

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

Second Day

Tuesday, March 12, 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, and Commissioner Dick Fosbury; County Administrator Derek Voss; 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 Greenberg called the meeting to order at 9:00 a.m.

PUBLIC COMMENT – None

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. Fosbury (aye), McCleary (aye), and Greenberg (aye). Motion carried unanimously.

OPEN SESSION RESUMED

INDIGENT MEDICAL APPLICATIONS - Board of County Commissioners Action

McCleary moved, seconded by Fosbury, to deny Cases #2019-10 and 2019-11 Medical Indigent Applications for Assistance, due to indigency not established. Motion carried unanimously.

Fosbury moved, seconded by McCleary, to deny Case #2019-06 Medical Indigent Applications for Assistance, due to indigency not established and application is incomplete. Motion carried unanimously.

Fosbury moved, seconded by McCleary, to approve Case #2019-14 Medical Indigent Application for Assistance, with a \$25/month reimbursement. Motion carried unanimously.

Fosbury moved, seconded by McCleary, to approve Case #2018-46 Medical Indigent Application for Assistance, with no reimbursement, as applicant is deceased and there is no next of kin. Motion carried unanimously.

COUNTY DEPARTMENT REPORTS

Claims - Gretchen Stinnett

McCleary moved, seconded by Fosbury, to approve claims dated March 6, 2019. Motion carried unanimously.

Facilities - Pat Boyle

• Electric Vehicle Charging Station Update

Also present: Blaine County Facilities Manager Patrick Boyle; County Grants and Procurement Specialist Lyn Drewien; and intern Brittany Shipley.

Facilities Manager Pat Boyle presented his proposal for a grant for a 4890V vehicle charging station.

Commissioners McCleary and Fosbury were supportive, but wanted to take a closer look at cost-benefit. Chairman Greenberg was generally supportive, but wasn't sure enough people would use it to make it worth the expense.

Public Comment: None

Facilities Manager Boyle will present additional information.

County Administrator - Derek Voss

Also present: Blaine County Sheriff's Lieutenant Bryan Carpita.

- County Administrator Voss requested a workshop session with the BCC to discuss increasing challenges to provide confidential, efficient space for all County departments, including the new Public Defense office.
- County Administrator and County Clerk met to discuss the County Sheriff's Ketchum law enforcement employees should a Ketchum-Sun Valley consolidation of emergency personnel happen.

CONTRACTS, GRANTS AND AGREEMENTS

• Request to Apply - FY19 Recreational Boating Safety Grant Record #

Also present: Blaine County Sheriff's Lieutenant Bryan Carpita; and Grants and Procurement Specialist Lyn Drewien.

This is a long-standing Boating Safety Grant that takes effect each year on October 1, but isn't submitted to the County until the first part of the following fiscal year. The 50% required match is generated by the sale of boat licenses.

McCleary moved, seconded by Fosbury, to approve the request to renew the FY2019 Recreational Boating Safety Grant from Idaho Department of Parks and Recreation in the amount of \$8,397, with a 50% match from Blaine County. Motion carried unanimously.

• **Blaine County/Wendy Pabich Independent Contractor Agreement** Record #658936

Also present: County Land Use and Building Services Deputy Director Kathy Grotto; Blaine County Engineer Jeff Loomis; and County Certified Floodplain Manager Kristine Hilt.

Land Use will be doing some of the LWW program administration tasks; and Pabich will act in more of an executive role of the Land, Water and Wildlife Advisory Board.

McCleary moved, seconded by Fosbury, to approve Independent Contractor Agreement between Blaine County and Dr. Wendy Pabich, for independent contractor services to assist Blaine County with the Land, Water and Wildlife program Levy Advisory Board, effective immediately, in an amount of \$125 per hour, with mileage reimbursement of .545 per mile, and maximum not to exceed \$44,000 total; with amendment to Exhibit A to include 2019 dates. Motion carried unanimously.

• **Exhibit A Cooperative Law Enforcement Annual Operating Plan & Financial Plan between the Blaine County Sheriff's Office and the USDA, Forest Service Sawtooth National Forest** Record #

Blaine County Sheriff's Lieutenant Bryan Carpita.

The contract reimburses the Sheriff's Office for patrol duties, and pays officers for overtime in the event of an emergency.

McCleary moved, seconded by Fosbury, to approve the Cooperative Law Enforcement Annual Operating Plan and Financial Plan between the Blaine County Sheriff's Office and the United States Department of Agriculture Forest Service Sawtooth National Forest. Motion carried unanimously.

