

**OFFICE OF THE BOARD OF COUNTY COMMISSIONERS
OF BLAINE COUNTY
REGULAR MEETING OF THE JUNE 2019 SESSION**

Sixth Day

Tuesday, June 11, 2019

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 (arrived late), and Commissioner Dick Fosbury (morning session only); County Administrator Derek Voss; Kiki Tidwell; and Recording Secretary Sunny Grant.

Commissioner McCleary was absent until 9:37 a.m.

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

PUBLIC COMMENT

- Kiki Tidwell suggested the BCC consider long-term deed restriction tax relief for developers who build affordable housing, and short-term deed restriction for people who rent their homes out long term.
The BCC said they would look into State Code restrictions and potential to work with State Legislators.
- Gimlet resident Dates Fryberger said he had lived on the [Big Wood] River on Gin Ridge Road since 1973, and considered his family interlopers on the river. Neighbors—Daverman and Morrow—had received a Stream Alteration Permit (SAP) intended to cause the river to “meander to the east in the future”, which actually caused the river to flood the Fryberger backyard last year (2018) almost as much as it had at flood crest in 2017. Also in 2018, floodwater higher than in 2017 flooded a transformer on the road, which was shut down, and Frybergers didn’t have power. Idaho Power told the Frybergers they could raise the transformer at their own expense.
The BCC will talk to Land Use Director and County Engineer about SAP work done and any possible correlation with it flooding other private property.

COUNTY DEPARTMENT REPORTS

Claims - Gretchen Stinnett

- Deputy Auditor Gretchen Stinnett presented claims.

Fosbury moved, seconded by Greenberg, to approve claims dated June 5, 2019. Motion carried 2/0.

ajv052019		May-2019	
FUND 01		AGAINST GENERAL FUND	
Blaine County Employees	Salaries May 9	\$ 335,124.37	
Blaine County Employees	Salaries May 23	\$ 339,280.06	
County Portion May FICA		\$ 48,684.89	
County Portion May		\$ 214,081.20	
Benefits			
Total May Bills		<u>\$ 410,029.70</u>	
Combined Total May Expense			\$ 1,347,200.22
FUND 02		AGAINST ROAD & BRIDGE	
Blaine County Employees	Salaries May 9	\$ 34,409.74	
Blaine County Employees	Salaries May 23	\$ 32,819.47	
County Portion May FICA		\$ 4,799.17	
County Portion May		\$ 23,524.57	
Benefits			
Total May Bills		<u>\$ 108,650.34</u>	
Combined Total May Expense			\$ 204,203.29
FUND 03		AGAINST ELECTION CONSOLIDATION	
Blaine County Employees	Salaries May 9	\$ 1,410.50	
Blaine County Employees	Salaries May 23	\$ 1,917.98	
County Portion May FICA		\$ 220.36	
County Portion May		\$ 1,536.88	
Benefits			
Total May Bills		<u>\$ 8,024.28</u>	
Combined Total May Expense			\$ 13,110.00
FUND 04		AGAINST AMBULANCE	
Total May Bills		\$ 204,549.50	\$ 204,549.50

