

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

Fourth Day

Tuesday, January 15, 2019

Pursuant to Statutory Provisions, the Board of Blaine County Commissioners (BCC) met this day at 9:00 a.m. Present were Commissioners Angenie McCleary, Jacob Greenberg and Dick Fosbury; County Administrator Derek Voss; Sheriff Steve Harkins; County Administrative Services Manager Mandy Pomeroy; and Recording Secretary Sunny Grant. County Clerk JoLynn Drage and *Idaho Mountain Express* reporter Mark Dee were present for part of the morning session.

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

PUBLIC COMMENT – None

Blaine County Clerk of the Court JoLynn Drage received a copy of an email from Dennis Voorhees, Voorhees Law Firm in Twin Falls, Idaho, to Magistrate Judge Jennifer Haemmerle that “Blaine County has the most upbeat, positive and helpful clerks in the state ... responsive and quite cheerful ... makes for a great start on my Monday morning.”

ELECTION OF BLAINE COUNTY COMMISSIONER OFFICERS

Blaine County Commissioners traditionally rotate officer positions every two years; except a new commissioner coming on Board is given a two-year period to acclimate before becoming chairman.

Commissioner Dick Fosbury nominated Commissioner Jacob Greenberg as Chairman of the Blaine County Commissioners.

Fosbury moved, seconded by Greenberg, that Jacob Greenberg be Chairman of the Blaine County Commissioners. Motion carried unanimously.

Commissioner Fosbury nominated Commissioner Angenie McCleary as Vice-Chairman.

Fosbury moved, seconded by Greenberg, that we appoint Angenie McCleary as Vice-Chair. Motion carried unanimously.

Chairman Jacob Greenberg took over as chairman.

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 Services Manager Brooke Baird and Indigent Services Assistant Hayleigh Simpson.

McCleary moved, seconded by Fosbury, to go into Executive Session, pursuant to Idaho Code 74-206 (1)(d) to consider indigent medical records that are exempt from disclosure. Roll call: McCleary (aye), Fosbury (aye), Greenberg (aye). Motion carried unanimously.

OPEN SESSION RESUMED

INDIGENT MEDICAL APPLICATIONS - Board of County Commissioners Action

McCleary moved, seconded by Fosbury, in the matter of Case #2018-72, to deny the case, based on staff recommendation. Motion carried unanimously.

McCleary moved, seconded by Fosbury, in the matter of Case #2018-70 to deny the case, based on staff recommendation. Motion carried unanimously.

APPOINTMENT OF BLAINE COUNTY REPRESENTATIVE TO MOUNTAIN RIDES BOARD

The BCC interviewed two excellent applicants. Applicant Kathleen Kristenson was chosen because she lives in Hailey and uses the Valley route bus to commute in Ketchum.

McCleary moved, seconded by Fosbury, to appoint Kathleen Kristenson to the Mountain Rides Board as Blaine County’s representative for a three-year term, starting January, 2019. Motion carried 2/0. Fosbury recused himself since he was not a county commissioner during the interview process.

COUNTY DEPARTMENT REPORTS

Treasurer's Report - John David Davidson

- In December, 61% of current property taxes was collected.
- Recent software updates have facilitated tax collection; 210 customers were added to the E-notice system.

- The County's Land, Water and Wildlife Levy Program account is at D.L. Evans Bank. The treasurer would like to move the funds to the state pool, which has one-day turnaround and is currently paying 2.38%. The BCC supported the funds transfer.

Chairman Greenberg thanked the Treasurer's office, especially Blaine County Deputy Treasurer Morgan Drage, for their community outreach efforts with individuals who have challenges in paying their property taxes.

Administrative Services - Mandy Pomeroy

- **Electric Car Charging Station Grant Opportunity**

Also present: Blaine County Grants and Procurement Specialist Lyn Drewien; County Facilities Manager Patrick Boyle; County Disaster Services Coordinator Chris Corwin; and Sun Valley Institute Executive Director Aimée Christensen.

Electric Vehicle Supply Equipment Program grant funds will be distributed throughout the United States to encourage reducing carbon emissions with the use of electric vehicles. The grant will be administered in Idaho through the Idaho Office of Energy and Mineral Resources and overseen by the Department of Environmental Quality. Blaine County meets criteria for grant funds, and would have two years to implement the program if grant funds are awarded.

The BCC and County Facilities Manager Patrick Boyle discussed pros and cons of possible locations for the charging station. Locations near a restaurant or coffee shop provide something for people to do while they wait for their car charge. Commissioners suggested Carey and Smiley Creek are on major thoroughfares and would benefit from visitors spending time in town; and partnering with the City of Hailey to find a strategic location in the Wood River Valley.

