address rural poverty issues. An abundance of public and private programs and resources are available to rural communities, including Blaine County.
- Voyager Youth Program works to prevent substance abuse in an environment of legalized marijuana.
- National Association for Area Agencies on Aging, Eldercare and AARP provide information, options, programs, resources and strategies for seniors.
- A huge majority of seniors of all ages want to age in place.

Fuel Depot – Greenberg

Hailey Public Works Director Mariel Miller and Blaine County are researching their respective fuel needs to see if a fuel depot would be beneficial.

Correspondence

The BCC nominated Paul Christensen for Idaho Counties Risk Management Program (ICRMP) Board of Trustees.

Sawtooth Vision 20/20 – McCleary

Sawtooth Vision 20/20 is a 20-year strategic plan for the Sawtooth National Recreation Area. This year marks 10 years since the plan was created. The Sawtooth Vision 20/20 Steering Committee is planning a workshop to review the plan this summer, and requested \$2,000 from Blaine County during FY2016 budget discussions. At the time, McCleary suggested the County not fund the workshop since there would likely be funding from grants and other local jurisdictions; but none of the requested grants was successful. Sawtooth 20/20 Steering Committee is suggesting a revised workshop budget of \$5,000 and is requesting funding from Custer and Blaine Counties and the cities of Stanley and Sun Valley.

Friedman Memorial Airport Authority (FMAA) Meeting – Commissioners

Commissioner Schoen disputed the *Mountain Express* newspaper report that he walked out of the recent FMAA meeting in frustration. He said he told the FMAA Chairman before the meeting that he had to leave early. The *Mountain Express* will issue a correction. Chairman Greenberg said he was also misrepresented in the article.

Region V Behavioral Health Board Meeting – McCleary

Legislation passed some time ago that gave more authority to Regional Behavioral Health Boards if they were able to partner with another public agency. The South Central Public Health District will provide administrative assistance to the Regional V Behavioral Health Board. South Central Public Health District will be awarded \$50,000 from the State to administer the Behavioral Health Board.

INDIGENT CASES

There were no indigent cases. Blaine County Indigent Services Director Brooke Baird presented a Continuance of Hearing for Commissioner signature.

BREAK

LAND USE and BUILDING SERVICES HEARINGS

- **Griffin Ranch PUD Sub Phase 3 Plat Amendment:** A public hearing and consideration of an application by Joshua J. Glick to amend the plat of Griffin Ranch PUD Subdivision Phase 3 by creating a non-habitable building envelope on Lot 15, Block 12; also known as 106 Gus Lane. The lot is 3.31 acres, is zoned Residential/Agricultural District (R-5) and is within the Avalanche Overlay District.

Also present: Blaine County Land Use Administrator Tom Bergin; Zoning Specialist Nancy Cooley; and applicants Josh and Nancy Glick.

Cooley read legal notice.

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

DISCLOSURE: Commissioner McCleary knows the applicants, but feels she can be fair and impartial.

The applicant wants to build a barn for a horse, hay and farm equipment storage on their 2½-acre R-5 lot across the street from their house; and needs to create a non-habitable building envelope on the property for the new barn. The plat notes require all structures to be in the building envelope, which is currently on one side of the property and has a garage and house in it. This size lot in Griffin Ranch can have three buildings.

PUBLIC COMMENT: None.

The BCC supports the proposed Conditions of Approval. Staff will reword the plat note regarding noxious weed control on the property. Dark sky restrictions are included in the Zoning regulations.

McCleary moved, seconded by Schoen, to approve the application by Joshua J. Glick to amend the plat of Griffin Ranch Planned Unit Development Subdivision Phase 3 Plat to add a non-habitable building envelope to Lot 15 Block 12 with the Conditions of Approval listed in the Staff Report; and addition of three plat notes, two of which are in the Staff Report, and a third plat note that the owners are responsible for noxious weed control on the property; based on Findings that it complies with applicable criteria set forth under Title 10, Chapters 4 and 5 Subdivision Regulations and relevant regulations in Title 9. Motion carried unanimously.

- **Reconsideration of Conditions, Little Wood Headwaters Ranch** CONTINUED: A public hearing and consideration of removing condition number 7 from the previously approved, but not finalized, Mountain Overlay District site alteration permit and Stream Alteration permit applications. Condition number 7 states: The access and easement issues as stated in the Idaho Dept. of Lands comments (B3) shall be resolved prior to the Board signing the Findings of Fact, Conclusions of Law and Decision and shall be demonstrated in letter form from IDL. The subject 560 acre parcel is located approximately 1-2 miles north of the intersection of Muldoon Canyon Ranch Rd. and High Five Rd. in Sec 3, T2N, R20E & Sec 34, T3N, R20E. This is a continuation of the August 25, 2015 Public Hearing.