FUND 06	AGAINST DISTRICT COURT		
Blaine County Employees	Salaries May 9	\$ 2,139.23	
Blaine County Employees	Salaries May 23	\$ 2,139.23	
County Portion May FICA		\$ 327.30	
County Portion May Benefits		\$ 1,356.24	
Total May Bills		<u>\$ 11,369.25</u>	
Combined Total May Expense			\$ 17,331.25
FUND 07	AGAINST COUNTY FAIR		
Total May Bills		\$ 181.09	\$ 181.09
FUND 11	AGAINST PUBLIC HEALTH		
Total May Bills		\$ 21,974.75	\$ 21,974.75
FUND 12	AGAINST HISTORICAL SOC. & MUSEUM		
Total May Bills		\$ -	\$ -
FUND 16	AGAINST CHARITY & INDIGENT		
Blaine County Employees	Salaries May 9	\$ 2,696.10	
Blaine County Employees	Salaries May 23	\$ 2,696.10	
County Portion May FICA		\$ 370.70	
County Portion May Benefits		\$ 1,827.94	
Total May Bills		<u>\$ 35,791.37</u>	
Combined Total May Expense			\$ 43,382.21
FUND 17	AGAINST JR. COLLEGE TUITION		
Total May Bills		\$ 2,450.00	\$ 2,450.00
FUND 19	AGAINST CONSOLIDATED EMERG. COMM.		
Blaine County Employees	Salaries May 9	\$ 28,222.69	
Blaine County Employees	Salaries May 23	\$ 30,409.82	
County Portion May FICA		\$ 4,374.93	
County Portion May Benefits		\$ 16,964.01	
Total May Bills		<u>\$ 10,380.41</u>	
Combined Total May Expense			\$ 90,351.86
FUND 20	AGAINST REVALUATION		
Blaine County Employees	Salaries May 9	\$ 12,061.17	
Blaine County Employees	Salaries May 23	\$ 12,160.33	
County Portion May FICA		\$ 1,689.29	
County Portion May Benefits		\$ 10,131.75	
Total May Bills		<u>\$ 3,047.41</u>	
Combined Total May Expense			\$ 39,089.95
FUND 22	AGAINST RECYCLE CENTER		
Blaine County Employees	Salaries May 9	\$ 6,254.40	
Blaine County Employees	Salaries May 23	\$ 6,254.40	
County Portion May FICA		\$ 880.78	
County Portion May Benefits		\$ 4,871.73	
Total May Bills		<u>\$ 8,611.78</u>	
Combined Total May Expense			\$ 26,873.09
FUND 23	AGAINST SOLID WASTE		
Total May Bills		\$ 3,951.97	\$ 3,951.97
FUND 27	AGAINST NOXIOUS WEEDS		
Blaine County Employees	Salaries May 9	\$ 4,042.12	
Blaine County Employees	Salaries May 23	\$ 5,160.12	
County Portion May FICA		\$ 611.95	
County Portion May Benefits		\$ 3,828.13	
Total May Bills		<u>\$ 10,118.69</u>	
Combined Total May Expense			\$ 23,761.01

FUND 30	AGAINST CAPITAL IMPROVEMENT FUND		
Total May Bills		\$ 96,659.63	\$ 96,659.63
FUND 31	AGAINST PSF BOND REDEMPTION		
Total May Bills		\$ -	\$ -
FUND 35	AGAINST NURSING HOME		
Total May Bills		\$ -	\$ -
FUND 37	AGAINST SNOWMOBILE		
Total May Bills		\$ 2,298.17	\$ 2,298.17
FUND 38	AGAINST WATERWAYS		
Blaine County Employees	Salaries May 9	\$ -	
Blaine County Employees	Salaries May 23	\$ -	
County Portion May FICA		\$ -	
County Portion May Benefits		\$ -	
Total May Bills		\$ 7,073.67	
Combined Total May Expense			\$ 7,073.67
FUND 46	AGAINST E-911 EMERGENCY COMM.		
Blaine County Employees	Salaries May 9	\$ 6,425.06	
Blaine County Employees	Salaries May 23	\$ 6,596.26	
County Portion May FICA		\$ 935.75	
County Portion May Benefits		\$ 3,914.83	
Total May Bills		<u>\$ 6,221.27</u>	
Combined Total May Expense			\$ 24,093.17
FUND 51	AGAINST LAND WATER & WILDLIFE LEVY		
Total May Bills		\$ 2,500.00	\$ 2,500.00
FUND 81	AGAINST LIABILITY INSURANCE		
Total May Bills		\$ 456.55	\$ 456.55
	TOTAL ALL FUNDS		\$2,171,491.38

Information Technology - Clay Landon

• **Asset Transfer Request**

Blaine County Information Technology and Emergency Communications staff have notified local jurisdictions that the County has two archival data storage devices they no longer use. The City of Ketchum has expressed interest in them. The BCC supported drafting a resolution that such transfer is in the public interest.

Facilities - Pat Boyle

• **Blaine Manor Property Parking/Camping Request**

Also present: Hailey Community Development Director Lisa Horowitz.

City of Hailey has requested use of the Blaine Manor parking lot for Antique Fair vendors to camp from July 3 through July 6, 2019. Cargo trailers will be stored elsewhere. The BCC was in support.

Idaho Code has an exemption to allow "permissible trespass" with no liability as long as there is no charge. Staff will draft a basic agreement that the County is not at risk and property should be left as it was found.

County Administrator - Derek Voss

- Rotarun is seeking a permit for repair work on County-owned land that experienced an avalanche last winter.
- Idaho Power has contacted the County about a community solar-powered facility at the Road and Bridge site on Glendale Drive. More information is required.

