

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

First Day

Tuesday, March 2, 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; Chief Deputy Prosecuting Attorney Tim Graves; Deputy Prosecuting Attorney Amanda Greer; Treasurer John David Davidson; County Services Manager Brooke Baird; County Administrative Services Manager Mandy Pomeroy; Recording Secretary Sunny Grant; Kiki Tidwell; and *Idaho Mountain Express* reporter Gretel Kauffman. 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:

- Kiki Tidwell said she requested and had not received the Findings of Fact of the February 9 BCC hearing on the Idaho Power Conditional Use Permit. She said the BCC has no lawful Blaine County Code process or Idaho Local Land Use Planning Act (LLUPA) process to modify a previously-approved CUP once the appeal period is over.
 - *Chairman Fosbury said requirements to publish the BCC's Findings would be discussed with the County Attorney during the agenda item later in today's meeting.*
- Blaine County resident Lili Simpson expressed continued concern about wintering wildlife in the south Wood River Valley being harassed by residents, hikers, cyclists, and dogs. She has pleaded with Shoshone Field Office Outdoor Recreation Planner John Kurtz to plan trails on BLM land with wildlife in mind, but the trails remain much the same as they were in 2005. Simpson said a herd of over 50 elk stampeded through her backyard recently, no doubt the result of human harassment, perhaps development-oriented.
 - *McCleary said the County's Outreach and Education Specialist Stephanie Carlson and BLM would be coordinating efforts in line with the County's 2020 Administrative Guidelines for Winter Wildlife Closures and Restrictions.*

BOARD OF EQUALIZATION - Idaho Code 63-501A

No Board of Equalization issues to address.

COUNTY DEPARTMENT REPORTS

- **Human Resources Generalist I/II/III** – Mandy Pomeroy presented the HR Generalist job description for BCC review and approval. The HR position has recently been part of Administrative Services and will now be a dedicated position.

Greenberg moved, seconded by McCleary, to restructure the Administrative Manager position to a Human Resources Generalist 1, 2 or 3, and to include that position on the Kinds and Levels Chart. Greenberg amended his motion to state the transition would happen on or after April 19, seconded by McCleary, to coincide with transition of Pomeroy to County Administrator position, and retirement of Voss. Amendment passed unanimously. Amended motion passed unanimously.

Administrative Services Update - Mandy Pomeroy

- When County offices are closed Monday-Thursday for a holiday, the offices are open that Friday to maintain a four-day workweek. Department heads and elected officials were asked to do foot traffic and phone call counts on Martin Luther King and Presidents Day week Fridays to determine if traffic warranted County offices being open. The Assessor's Office said there were four walk-ins and six phone calls on MLK week Friday. DMV was busy with 80 appointments and 25-30 phone calls. On Presidents Day week Friday, there were two walk-ins and five phone calls, 84 DMV appointments and 25 phone calls.

County Clerk JoLynn Drage said the Clerk's office is open every Friday, so they didn't track traffic.

Drage said holiday schedules can be confusing when doing Payroll, and it can be difficult to get employees to use all the holiday time accrued by making up holidays on Friday.

Greenberg said there probably would develop a demand if County offices were open on Fridays. He wanted to know what the financial impact was on the County, and impacts on the employees. He said there would always be complications when a holiday fell on a certain day, and the BCC would just have to deal with them.

McCleary said it would be good to know the usual amount of traffic on regular weekdays. She wanted to continue the discussion.

Recycle Center Update - Pomeroy

Facilities Manager Pat Boyle reviewed Recycle Center budget line items and discussed how Southern Idaho Solid Waste District would account for those items in a Service Contract if SISWD takes over management of the Recycle Center.

Sustainability Program Manager Cost-Share Agreement - Pomeroy

The Cost-Share Agreement was approved by Ketchum City Council last night, and will be on the BCC agenda for review next week.

The BCC discussed renewing the County’s membership in the International Council for Local Environmental Initiatives (ICLEI), which is launching their Climate Action Planning (CAP) Cohort, an 18-month program to help local governments develop a climate action plan. The BCC supported \$1,050 two-year membership to be paid out of Administrative Services budget.