Also present: Blaine County Land Use Administrator Tom Bergin; Zoning Specialist Nancy Cooley; Blaine County Engineer Jeff Loomis; and neighbor Mrs. Oneida.

Cooley read notice.

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

The applicant Little Wood Headwaters Ranch received approval of their Mountain Overlay District Stream Alteration permit application on August 25, with the condition that they resolve their trespass issue with Idaho Department of Lands. The BCC approved Findings of the August 25th decision, but the Findings were not signed. The applicant has since been in discussion with Idaho Department of Lands; and requests today's public hearing be continued to November 17, 2015 to allow time to potentially resolve the trespass issue. If the issue is resolved between the two parties, the condition will be satisfied, the Findings can be signed and there will be no need for another public hearing.

PUBLIC COMMENT – None.

Schoen moved, seconded by McCleary, to continue this public hearing to consider a request for reconsideration of Condition 7 pertinent to the approval of a Mountain Overlay District Stream Alteration Permit for Little Headwaters Ranch to November 17, 2015 at 1:30 at this location. In Discussion, County Land Use Administrator Tom Bergin said there may not be a hearing on November 17 if the Condition is satisfied prior to then. **Motion carried unanimously.**

LAND USE and BUILDING SERVICES, Discussion and Consideration

- **Findings of Fact: ITD Big Wood River Bridge**

Commissioners McCleary and Schoen asked County Code Compliance Specialist Diane Shay to make some revisions on the Findings of Fact. Shay will make the revisions and return the Findings to the BCC later in today's meeting. CONTINUED TO LATER IN THE MEETING

- **Bellevue Area of City Impact (ACI)**

Also present: Blaine County Land Use Administrator Tom Bergin; Hailey City Attorney Ned Williamson; Hailey Community Development Director Lisa Horowitz; and Bellevue resident Diane Shay.

County Land Use Administrator Tom Bergin attended last night's Bellevue City Council meeting. Bergin said Bellevue Council discussed water and sewer systems evaluation with their respective consultants, which evolved into a discussion about annexation, Bellevue's Comprehensive Plan and ACI. The Bellevue Comp Plan Citizens Group is close to completing their work, and will begin public hearings before the Planning and Zoning Commission once City Planning staff is in place.

The BCC will send a letter to the City of Bellevue suggesting County Commissioners get together with Bellevue Council and Hailey representatives to discuss the ACI area.

Commissioner Schoen left the meeting at 2:10 p.m.

Blaine County has Area of City Impact agreements with Ketchum, Sun Valley, and Hailey; but no signed ACIs with Bellevue or Carey.

- **Findings of Fact: ITD Big Wood River Bridge**, CONTINUED FROM PREVIOUS IN THE MEETING

Also present: Blaine County Code Compliance Specialist Diane Shay.

McCleary moved, seconded by Greenberg, to approve Findings of Fact, Conclusions of Law and Decision for an application of Idaho Transportation Department for a Stream Alteration Permit to construct a replacement bridge located over the Big Wood River near Hospital Way with proposed changes by Commissioner Schoen presented by staff today; with the exception of the suggested change to Utility, which should remain sewer or gas line; and with additional amendment from Commissioner McCleary rewording the order of people who have been involved in the public process. Motion carried 2/0.

- **Solar Permitting Process**

Also present: Blaine County Land Use Administrator Tom Bergin; and County Building Official Jeff Giese.

County Land Use Administrator Tom Bergin said there is a separate permit for solar applications, which is not necessary. Land Use staff anticipate more solar applications and want to streamline the solar permit process, and review the cost of engineering and other peripheral expenses. Installers have complained about the County's recently revised fee schedule, which is based on value, so bigger systems cost more.

Commissioner McCleary said she'd heard from people who would like to see a lower fee to encourage solar. Their main objection is to the structural engineering fee. Chairman Greenberg said the application needs to cover staff time and site visit expense.

County Building Official Jeff Giese hesitated to remove structural engineer review. He is working with local engineers to devise a checklist that may lessen the requirement.

Land Use and Building Services will continue to review the Solar Permitting process.

ADJOURN

At the hour of 3:18 p.m., with no more business before them, the County Commissioners adjourned.

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