Commissioner McCleary arrived at this time.

CONTRACTS, GRANTS AND AGREEMENTS

- **Independent Contractor Agreement with Christopher Meyer** Record #661279

Also present: County Land Use and Building Services Deputy Director Kathy Grotto.

The BCC previously approved a contract for this training session, but Meyer became temporarily unavailable and the training session was cancelled. The term of this agreement is to the end of the fiscal year.

McCleary moved, seconded by Fosbury, to approve the Independent Contractor Agreement between Blaine County, Idaho, and Christopher H. Meyer, for a workshop on land use planning, on Wednesday, June 26, 2019 at the Old County Courthouse, in an amount not to exceed \$1,750. Motion carried unanimously.

CONSENT CALENDAR

- Resolution 2019-27 authorizing destruction of Clerk, Auditor and Recorder's records Record #660743
- Beverage License Renewals for Rasberry's; Base Camp Warm Springs; Taylor'd Events; and Bigwood Golf Course.
- New beverage license for Anthony R Dudley dba Big Belly Deli.

McCleary moved, seconded by Fosbury, to approve the June 11, 2019 Commissioners' Consent Calendar. Motion carried unanimously.

BOARD of COUNTY COMMISSIONERS REPORTS

The BCC reported on issues and committees they were involved in:

- Flood Control District Meeting – Fosbury
- 5B Restoration Coalition Meeting – McCleary
- Blaine County Regional Transportation Committee Meeting – McCleary

Other

- McCleary said the former BLM Travel Management Plan has been suspended due to federal direction. BLM and Blaine County will not engage in the Wood River Valley Recreation Access Proposal.
- McCleary said Idaho Department of Lands is doing a field workshop in Blaine County, and wants to observe fire mitigation work in Starweather and Heatherlands.
- Fosbury reported Larry Schoen is working with Warm Springs Consulting on a potential proposal to Southern Idaho Solid Waste District for a study on recycling.

ROTARUN PROPERTY RESTORATION WORK

Also present: Blaine County Land Use Administrator Tom Bergin; Blaine County Road and Bridge Manager Steve Thompson; County Planner Allison Marks; Rotarun Ski Area General Manager Scott McGrew; and *Idaho Mountain Express* reporter Mark Dee.

In April, an avalanche slid across Rotarun, which is Blaine County property, and the adjacent road. Although Rotarun's lease with the County is unclear, Rotarun manages and is developing the ski area and expects to be responsible for repairing the asset. Rotarun applied for a Categorical Exclusion to clear and clean out the building, install a drainage pipe into the mountain to drain water without saturating the ground area and ensure future slope stability; and grade and revegetate with native plants.

County Land Use Administrator Tom Bergin confirmed that a Categorical Exclusion administrative process would be appropriate. The BCC supported the plan, and suggested the permit fee could possibly be waived.

McGrew will contact County Attorney Tim Graves to discuss the Rotarun lease.

STATE HIGHWAY 75 SPUR (TRAIL CREEK RD), SUN VALLEY OWNERSHIP DISCUSSION

Also present: Sun Valley Mayor Peter Hendricks; Idaho Transportation Department Project Development Engineer Walter Burnside; ITD District 4 Engineer Devin Rigby and District 4 Engineer Jesse Barrus.

Mayor Hendricks said the City of Sun Valley Road is considering taking over jurisdiction and maintenance of Sun Valley Road, about 3.3 miles, which runs through Ketchum and Sun Valley. Ketchum Mayor Bradshaw said Ketchum may be interested in taking jurisdiction of their section of Sun Valley Road.

Idaho Statute 40-607 says a "rural major collector highway through cities with a population less than 5,000" such as the State Highway 75 spur, could be relinquished to the County, which could subsequently relinquish the spur to the city. Devin Rigby supported this.

The BCC supported the proposal. Sun Valley staff will talk with ITD legal department.

BREAK

Commissioner Fosbury was not present for the afternoon session.

LAND USE and BUILDING SERVICES HEARINGS

- Rivers Edge Ranch Subdivision - Stream Alteration Permit: Public hearing and consideration of an application by James Cooper, 605 Benjamin Way, for a stream alteration permit within the Big Wood River. The property is zoned Rural/Residential District (R-1) and is within the Floodplain, Floodway, and Wetland Overlay Districts.