Public Comment: Larry Schoen supported ICLEI membership, but suggested the County not join until the Sustainability Manager was in place to deal with all the data ICLEI would provide.

Space Planning - Facilities Manager Pat Boyle

Human Resources will need a centrally-located private office with room for file cabinets. Boyle suggested the Annex Break Room as a short-term solution; and a currently open space on the second floor of the Annex can be walled in for a more permanent office, at an approximate cost of \$6,000.

Boyle said the County needs more space for the Grants Specialist, Outreach and Education Specialist, a new attorney in the Prosecutor’s office, and a new Sustainability Manager. The BCC directed Boyle to investigate filling in the second floor of the atrium area of the Annex.

CONTRACTS, GRANTS AND AGREEMENTS

• **FY21 EPA Region 10; “Healthy, Resilient, and Sustainable Communities” Grant Program**

Also present: Grants and Procurement Specialist Stephen McDougall Graham.

FY21 Region 10 Healthy Resilient Sustainable Communities has some grants that could potentially help the County’s commitment to clean energy program. The Request for Applications anticipates making several awards and is primarily focused on proposals aimed at pollution prevention. The grants are very competitive and will be spread across several states and jurisdictions.

• **FY21 Reconciliation Act - Local Government Support, COVID Relief Funds**

Also present: Blaine County Grants and Procurement Specialist Stephen McDougall Graham.

Graham said Blaine County may receive additional COVID relief funds to cover economic impacts of the pandemic, depending on outcome of relief packages currently making their way through Congress. Graham suggested the County document increased revenues, lost revenue, and economic harm caused by the pandemic that haven’t been included in previous requests for COVID relief.

• **Non-Disclosure Agreement with Idaho Power** Record # **679873**

Also present: GIS Manager Sam Young.

Fosbury and Sam Young met with Idaho Power to update maps. The Non-Disclosure Agreement is for three years.

Greenberg moved, seconded by McCleary, to approve the Non-Disclosure and Confidentiality Agreement between Blaine County and Idaho Power Company in connection with the Geographic Information Systems data for overhead transmission and distribution lines and underground distribution lines for the purpose of receiving certain information from Idaho Power Company that is non-public, confidential or proprietary in nature. Motion passed unanimously.

RESOLUTION 2021-10 Resolution Adopting Road Relinquishment and Transfer of Ownership Agreement for State Highway 75 Spur Blaine County Record # **679880**

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves.

The cities of Sun Valley and Ketchum have wanted to take responsibility for Highway 75 spur, i.e., Sun Valley Road. The Idaho Department of Transportation cannot transfer to a city under 5,000 people, so will transfer ownership to Blaine County, which will immediately pass ownership to the cities of Ketchum and Sun Valley. Sun Valley Road is 3.6 miles, with .3 miles going to the City of Ketchum and 3.3 miles going to Sun Valley. ITD will pay the cities about \$4.1 million to take over the road. This money will be given to the County, and passed to the cities. The County will have no further role in the road once the transfer is complete.

Step 1 in this transfer is for Blaine County to pass Resolution 2021-10; after which the County can consider being the intermediary in temporary ownership of the road from ITD to the cities of Ketchum and Sun Valley.

Idaho Transportation Department held a public hearing on transfer of Sun Valley Road in January, 2021.

Greenberg moved, seconded by McCleary, to approve Resolution 2021-10 adopting Road Relinquishment and Transfer of Ownership Agreement of State Highway 75 Spur to Blaine County. Motion passed unanimously.

COVID-19

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

Innovation and Testing Task Force – The Task Force is awaiting signature of documents by St. Luke's to finalize the COVID STAT project.

Adaptive Planning Committee – The Committee is coordinating an anniversary commemoration of Blaine County residents who have died of COVID, and how we survived as a community.

Blaine County Schools are set to reopen to in-person learning. Blaine County Medical Director Dr. Terry O'Connor and other medical professionals sent the School District recommended masking procedures in line with Centers for Disease Control Guidelines.

