

**OFFICE OF THE BOARD OF COUNTY COMMISSIONERS  
OF BLAINE COUNTY  
REGULAR MEETING OF THE FEBRUARY 2021 SESSION**

**Third Day**

**Tuesday, February 9, 2021**

Pursuant to Statutory Provisions, the Board of Blaine County Commissioners (BCC) met this day at 9:00 a.m. Present were Chairman Dick Fosbury, Vice-Chair Angenie McCleary, and Commissioner Jacob Greenberg; County Administrator Derek Voss; County Administrative Services Manager Mandy Pomeroy; Administrative Services Support Specialist Kay Draper; Chief Deputy Clerk of the District Court Andrea Logan; Outreach and Education Specialist Stephanie Carlson; Recording Secretary Sunny Grant; and Kiki Tidwell. Virtual Meeting Specialist Stephen McDougall Graham was present for the morning session.

Due to the continuing COVID-19 pandemic, many participants in this meeting were by webconference or teleconference.

Commissioner Fosbury called the meeting to order at 9:00 a.m.

**PUBLIC COMMENT:**

- Hulen Meadows resident Kathy Percival added data relative to her previous comment to the BCC about the Sun Peak Preserve project and its expensive and intensive use of the Hulen Meadows bridge. Data provided by Biota on the Wood River Land Trust website states that 4.5 acres of floodplain will be restored, including the removal of 14,520 yards of gravel. She said one 10-yard dump truck will need to travel over the bridge 1,452 times with a full load and 1,452 times empty. An empty dump truck weighs 56,000 lbs and a full dump truck weighs 78,000 lbs. Percival suggested the County ask ITD if the aging bridge can safely support this use. ITD Bridge Inspection Reports, provided by Blaine County Road and Bridge Manager Steve Thompson, indicate the Hulen Meadows bridge has sustained almost constant damage since 1995 from erosion, cracking, splitting, vehicle impacts, etc.
  - *The BCC said there have been several proposals for the Hulen Meadows and Sun Peak areas. Any project on the Big Wood River will require a County permit and careful scrutiny, and the BLM will likewise regulate any work done on BLM land. Commissioner Greenberg added that he and Blaine County Floodplain Manager Kristine Hilt attended meetings in Ketchum and are watching the proposed project, which would include a stream alteration hearing before the BCC.*
- Richard Gouley asked why the BCC has not scheduled a meeting with the Idaho Public Utilities Commission to discuss how Idaho Power can actually force what is considered redundant power lines on the Wood River Valley and cause a rate increase for everyone in the State and/or Blaine County. Gouley said the cost of power lines should be Idaho Power's total responsibility.
- Kiki Tidwell said a County Commissioner met with representatives from the Idaho Public Utilities Commission and Idaho Power in two non-public meetings on May 28, 2019 and June 4, 2020 to develop the plan being presented to the public in today's meeting. She suggested the BCC's process in developing the proposal being presented later in today's meeting is flawed.
  - *The BCC said it was inappropriate to discuss these comments at this time because there is a scheduled hearing this afternoon and communication at this time would be ex parte communication.*

**EXECUTIVE SESSION – §74-206 (1)(d) INDIGENT** - Consideration of records that are exempt from disclosure as provided in Chapter 1, Title 74, Idaho Code.

Also present: Blaine County Services Manager Brooke Baird.

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

**OPEN SESSION RESUMED**

**INDIGENT CONSIDERATIONS - Board of County Commissioners Action**

**McCleary moved, seconded by Greenberg, to approve Request 2019-1071-1, with reimbursement of \$50 month. Motion passed unanimously.**

**McCleary moved, seconded by Greenberg, to approve and cancel the hearing on Request 2020-1094-1, with reimbursement of \$25 month. Motion passed unanimously.**

**McCleary moved, seconded by Greenberg, to deny Requests 2020-1109-1, 2021-1117-1 and 2021-1118-1, finding that indigency has not been established. Motion carried unanimously.**