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Land Use Administrator Tom Bergin; County Certified Floodplain Manager Kristine Hilt; County Engineer Jeff Loomis; County Planner Allison Marks; Land, Water and Wildlife Levy Program Coordinator Wendy

Pabich and LWW Levy Program Board Member Lili Simpson; applicant's representative aquatic consultant Steve Fisher; property owner Carter Cox and Cox hydrologist Zach Latham; applicant's attorney Gary Slette; Robert Rudy; Biota Research & Consulting Fisheries Biologist Ryan Colyer; Karin Knott; and Renee Angel.

Marks read public notice.

McCleary moved, seconded by Greenberg, that notice of this hearing was adequate. Motion carried 2/0.

Disclosure: McCleary and Greenberg said they had discussed the Cardno Study and its value throughout the Big Wood River with Land, Water and Wildlife Levy Program Coordinator Wendy Pabich. This specific Stream Alteration Permit was mentioned, but McCleary and Greenberg said that will not affect their consideration of this project.

No new materials.

Ryan Colyer, representing the applicant, explained the 1,600ft long stream alteration project on a map of the area by the Highway 75 bridge near the hospital. There's a long history of flooding and channel impairment, alterations and remedies. The team examined extensive erosion and deposition difference between 2015 LiDAR and 2017 LiDAR, pinpointing a constriction at the bridge crossing, causing high energy floodwater that caused significant bedload movement and bank and land loss.

The proposed design solution is to establish a river channel that conveys floodwaters and sediment without changing dramatically from year to year, to protect existing residences and allow the river to function as a river should. The project is based on the river, and not specific to lot lines. Tom Bergin said the applicant would have to get authorization from neighboring landowners before the application is considered.

Allison Marks requested a Floodplain Conditional Use Permit (Blaine County Ordinance 2010-13, B.3.c.(5), "local public interest" from the applicant, which the applicant refused to do. Kristine Hilt felt this project would create new floodplain areas outside an active channel, and agreed the application required a Floodplain Conditional Use Permit. Applicant's attorney Gary Slette didn't think the ordinance required a Floodplain Special Use Permit; so the decision to require a FPCUP is before the BCC today. Jeff Loomis said a Stream Alteration Permit is for work done only between high water marks; he concurred that any work proposed outside high water marks requires a FPCUP.

Hilt said the County is seeing proposed new techniques and every project is different. Staff are building a "toolbox" of review and evaluations and methods to accurately and successfully monitor projects, and need specific details, engineer specifications and certifications, etc., to do so. This is a large project with potentially large impacts.

Public Comment:

- Steve Fisher, representing the applicant, said they didn't submit neighbor approval because applicant Cooper wants to approach his neighbors himself. Fisher said he had worked on this property since 1999.
- Neighbor Carter Cox is opposed to anything done on his property because water will come rushing north of his house.
Loomis replied that the project cannot go forward as proposed without authorization from neighbor Cox. Graves said the BCC cannot authorize what would constitute a trespass.
Hilt replied that Land Use was unaware of spoils of prior work that had piled up in the floodplain on the Cox property, and can address this with better enforcement.
- Karin Knott, resident on a turn of the river in the north end of Gimlet, said every time there is a change to Mother Nature, the river changes in front of her property. She asked the BCC to carefully consider impacts of the project for miles down the river.

Land Use staff supported third party review of a reach project of this size.

Gary Slette will talk to County Attorney Graves on whether a FPCUP is required.

McCleary moved, seconded by Greenberg, to continue the hearing of James Cooper for a Stream Alteration Permit on the Big Wood River, downstream of the Highway 75 bridge north of St. Luke's Hospital, to a date uncertain. Motion carried 2/0.

- **Stevens Family Ranch/Colorado Gulch Preserve - Stream Alteration Permit:** Public hearing and consideration of an application by Wood River Land Trust for a stream alteration permit within the Big Wood River in the vicinity of the recently removed Colorado Gulch Bridge. The property is zoned Rural Residential (R-10) and Residential/Agricultural (R-5) districts, and is within the Floodplain, Floodway, and Wetland Overlay Districts.