Sun Valley Ski Education Foundation Ski Event COVID Plan and Protocols

Also present: Administrative Services Support Specialist Kay Draper and Outreach and Education Specialist Stephanie Carlson; and SVSEF Program Director Rick Kapala.

The BCC reviewed the SVSEF Plan and supports the event, which will have a staggered start to provide distancing. If local COVID restrictions and/or County Ordinance prohibit the event, SVSEF will cancel it.

Emergency Medical Services Health Emergency Operations Center – Providers want to make sure support for emergency transport is still in place, if needed; and are making arrangements for a mass vaccination location if one becomes available and vaccines are available.

BLAINE COUNTY RECYCLE CENTER - FINANCIAL ANALYSIS UPDATE

Also present: County Clerk JoLynn Drage; Blaine County Waterways Director Lamar Waters; Administrative Services Support Specialist Kay Draper; Outreach and Education Specialist Stephanie Carlson; Southern Idaho Solid Waste Executive Director Josh Bartlomé, SISW Environmental Manager Nate Francisco, and SISW Chief Financial Officer Stephanie Thompson; 3R Task Force Chairman Sharon Grant Patterson, Larry Schoen, Clear Creek Disposal Managing Member Mike Goitiandia; Blaine County School District Director of Technology Teresa McGoffin; Carolyn Helmke; and Hugh Hochberg, A.I.A.

Stephanie Carlson presented the Recycle Center Financial Analysis, with data provided by Blaine County Recycle Center Manager Lamar Waters. Revenue exceeded expenditures in 2018, and may again in FY2021, with Blaine County Recycle Center renovation complete, and population and recycling in Blaine County increasing. Contamination of recycled product is always the major challenge.

The Recycle Center gets a percentage of tipping fees from the dump, and revenue from recycled materials. Cardboard provides the main commodity revenue.

The 3R Task Force is working with the County and Environmental Resource Center to develop programs, signage, promotions and a survey. Greenberg said the County has to consider all the costs of recycling, including carbon emissions from long transportation, but also all the costs of not recycling. The BCC asked for a breakdown of revenue from each commodity; and the likelihood that Southern Idaho Solid Waste, which may be taking over the County's Recycle Center, can increase revenue.

Public Comment:

- Schoen said Southern Idaho Solid Waste hired Warm Springs Consulting to do a solid waste audit of what is being dumped. A third of those studies will take place this June. The recycle situation is very fluid; and asked if the County has resources to track recyclable commodities, such as magazines and glass, and whether they're cost-benefit marketable.

Fosbury said one potential commodity is biosolids from composting greenwaste and foodwaste. Local wastewater treatment operators have a plan to begin to offer biosolids to a composting operation. Jerome County is looking to start a greenwaste operation, and perhaps accept other commodities.

FRIEDMAN MEMORIAL AIRPORT AUTHORITY MEETING PREVIEW Airport Manager Chris Pomeroy
Friedman Airport Manager Chris Pomeroy reviewed tonight's FMAA meeting agenda with the BCC.

BOARD of COUNTY COMMISSIONERS REPORTS

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

Wood River Rural Fire and Rescue/Hailey Fire JPA Meeting

Also present: Wood River Fire and Rescue Captain Ron Taylor

Hailey Fire Department is trained to do structural protection; rural fire departments are more about wildland fire suppression; and Wood River Rural Fire and Protection District holds an ambulance contract. The fire departments agreed to remain autonomous, but the Joint Powers Agreement will remain in place and the departments will train together and share equipment.

Rinker Rock Creek Ranch Research Webinar – Rinker Rock Creek Ranch has been working with the University of Idaho on a number of research projects. Research will benefit Idaho and the Rocky Mountain region overall. Ranch staff are going to meet with the Wood River Wolf Project on non-lethal deterrence. Fosbury suggested more educational outreach with 4-H and Wood River Land Trust.

Wolf Hunting and Trapping – Fosbury said it might be beneficial for the County to adopt a non-lethal wolf resolution to present to Idaho Fish & Game at the F&G hearing in mid-March.