Drewien will research location options and present the grant application to the BCC on February 12.

County Administrator - Derek Voss

Also present: WRLT Project Coordinator WRLT Project Coordinator Ryan Santo.

Wood River Land Trust is the Colorado Bridge project owner and applicant. The Land Trust is currently working with Idaho Office of Emergency Management on engineering the Colorado Gulch Bridge. County Grants and Procurement Specialist Lyn Drewien is requesting a one-year extension from FEMA to complete the project by February 2020.

CONTRACTS, GRANTS AND AGREEMENTS

- **Mott Stream Alteration Permit - Blaine County Security Agreement**

County Certified Floodplain Manager Kristine Hilt said this is a security agreement with the applicant to complete stream alteration work according to conditions of approval, including associated revegetation, so staff can monitor projects within the stream for up to four years. The Security Agreement accompanies a bond for \$1,500.00.

McCleary moved, seconded by Fosbury, to approve the Mott Stream Alteration Permit - Blaine County Security Agreement, with an amendment of the change in the chairperson. Motion carried unanimously.

- **Application for Hazard Mitigation Grant for Sharps Fire**

Also present: County Grants and Procurement Specialist Lyn Drewien; County Disaster Services Coordinator Chris Corwin; County Land Use Administrator Tom Bergin; and Trout Unlimited Big Wood River Project Manager Keri York.

County Disaster Services Coordinator Chris Corwin requested hazard mitigation grant funds to implement in-stream beaver dam-type structures in Sheep Creek and Hailey Creek, in partnership with Trout Unlimited, the Pioneer Alliance and two private landowners. Trout Unlimited and a group affiliated with Utah State University will plan and monitor the structures to see how they work within the watershed.

Fosbury moved, seconded by McCleary, to approve the request to apply for the IOEM Hazard Mitigation for the Sharps Fire rehabilitation project grant in the amount of \$148,803.00. Motion carried unanimously.

BOARD of COUNTY COMMISSIONERS REPORTS

South Central Behavioral Health Board Meeting – McCleary

South Central Public Health District fiscally sponsors and helps administer the Behavioral Health Board, and recently received a grant to hire a prevention specialist to work on youth drug and alcohol prevention. The BHB will conduct a strategic planning session to determine the workplan of the prevention specialist, and Blaine County will try to get some local drug and alcohol prevention services.

Idaho Public Safety Communications Commission (IPSCC) Meeting – Greenberg

- The IPSCC Board will consider applications for an "integrator" firm to coordinate transition to Next Generation 911.
- AT&T won the contract for proliferating cell tower communication for Next Gen 911; and is in the process of finding gaps and building cell towers to cover them.

- The Public Safety Answering Point (PSAP) Committee, which hosts a yearly conference to educate and promote emergency communication, has been working with Idaho Peace Officer Standards and Training (POST) to develop an online dispatch course.
- Local Mobile Radio (LMR) Committee is working on encryption protocol for local mobile radios in police cars so encrypted broadcasts can be secure but shared with other law enforcement officers.
- Legislative Committee is drafting legislation that will raise 911 fees to keep up with inflation and technology, and all facets of emergency communication.
- There is some consideration about legislation to cover Ground Emergency Medical Transport (GEMT), which is currently reimbursed by Medicaid only about 50%.

Hailey Urban Renewal Agency (HURA) Meeting – Greenberg

Greenberg and County Administrator Voss told the HURA the BCC might consider a future project on the former Blaine Manor property if a good idea that would benefit the community were presented.

Sun Valley Economic Development (SVED) Meeting – Greenberg

Also present: Blaine County Land Use Administrator Tom Bergin.

Main discussion was a Small Unit Residential Ordinance that will be presented to County P&Z. Initial description of the proposed ordinance indicates it would eliminate all restrictions in two years, which would seem to remove long-term public benefits.

Correspondence

- Chairman Greenberg will review a draft Letter of Intent to US Army Corps of Engineers about Army Corps of Engineers Section 205 and Section 206 projects.
- Commissioner Fosbury said United States Senator Jim Risch offered to work with the County on any issues that could benefit from federal involvement.
- Wendy Jaquet is organizing a meeting with the City of Boise and Blaine County, and cities within Blaine County to discuss common issues facing the jurisdictions, including the need for affordable housing.

BOARD LIAISON ASSIGNMENTS

Also present: Blaine County Land Use Administrator Tom Bergin; Blaine County Grants and Procurement Specialist Lyn Drewien; and intern Brittany Shipley.

The BCC discussed and updated Commissioner liaison appointments to County departments and community organizations. County Administrator Derek Voss said he'd asked County Outreach and Education Specialist Colleen Clark to document community involvement of Blaine County Commissioners.