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Land Use Administrator Tom Bergin; County Engineer Jeff Loomis; County Planner Allison Marks; Land, Water and Wildlife (LWW) Levy Program Coordinator Wendy Pabich; County Road and Bridge Manager Steve Thompson; County Administrative Services Specialist Esmeralda Palomera; Biota Research &

Consulting Fisheries Biologist Ryan Colyer; Lili Simpson; Wood River Land Trust (WRLT) Project Coordinator Ryan Santo; and Peter Bloomfield.

Marks read public notice.

McCleary moved, seconded by Greenberg, that notice was adequate. Motion carried 2/0.

Disclosures:

- McCleary spoke to Wendy Pabich about issues related to Stream Alteration permits on the Big Wood River and the Cardno Study, which looks at the entire river.
- Greenberg had a similar discussion about the river with Pabich, but didn't remember this project coming up; and didn't feel the discussion would affect his ability to make a decision.

Ryan Colyer, representing the applicant, described this proposed Colorado Gulch project on WRLT property, showing existing topography compared to a 2017 LiDAR water surface elevation model. The old Colorado Gulch Bridge has been removed. The intent of the project is to maximize floodplain conveyance and restore the natural processes of the river, and to re-establish flood channels that will allow floodwaters to spread out during high flow periods.

Commissioner Greenberg said bridge access is still uncertain.

Public Comment:

- Peter Boomfield said there was no broach of existing riprap until 2017. Now the 40ft long 3ft diameter culvert is plugged.
Steve Thompson said the riprap is there primarily to enable access to the bridge.
Santo said the WRLT wants to return the river to a more natural channel, and manage the property similar to the Draper Preserve.
- Land, Water and Wildlife Levy Program Board Member Lili Simpson has been a frequent user of the Colorado Gulch area on bike and foot, and hopes the area will remain accessible year-round.

The BCC support the project, but need to figure out bridge design and an access route. Jeff Loomis said there are currently a Stream Alteration project and Conditional Use Permit project. The BCC directed County staff, the WRLT and Biota to review access and bridge options.

WRLT will submit a maintenance plan. Hilt asked for specific best management practices so staff can accurately monitor the project, especially during construction.

The BCC reviewed Conditions of Approval; and discussed if the project should require an engineer's stamp.

McCleary moved, seconded by Greenberg, to continue this hearing on the Stream Alteration Permit by the Wood River Land Trust on the Big Wood River in the area of the pre-existing Colorado Gulch Bridge within the Stevens Family Ranch, Lot 2A, Block 1, to July 16 at 1:30 pm. Motion carried 2/0.

LAND USE and BUILDING SERVICES

- **Findings of Fact: 130 and 134 Hyndman View Dr. and 120 Pioneer Mountain Dr. Plat Amendment**
McCleary moved, seconded by Greenberg, to approve Findings of Fact, Conclusions of Law and Decision regarding the application of Sandro Szombathy Taszo LLC and David Bjerke for a plat amendment to shift portions of their lot line to create sublots 29 and 30 and Pioneer Mountain Ranch subplot 10, and remove building envelope on Lot 29. Motion carried 2/0.

FOURTH OF JULY STAFF SCHEDULING

Also present: Chief Deputy Clerk Leslie Londos; County Chief Deputy Prosecuting Attorney Tim Graves; County Assessor Jim Williams and Chief Deputy Assessor Melissa Fry; County Chief Probation Officer Teresa Espedal and Juvenile Probation Officer Jodi Brown; County IT Specialist Jon Eaton; County Land Use Administrator Tom Bergin; County Facilities Manager Patrick Boyle; and County Administrative Services Specialist Esmeralda Palomera.

Although the County's standard four-day work week policy is to be open on Fridays when there is a holiday earlier in the week, the BCC decided County offices could be closed on Friday, July 5, following the July 4th holiday. Most County departments see few customers on Fridays that are open, but if customers are anticipated, a skeleton staff will be present. Staff and department heads said they would normally come in on a closed day that requires special staffing. Blaine County Chief Probation Officer Teresa Espedal said it seemed to be good policy to allow staff to take a holiday when few customers are expected. Court is normally open on Friday, and will be open that day.

McCleary moved, seconded by Greenberg, to approve July 5, 2019 as Blaine County holiday for departments able to close for a holiday, and that staff review whether a resolution is needed for this action, and, if so, bring the resolution back for BCC review and consideration. Motion carried 2/0.

ADJOURN

At the hour of 4:25 p.m., with no more business before them, the County Commissioners adjourned.

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