**COUNTY DEPARTMENT REPORTS**

**Claims - Gretchen Stinnett**

**McCleary moved, seconded by Greenberg, to approve Claims dated February 3, 2021. Motion passed unanimously.**

**Administrative Services** - Administrative Services Manager Mandy Pomeroy

- **Sustainability Program - Review City of Ketchum Draft Agreement**

Pomeroy presented a draft agreement between the County and the City of Ketchum for cost-sharing the proposed countywide Sustainability Program Manager. Ketchum had no comments on the Agreement. County Attorney Tim Graves suggested two revisions which the BCC reviewed.

- **Blaine County COVID-19 Leave Policy Update**

The Blaine County COVID Leave Policy gives employees eligibility to self-quarantine under CDC guidelines, which doesn't necessarily require confirmation from the employee's healthcare provider.

**McCleary moved, seconded by Greenberg, to approve the amended Blaine County COVID-19 Leave Policy, as presented. Motion passed unanimously.**

- **ICRMP Update**

At this time, ICRMP will not require all employees to take safe driving and employee manual training to achieve a premium discount. ICRMP will review the County's cybersecurity compliance in April.

**Road and Bridge** - Steve Thompson

- **Heatherlands Subdivision-Shaun Lane Speed Zone Recommendation**

Blaine County Engineer Jeff Loomis requested driving speed data in Heatherlands, and found average speed is in line with posted speed limits. Loomis suggested Heatherlands speed limit remain at 25mph; but be reduced to 15mph for a test period on Shaun Lane around the Heatherlands Community Center, where there is a lot of pedestrian activity. The BCC concurred.

### **CONSENT CALENDAR**

- **Retail Alcohol Beverage License for Red Red Wine LLC dba Red Red Wine**

- **Transfer of beverage license from Valley Gas Inc dba Hailey Chevron to Oasis Stop 'N Go dba Oasis Stop 'N Go #31**

- **Junior College Certificate of Residency forms**

College of Southern Idaho, Fall 2020-Spring 2021: Andrea Castro; and Nicholas Rowe.

**Greenberg moved, seconded by McCleary, to approve the Commissioners' Consent Calendar. Motion passed unanimously.**

### **COVID-19 UPDATES**

The Commissioners reported on latest COVID-19 concerns and committees they were involved in:

- **Innovation and Testing Task Force** – Testing will start as soon as kinks in the database program are worked out.
- **Adaptive Planning Committee** – Students are back in school four days a week, with strict protocol and contact tracing. Blaine County is still critical level, with most people getting the virus from close contact within the household or groups outside the household.  
Townhall meeting later this week will warn people to be vigilant and self-quarantine if they are exposed and/or feel sick, even if they have the vaccine and even if they've previously had the virus.
- **Emergency Medical Services Health Emergency Operations Center** – Emergency operations remain on standby to help the hospital if necessary.
- **Blaine County COVID-19 Risk Level Plan** – Blaine County remains at the critical level.
- **Updates** – Hailey City Council has kept their Emergency Declaration in place.

### **BOARD of COUNTY COMMISSIONERS REPORTS**

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

- **Dark Sky Reserve Meeting** – Blaine County sent a letter to Blaine County homeowners within the Reserve requesting their compliance with the County's outdoor lighting ordinance.
- **Idaho Association of Counties Health and Human Services Committee Meeting** – Catastrophic Health Care cases have not declined in Blaine County, even with Medicaid Expansion.
- **Southern Idaho Solid Waste Board Meeting** – The County will have to adopt new regulations for the Ohio Gulch field of pumpable waste (effluent from septic tanks), in line with new Department of Environmental Quality (DEQ) regulations.
- **Idaho Association of Counties Transportation Committee Meeting** – The Governor is checking to see if there are funds available to start necessary work on infrastructure. Most people on the Committee are supportive of user-type fees and/or sales tax associated with vehicle-related items.
- **Single Stream Recycle Meeting** – Public recycling drop-off sites are a mess, so the Task Force is working on upgrading signage and partnering with the Environmental Resource Center to develop an "Ambassador Program".