BREAK

LAND USE and BUILDING SERVICES

• South Central Public Health District: One-Acre Policy & Variance Process - Presentation and Discussion

Also present: Blaine County Land Use Administrator Tom Bergin; County Land Use and Building Services Deputy Director Kathy Grotto; County Zoning Specialist Nancy Cooley; County Planner Allison Marks; Blaine County Planning and Zoning Commissioner Pat Murphy; South Central Public Health District (SCPHD) Environmental Health Program Manager Cassandra Lemmons REHS/RS, SCPHD Environmental Health and Public Health Preparedness Division Director Craig Paul EHS, and SCPHD Environmental Health Specialist Matt Wildhagen; Sawtooth Development Group VP of Development Matt Scoggins; Marc Reinemann; Lisa Horowitz; Len Harlig; David Patrie; Paul Conrad; Eli Conrad; and Linda Haavik.

The Public Health District policy is designed to protect environmental public health by controlling density of subsurface sewer systems. Today's modern consensus for a septic system is one-half to two acres, depending on soil and nitrate dilution. SCPHD doesn't make rules, but administers Department of Environmental Quality subsurface sewage disposal rules and Technical Guidance Committee rules.

The grandfather procedure can apply to any subdivision or lot created prior to July, 1977.

The variance procedure for individuals is usually based on arbitrary or unreasonable hardship; and variances for cities and counties would be to improve the health of the residents and/or the quality of the environment. Appeals can be made to the District Court or to Idaho Department of Environmental Quality.

Commissioner Fosbury asked about quality of public water in Blaine County over the last 40 years. SCPHD staff said there have occasionally been positive bacteria samples, with quick resolution. They answered questions about monitoring of dense developments, specifically mobile home parks, and regulated public water systems.

Public Comment:

- Len Harlig said water quality and water quantity have always been an issue in Blaine County. He said government efforts to monitor, upgrade and repair septic systems were eventually abandoned, and septic system failure is common, although unreported. With community emphasis on affordable housing, he hoped careful thought would be given to the impact on the aquifer if the number of unmonitored septic systems is increased, especially for high density development.

SCPHD staff said septic system maintenance depends on the kind of system, and outlined basic maintenance for different systems, assuming proper design and installation. Downward contamination, where sewage leaks down and into the groundwater, would be undetected until someone’s well water is contaminated. Septic pumping and maintenance companies set their own policies for how they inspect septic systems; SCPHD can only regulate private company septic maintenance trucks and where they dump. He added that systems that include and require annual maintenance are not purchased as often as those that don’t.

Chairman Greenberg said the BCC would have an upcoming workshop on community housing that would include septic systems.

- **1039 W. Warm Springs Rd. Mountain Overlay District Categorical Exclusion Appeal fee waiver request by Ann Parry**

The appellant Ann Parry has withdrawn her application and request for a fee waiver.

- **Transferable Development Right (TDR) Revenue Discussion**

Also present: County Planner Allison Marks; and Marc Reinemann.

The County recently auctioned off three TDRs and received \$78,000 from the sale. The BCC discussed how the revenue could be used. The TDR program has never gained much traction, and Commissioner Fosbury, in talking to landowners, found that a discrepancy in the market value of TDRs—property buyers have a low value and property senders have a higher value—isn’t helping the program. The recent auction has shown there is interest and there is a market. Marks said certified TDRs are listed on the website and publicized; and interested people have called about them.

Commissioner Fosbury would like to invest the funds in the program to facilitate other transfers. Marks will gather ideas on how other jurisdictions have used revenue from the sale of TDRs and present to the BCC at a future date.

Public Comment:

- Len Harlig said the TDR concept was put in the 1987-94 Blaine County Comprehensive Plan. It was revived in the Blaine County 2025 proposal, due to downzoning of some agricultural and rural land, and perhaps the process was made more difficult by limiting receiving zone values. If the receiving zone were 5-10 acre parcels in the cities and Areas of City Impact, transactions might be more attractive. Fosbury said the County should look for areas that could increase density.

In the meantime, the County Clerk will set up an account for the TDR auction revenue and the BCC will think about possible options for the money.

EXECUTIVE SESSION – §74-206 1(f) to discuss with legal counsel the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated, in this case, Tidwell v. Blaine County pending litigation.

McCleary moved, seconded by Fosbury, to go into Executive Session, pursuant to Idaho Code 74-206 1(f), for pending litigation case, Tidwell vs. Blaine County pending litigation. Roll Call: McCleary (aye), Fosbury (aye), and Greenberg (aye). Motion carried unanimously.

ADJOURN

At the hour of 4:15 p.m., with no more business before them, the County Commissioners adjourned.

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