**INTRODUCTION OF DANIELLE RAMONDETTA,
New Blaine County Drug and DUI Court Coordinator**

Also present: Fifth District Judge Ned Williamson; Fifth District Magistrate Judge Jennifer Haemmerle; and Blaine County Treatment Court Coordinator Danielle Ramondetta.

Fifth District / Blaine County Drug Court Presiding Judge Ned Williamson introduced Ramondetta, who will coordinate the Blaine County Drug Court and Judge Jennifer Haemmerle’s DUI Court. Ramondetta is looking forward to helping people through treatment court. Staff will be doing a lot of training in the next year, since most treatment court cases involve some element of addiction and mental illness.

BREAK

Virtual Meeting Specialist Jenny Lovell was present for the afternoon session.

McCLEARY WAS ABSENT UNTIL 1:40PM.

LAND USE and BUILDING SERVICES HEARINGS

- **Picabo Fly-In Subdivision Final Plat.** Public hearing and consideration of a final plat application by Picabo Livestock Company to subdivide 343.45 acres of land including and just north of the Picabo airport to be called Picabo Fly-In Subdivision. The preliminary plat was approved for 6 lots, ranging in size from 1.77 to 3.35 acres, and 7 parcels (including road, airport, open space, light industrial and agricultural parcels).

Also present: Blaine County Land Use and Building Services Director Tom Bergin and Deputy Director Kathy Grotto; applicant Nick Purdy and his representatives, Samantha Stahlnecker and Trent Stumph.

Grotto read public notice.

Greenberg moved, seconded by Fosbury, that notice was adequate. Motion passed 2/0.

No disclosures.

The Planning and Zoning Commission reviewed final plat, including P&Z-suggested Conditions of Approval relating to changes proposed in the wetlands mitigation. The Army Corps of Engineers (ACE) requested a metes and bounds legal description of the wetlands area in a plat note stating that the wetlands will remain wetlands in perpetuity; and The Nature Conservancy submitted a comment regarding the location of the proposed offsite wetlands mitigation, which is on land under a conservation easement with The Nature Conservancy.

Sam Stahlnecker, representing the applicant, said the project—six single family residential lots and the Picabo Airport runway—is under construction.

McCLEARY ARRIVED AT THIS TIME.

Trent Stumph said an existing farm road has been reclaimed, and they expect natural recruitment of wetlands will occur, or it will be reseeded. The developer is creating wetlands offsite, and requests the BCC approve their wetlands mitigation plan (approved by ACE) to reduce wetlands setback from 75ft to 35ft, and offset that 2.8 acres loss with 4.2 acres wildlife habitat enhancement and additional wetland resources. The site is located about two miles from the project, and will have less human and airport and road traffic impact.

Public Comment:

- Katie Breckenridge pastures horses in the area of the airport, and asked who would monitor airport traffic if there is a concern.
 - *Nick Purdy is the one to contact.*
 - *Idaho Aeronautics Flight Standards District Office regulates activity in the air.*

Stahlnecker said a plat note states, “Each residential lot shall be limited to one aircraft hangar, and no more than one aircraft is allowed on any residential lot at any time.”

Emergency calls are taken by Carey Rural Fire and Rescue. There’s a fire station close by, and several Carey Fire volunteers live in Picabo.

Public Comment: None

Greenberg moved, seconded by McCleary, to approve this application by Picabo Livestock Company for Final Plat approval of Picabo Fly-In Subdivision, finding the application complies with applicable criteria set forth under Title 10 Subdivision Regulations and applicable criteria of Title 9 Zoning Regulations, subject to conditions as presented. Motion passed unanimously.

LAND USE and BUILDING SERVICES

- **Ordinance Adoption:** Ordinances related to Area of City Impact

2021-02 Bellevue Area of City Impact Map Ordinance	Record # 679884
2021-03 Bellevue Area of City Impact Agreement Ordinance	Record # 679885
2021-04 Hailey Area of City Impact Map Ordinance	Record # 679886
2021-05 Hailey Area of City Impact Agreement Ordinance	Record # 679887

Also present: Blaine County Land Use and Building Services Director Tom Bergin, and Deputy Director Kathy Grotto.