The Task Force continues to evaluate all aspects of single stream recycling.

Fosbury and County staff met with Southern Idaho Solid Waste District representatives to discuss SISWD taking over management of the County's Recycle Center.

- **Fish and Game Wolf Trapping in Units 48-49** – Blaine County will send a letter to the F&G Commission in opposition to wolf trapping in Blaine County units 48-49. The BCC agreed to submit an opinion letter to the newspaper; and at least one BCC member will attend the upcoming F&G Commission meeting.

- **Broadband Grant Funds Available** – Fosbury said additional grant funds are available to improve broadband in residential areas with poor service. He forwarded information on the grant and suggested recipients to Sun Valley Economic Development (SVED).
- **Blaine County Housing Authority** – BCHA is busy repurposing the old Lift Tower Lodge. Fosbury has asked mayors of Bellevue and Sun Valley to help find candidates for two BCHA Board positions. If the cities can't fill the positions, County Resolution 2010-33 allows the County to appoint at-large Board member(s).  
The County is currently evaluating miscellaneous County-owned "odd lots" that could potentially be leased to ARCH and used for deed-restricted, rent-controlled community housing units.

## BREAK

Virtual Meeting Specialist Stephanie Carlson was present for the afternoon session.

## LAND USE and BUILDING SERVICES HEARINGS

- **Idaho Power 138kV Transmission Line.** CONTINUED FROM JANUARY 12, 2021 - A public hearing and consideration of an application by Idaho Power Co. for a Public Utility Facility Conditional Use Permit to construct, maintain, and operate a 138-kV, overhead and underground, redundant transmission line from the Wood River Substation to the City of Ketchum. In order to maintain the existing power pole heights, the applicant is proposing to bury the existing distribution lines and build the transmission line overhead to a proposed underground transition structure to be located near Owl Rock Road, where the line will continue underground to Elkhorn Rd.

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; Land Use and Building Services Director Tom Bergin; Land Use Planner Allison Marks; Blaine County's legal consultant on Idaho Power Ron Williams; Idaho Power Corporate Secretary/Attorney Pat Harrington, IPC Project Manager Tom Barber; IPC Vice President of Regulatory Affairs Tim Tatum, IPC Senior Manager Transportation and Distribution Projects Eric Hackett; IPC Accounting and Reporting Director Bruce MacMahon; IPC Local Area (Blaine County) Energy Advisor Amber Larna; IPC Community Relations Dan Olmstead; Public Utilities Commission (PUC) Division Electricity and Economics Administrator Terri Carlock; Edison Electric Institute State Energy & Regulatory Policy Director Alison Williams; Sun Valley Water Sewer District Office Manager Marybeth Collins; Kiki Tidwell; Cindy Mann; Brandon Lister; Jim Speck (attorney for the Gardner family); Mark Annis; John Dondero; Dan Henry; Cheryl Hymas; Michael Stull; Sven Berg; Michelle Pabarcus; Julie Cord; Jan Mason; Joe Kendall; Laura Midgley; Jori Tate; Lee Acres; Martha S. Bibb; Fritz Haemmerle (attorney for Kiki Tidwell); Steve Cox; Katharine Noble; Donovan Walker; and Jim Burdick.

Marks read public notice.

**Greenberg moved, seconded by McCleary, that notice was adequate. Motion passed unanimously.**

### **Disclosures:**

- The BCC received emails, including some today, all of which were sent to Land Use; plus two verbal public comments made in this morning's meeting from Kiki Tidwell and Richard Gouley.
- Fosbury received a phone call from Idaho Power Project Manager Tom Barber, in which they discussed County GIS maps and the proposed RFP that the County is working on for energy sustainability.

All three Commissioners said they believe they can render a fair and objective decision on the proposed Idaho Power redundant power lines route.

Land Use Planner Allison Marks said some public comments were received at noon today that have not yet been posted on the website. All comments were opposed to the project.

Idaho Power Corporate Secretary/Attorney Pat Harrington said latest IPC modifications were:

- Idaho Power Project Manager Tom Barber and IPC's consultant from Power Engineers discussed a location for the Owl Rock Road transition structure (to take power lines from overhead to underground) that would be somewhat removed from Highway 75 and acceptable to the Gardner family and their attorney. Once underground, the line will require a private easement behind the mobile home court.
- Exhibit A-8 is an updated mock-up of the transition structure.
- The County can pre-pay for the Owl Rock Road proposal. Payments would be made after completion of the project, when the billing would start.
- Idaho Power is requesting flexibility to locate the new transmission line within an easement in the stock drive or along Highway 75, where the distribution line is currently located.

Harrington responded to concerns of public comments received since the last meeting, most of which were not supportive of the project due to visual impact:

- Idaho Power feels this project, as currently presented, is a more streamlined configuration than the current distribution poles.
- At this time, Idaho Power has no request to add 5G to its power poles. Idaho Power's Telecom Department requires providers, including 5G, to get permission and authorization from local jurisdiction to put attachments on poles in the road right-of-way.

- In its December 22 application for the Owl Rock Road alternate route, Idaho Power specified that Owl Rock Road was an alternate route and the County might choose to proceed as a modification to the prior CUP, or apply for a new CUP.
- Idaho Power said 19 of its approximate 165 power poles would have to be about 4½ feet higher to accommodate existing overhead lines for Cox Communications.

**BCC Questions:**

- Fosbury offered County assistance to acquire easement(s) within the stock drive to improve safety by providing adequate separation from Highway 75 for the power poles.
- Fosbury requested specifics on Staff's suggested Condition 5, regarding micro-siting on power poles that run along the Wood River Trail System. He is concerned about the distance of the poles from the bike path.
- McCleary expressed concern about the distance of the Owl Rock transition structure from the highway, and also screening of the structure.
  - *County Land Use Director Tom Bergin said the structure will be visible along the highway without screening.*
  - *Idaho Power Project Manager Tom Barber said the location was not finalized with the Gardner family.*

Greenberg related a short history of the redundant power lines in Blaine County: The Idaho Public Utilities Commission has given Idaho Power permission to build the redundant power lines, and the PUC has primacy over the local jurisdiction. The County's options are:

- If the County does nothing, Idaho Power would request rate permission and surcharge authorization from the Public Utilities Commission (PUC), and put up overhead power poles 8-15ft taller than the existing power poles, with an additional three or four lines, at no cost to County rate-payers.
- One option is to leave distribution lines aboveground, and underground transmission lines at a cost of \$38 million, plus interest, paid by County rate-payers over 20 years.
- Blaine County Planning & Zoning suggested several options, one of which was to bury distribution lines, along with about 1.4 miles of transmission lines by the hospital (for safety reasons), at a cost of about \$8.4 million, with interest, over 20 years, adding a \$3.57 (3%) franchise fee to residential ratepayers' monthly electric bill. Greenberg clarified that the cost is the differential of burying lines over the cost of the same lines overhead.

Greenberg said the County's consulting team—County Administrator Derek Voss, Chief Deputy Prosecuting Attorney County Attorney Tim Graves, Land Use Director Tom Bergin and Planner Allison Marks, Blaine County legal consultant Ron Williams, and the County's Energy and Utilities Consultant Brad Mullins—advised that accepting Idaho Power's current proposal is the best option the County has. Greenberg added that Idaho Power's 9.85 interest rate is an abomination, but the County couldn't at this point bond for the project or find other funding because it doesn't own the power poles. Greenberg said the County had low probability of success with the PUC or the Idaho Supreme Court.

County Attorney Tim Graves said counties typically have no power over state agencies or infrastructure. County legal consultant Ron Williams concurred. Graves said today's discussion is not a new application, but is a re-hearing where the applicant is requesting modification of one or more conditions imposed by the BCC on an already-granted Conditional Use Permit. Graves said this reconsideration, following discussion of financial possibilities, was contemplated by the BCC's appeal decision.