Greenberg moved, seconded by McCleary, to approve Blaine County-City of Bellevue Area of City Impact Map Ordinance 2021-02, an ordinance of Blaine County, Idaho, identifying and adopting a map of Bellevue Area of City Impact within unincorporated Blaine County, providing a savings and severability clause, and providing an effective date. Motion passed unanimously.

Greenberg moved, seconded by McCleary, to approve Blaine County-City of Bellevue Area of City Impact Agreement Ordinance 2021-03, an ordinance of Blaine County, Idaho, incorporating a Bellevue-Blaine County Area of City Impact boundary map, providing for annexation of land within the Area of City Impact, providing for applicable planned policies and ordinances, providing for processing of land use applications and subdivision applications, providing for renegotiation, providing a savings and severability clause, and providing an effective date. Motion passed unanimously.

Greenberg moved, seconded by McCleary, to approve Blaine County-City of Hailey Area of City Impact Map Ordinance 2021-04, an ordinance of Blaine County, Idaho, identifying and adopting a map of the Hailey Area of City Impact within unincorporated Blaine County, providing a savings and severability clause, and providing an effective date. Motion passed unanimously.

Greenberg moved, seconded by McCleary, to approve Blaine County-City of Hailey Area of City Impact Agreement Ordinance 2021-05, an ordinance of Blaine County, Idaho, providing for potential annexation of land by Hailey within the Hailey Area of City Impact, providing for the prohibition of annexation of land outside the Hailey Area of City Impact, providing for application of planned policies and ordinances, providing for processing of land use applications and subdivision applications, providing for renegotiation, providing a savings and severability clause, and providing an effective date. Motion passed unanimously.

• Findings of Fact: Lot 16A, Block 2, Buckhorn Sub #1 Plat Amendment

Greenberg moved, seconded by McCleary, to approve Findings of Fact, Conclusions of Law and Decision regarding an application of Robert and Debra Commons, Lot 16A, Block 2, Buckhorn Subdivision, First Addition, Plat Amendment. Motion passed unanimously.

• Findings of Fact: Idaho Power Conditional Use Permit

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; Land Use and Building Services Director Tom Bergin and Land Use Planner Allison Marks; GIS Manager Sam Young; Blaine County legal consultant on Idaho Power Ron Williams; Idaho Power Corporate Secretary/Attorney Pat Harrington; IPC Project Manager Tom Barber; IPC Local Area (Blaine County) Energy Advisor Amber Larna; Cox Communications Market Representative Guy Cherp; Fritz Haemmerle, Attorney for Kiki Tidwell; and Laura Midgley.

Land Use Planner Allison Marks presented a few edits and corrections on the Findings of Fact, including suggestions by the applicant Idaho Power.

County Attorney Tim Graves said Findings of Fact are meant to represent the BCC's decision in a matter, and become the conclusion of the Land Use process. They are typically circulated to the BCC for their review, with his input.

Staff will make the revisions suggested in today's meeting, and present corrected Findings to the BCC at their next regular meeting.

APPROVAL OF BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

• February 9, 2021 Regular Meeting

Greenberg moved, seconded by McCleary, to approve February 9, 2021 minutes, as amended. Motion passed unanimously.

EXECUTIVE SESSION - Idaho Code Section 74-206(1)(f) – Blaine County v. Flying Heart Ranch Owners Association.

McCleary moved, seconded by Greenberg, to go into Executive Session, pursuant to Idaho Code 74-206 (1)(f) to discuss with legal counsel the legal ramifications of and legal options for pending litigation, Flying Heart Ranch. Greenberg (aye), McCleary (aye) and Fosbury (aye). Motion carried unanimously.

ADJOURN

At the hour of 4:10 p.m., with no more business before them, the County Commissioners adjourned.

Attest: _____ Approved _____
JoLynn Drage Dick Fosbury
County Clerk Chairman