McCleary asked if special financial accommodations could be made for individuals who can't afford the \$3.50 monthly surcharge on their power bill if this modification is approved by the PUC. Harrington said he thought this would be a worthy consideration for Idaho Power's Project Share and other programs that are available in the PUC proceedings. Greenberg said there are people in the community who are willing to assist with financial aid; and Blaine County Land Use has a grant funding program that might be available.

Land Use Director Tom Bergin said Cox Communications just needs one wire on the transmission line. He said separate permits are required for wireless communications.

**Public Comment:**

- Fritz Haemmerle, attorney for Kiki Tidwell, and previously attorney for a group of South County residents concerned about this application, said he was appalled that the County was completely surrendering. Haemmerle said he attended all County P&Z meetings on Idaho Power redundant lines, which was appealed to the BCC. The BCC stated the only way to satisfy the 10 different conditions of the Blaine County Conditional Use Permit (CUP) was to bury the line. Haemmerle said nobody appealed the CUP within the time period to appeal. So, the only way to satisfy 10 conditions of 9-25-3 is to bury the lines.

Haemmerle said if Idaho Power wanted to get the project done correctly, they would have filed an Action under 61-50A to get express permission for this particular line above ground. PUC said nothing about how this line would be built, aboveground or belowground. County Land Use Decision 67-6528 should stand unless there is an express conflict with something, i.e., some order from the PUC. There is absolutely no express conflict yet, because Idaho Power hasn't gone to the PUC. The County's failure to go to the PUC is to deprive the public the opportunity to intervene in that action. The BCC has just speculated on what might happen.

Haemmerle said the County came down hard by requiring undergrounded lines, but hasn't even taken a shot at the PUC. The time to appeal the appeal hearing expired. The BCC has no opportunity to reconsider its decision. Haemmerle said the BCC's only remedy is to resolve conflict, if there is conflict, before the PUC under 67-6528.

Haemmerle said Idaho Power is bullying Blaine County by saying they will lengthen the power poles, add lines in the scenic corridor, and ram the power lines down Blaine County citizens' throats. Plus, Idaho Power doesn't even know where the lines will ultimately go, and doesn't have its easements worked out.

- Kiki Tidwell read from the BCC's Decision on Appeal, "Nevertheless, the [P&Z] Commission's review and, likewise, the [BCC] Board's Review on Appeal is limited to considering the facts presented against the applicable Standards of Evaluation within the constraints of this review, a menu-based approach involving multiple funding-based scenarios as flexible Conditions of Approval are unlikely to withstand legal scrutiny. Funding issues, preemption, and the need for redundant transmission lines are simply not zoning considerations. It is with that review that the [BCC] Board must find that the only Condition of Approval that would allow us to make positive Findings at this time is to underground the entire line from the Wood River Substation to the traffic light at the intersection of Elkhorn Road and Highway 75." Tidwell read from the PUC Decision, IPC E16-28 "Idaho Power asserted that it was not seeking any specific rate recovery in its application, but would do so in a proper rate recovery proceeding in the future." And, on page 16 in the PUC Findings, "This Order does not constitute approval of any cost of the line for ratemaking purposes. The Company will be required to apply to the Commission for inclusion of the costs of the line in its rates at a later date."
- Cindy Mann said her original objection was visual, but she is no longer as concerned about everything on one set of poles as she is about how much money this will cost. Mann pays for nine electric meters on three residences and six on a pivot base. She said the BCC has to go before the IPUC, which was receptive to input at the first meeting.
- Martha Bibb is opposed to overhead transmission lines. She is concerned about the safety of those lines in a big wind event or wildfires. She has hopes funding might be more available under the new administration.
- Cox Communications Market Representative Guy Cherp said Idaho Power requested a modification of 19 of 165 power poles being taller to allow for Cox Communication wires to be aerial for the entire route. The 19 poles are not consecutive, but are spread throughout the route. It does not make sense for Cox to attach to the new transmission lines and go underground and back up at several points along the route. Cox would prefer to go all underground in a joint trench with Idaho Power. Cherp said Cox has not determined if they would offer a financing option to put a surcharge on their bills. Unlike Idaho Power, not every Blaine County resident is a Cox customer; and Cox service is in a competitive field.
- Steve Cox said the County needs to let people know they're about to have a surcharge added to their power bill for the next 20 years; and the possibility that Cox customers will have an added charge on their bill.
- Laura Midgley has attended most meetings about redundant lines, and agrees with the objections presented.
- Michelle Pabarcus said redundant transmission lines is not the solution for our Valley, and she opposes the latest proposal. She cited examples of when Idaho Power acted without concern for the future of wildlife and Idahoans, and Idahoans won when they fought back. Pabarcus said the BCC must approach the PUC, and address the stress the redundant power lines and electromagnetic impulses place on critical technological infrastructure systems, including the electrical power grid.
- Pat Murphy said Commissioner Greenberg had clearly stated Blaine County's options: Burying transmission lines would cost \$38 million, and burying distribution lines would cost \$9.8 million, so a total of \$50 million total. Dealing with the PUC and Idaho Power would be a losing proposition. Murphy suggested the County accept the option the BCC had presented.

#### **Applicant's Rebuttal:**

Harrington said the County Attorney had accurately characterized the nature of the Decision and Order on Appeal; and that every source of funding had been explored. Harrington thinks Idaho Power has a solid plan, but still needs to work on the location of the transition structure and poles, and the route along the stock drive. He added that Idaho Power has a Certificate of Public Convenience and Necessity (CPCN) Grant to underground the north valley transmission line. The PUC rate process is a good forum to address surcharge proposal.

#### **Standards of Evaluation:**

The BCC discussed the proposal under the Standards of Evaluation, with the following concerns:

- P&Z and the BCC focused on if Idaho Power's proposal would be harmonious and appropriate with the character of the general vicinity. The BCC agreed that the current proposal had fewer wires and didn't worsen the impact; and, since undergrounding wasn't possible due to the high cost, they agreed that the Standard of Evaluation that it be harmonious with the community was met.
- #1 - Not in accordance with the general and specific objectives of the Comprehensive Plan, which recommends underground power lines when feasible and affordable. The BCC said cost of undergrounding was too much, and the County did need reliable power.

### Conditions of Approval:

- McCleary expressed concern about language in Condition #4 that said the route would be within the Highway 75 right-of-way if Idaho Power can't locate it within the stock drive. Marks said some existing poles are quite a bit closer to the right-of-way than permitted. Fosbury said Idaho Power has to abide by ITD's required distance.  
The BCC agreed the pole diameters are larger, but there are fewer lines, so, overall, the visual impact is about the same as what's there now.
- The BCC discussed if the proposed route was hazardous or disturbing to existing or future neighboring uses. They discussed the 19 taller poles. Idaho Power said they would work with staff on position of the some of the poles, but Land Use Director Bergin felt position of poles causing concern was the BCC's purview. The BCC suggested a consultant or engineer could address such concerns, and if there is a question, bring it to the BCC.
- Fosbury said the Staff Report didn't refer to the Citizens Advisory Committee recommendations or subsequent Findings. Bergin said the CAC's primary recommendation was that the wires be undergrounded from *Cold Springs Mobile Home Park and the south end of Hospital Drive*.
- Condition 8 – McCleary said the County typically requires financial security for revegetation, and Idaho Power should not be an exception. *Harrington said the language inserted by Idaho Power can be removed.*
- The BCC decided to delete Condition 14. Fosbury said they should request "Proof of Cost".
- The BCC discussed new Condition 14 (formerly 15) – Reconstruction of the existing transmission line shall commence as soon as possible after permitting, including pre-construction, design and engineering work, and right-of-way acquisition.
  - *Harrington said this language was included because Idaho Power has received requests by homeowners and subdivision areas to possibly relocate the current existing transmission line.*
  - *Bergin said it should be clear that Idaho Power is applying for a redundant line and the County accepts the permit for a redundant line and not a replacement.*
  - *Graves said the siting and any changes made to the existing line are a separate matter, but maintenance was always part of the CUP application to P&Z.*
  - *Fosbury said Idaho Power made it clear to County P&Z and to the PUC that they would follow the redundant line project with a maintenance project on the existing lines.*
- The BCC discussed an additional Condition of Approval to specifically address extending height of 19 poles to accommodate Cox Communications. Marks will include language to address wireless communications, i.e., Cox Communications.

### Public Utilities Commission

- Marks will add language regarding no pre-payment penalty and Idaho Power assisting ratepayers with financial hardship in the proposal to the PUC.
- The BCC said Standard 3, regarding hazardous existing uses, requires ratepayers pay to bury lines for 1.4 miles over Hospital Drive to safely accommodate LifeFlight helicopters coming and going.

**Greenberg moved, seconded by McCleary, to approve the requested modification to the Conditional Use Permit granted to Idaho Power Company to build a redundant transmission line; specifically, to approve IPC's request to modify the undergrounding condition imposed in the BCC's June 4, 2019 appeal decision to permit partial undergrounding of the transmission line north of Owl Rock Road, as well as the undergrounding of distribution lines; and to direct staff to prepare written Decision for the BCC's consideration, along with modified Conditions of Approval, as suggested in today's hearing.** In discussion, Land Use Director Tom Bergin suggested an amendment to remove extraneous surcharge language from the motion. **Greenberg amended his motion, seconded by McCleary, and amendment passed unanimously. Amended motion passed unanimously.**

Attorney Graves said Staff will draft a modified Decision of the BCC's Appeal Decision, with modified Conditions of Approval as discussed and revised in today's hearing, and present to the BCC at a future meeting for their consideration and approval. Idaho Power's presentation, BCC deliberations and public comment period is over.

### LAND USE and BUILDING SERVICES

#### • **P&Z Discussion: Consideration of initiating amendments to Floodplain Ordinance.**

Also present: Blaine County Land Use and Building Services Director Tom Bergin and Floodplain Manager Kristine Hilt; and County Engineer Jeff Loomis.

Hilt asked the BCC to consider a text amendment to the County's Floodplain Ordinance to include a FEMA Community Assisted Visit (CAV), which is necessary every five years for the County to remain in the National Flood Insurance Program (NFIP), which provides flood relief when an area is flooded. A FEMA representative will visit to be sure that the County Floodplain Ordinance meets minimum federal requirements and that the County's permitting process is compliant with the Floodplain Ordinance. Fosbury suggested local engineers, surveyors, architects, and designers be informed about this edit and the County's CRS-Class 7 requirements for new construction and flood-damage repairs.

Hilt said the Community Rating System (CRS) is a voluntary program. She said only about 100 houses are in the floodplain, but all taxpayers are paying for an expensive CRS program, which only provides discounts on flood insurance policies.

**McCleary moved, seconded by Greenberg, to initiate amendment to the Floodplain Ordinance. Motion passed unanimously.**

**EXECUTIVE SESSION - Idaho Code - 74-206(1)(a)- Consideration of County Administrator  
McCleary moved, seconded by Greenberg, to go into Executive Session, pursuant to Idaho Code 74-206 (1)(a), to discuss Personnel, to evaluate the respective qualities of individuals to fill the County Administrator vacancy. Greenberg (aye), McCleary (aye) and Fosbury (aye). Motion carried unanimously.**

**ADJOURN**

**At the hour of 5:00 p.m., with no more business before them, the County Commissioners adjourned.**

Attest: \_\_\_\_\_ Approved \_\_\_\_\_  
JoLynn Drage Dick Fosbury  
County Clerk Chairman