BOARD of COUNTY COMMISSIONERS REPORTS

NACo (National Association of Counties) 2019 Legislative Conference – Greenberg

- Greenberg said the NACo Western Interstate Region (WIR) subgroup overall position seems to favor current federal profit motives instead of conservation and protection.
- Greenberg also attended subgroups on mental illness and housing.

Colorado Gulch Bridge and Road – Fosbury

Wood River Land Trust Executive Director Scott Boettger and WRLT Board member Nick Miller told Commissioner Fosbury their impression from last May's Colorado Gulch meetings was that there would be no road to a pedestrian bridge. Fosbury told them the County's plan will most likely include a bridge that can carry a vehicle for emergency situations. The Land Trust requested they be allowed to participate in BCC decisions.

Cardno Meeting with Stakeholder Group – Fosbury

Also present: Blaine County Engineer Jeff Loomis; and County Certified Floodplain Manager Kristine Hilt. The first Cardno stakeholder meeting was well attended and positive. Representatives from local cities, special interest groups, irrigators, the Flood Control District, etc., expressed their issues and what they hoped to get from the study. Cardno explained their scope of work; and said their report would present examples of solutions for restoration, riverbank repair, and best management practices.

63-602NN PROPERTY EXEMPT FROM TAXATION - CERTAIN BUSINESS PROPERTY

Presentation by Sun Valley Economic Development-consideration of a County Ordinance

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Assessor Jim Williams; County Treasurer John David Davidson; County Land Use and Building Services Deputy Director Kathy Grotto; Sun Valley Economic Development Executive Director Harry Griffith and SVED Outreach Director David Patrie; County Housing Authority Executive Director Nathan Harvill; Sun Valley Board of Realtors Government Affairs Director Bob Crosby; Blaine County intern Brittany Shipley; and *Idaho Mountain Express* reporter Mark Dee.

The Idaho Legislature in 2017 enabled counties to adopt an ordinance that would allow a property tax exemption for certain types of non-retail, commercial, or industrial development as an incentive for business. The BCC continued to debate whether to restrict the exemption to development of affordable rental housing only, or development of rental housing and business plant investment.

Comments favored an ordinance.

Commission Deliberation:

- Commissioner McCleary said she would support the ordinance for affordable housing, but not economic development. Business investment and jobs are important, but there are other ways to accomplish these goals. Tax exemption should only be given at the highest public benefit.

- Chairman Greenberg said he would like the ordinance to be full-scope. Every individual project will be reviewed by the BCC, and can be denied during the approval process.

BREAK

LAND USE and BUILDING SERVICES HEARINGS

- **112 West Channel Lane - Modification to Stream Alteration Permit Public hearing** and consideration of an application by Bob and Wendy Crosby to extend the work completion deadline for a Stream Alteration Permit issued April 12, 2018. This project is located at 112 West Channel Lane; Tax Lot 7534, 3N 18E SEC 7; zoned Low Density Residential (R-1) with areas of Floodplain (FP) and Wetland (WE) Overlay Districts.

Also present: County Certified Floodplain Manager Kristine Hilt; and applicant Bob Crosby.

County Certified Floodplain Manager Kristine Hilt read public notice.

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

Disclosure: Greenberg and McCleary had been onsite for ESAP.

Hilt said she tried to contact the owner five times in 2018-19 to ask about progress on the project and to help them complete the work by the March 31, 2019 deadline, with no response. Applicant Bob Crosby said snow was a concern in February.

This application is for an extension from March 31, 2019 to December 31, 2019. The river is flowing on the eastern side of the channel in this location, and the emergency work is in the dry right now, so they can potentially work to the end of the month under their current permit, without an extension. After the end of March, they must hold up work in the river until July 1, when the spawning window closes.

Hilt said major rock work should be done now, before high water; but suggested they delay the fill material until after high water. Commissioner Fosbury agreed.

Public Comment: None

Fosbury moved, seconded by McCleary, to approve the application by Bob and Wendy Crosby to extend the deadline for completion of the previously-issued Stream Alteration Permit on the Big Wood River from March 31, 2019 to an ending date of December 31, 2019, pursuant to Section 9-17-11(c)(4)(b). Motion carried unanimously.

LAND USE and BUILDING SERVICES

- **Sawtooth City Text Amendments Initiation**

Also present: County Land Use and Building Services Deputy Director Kathy Grotto; County Planner Allison Marks; and Joe Scott.

Most of Sawtooth City is platted as Smiley Creek Subdivision, plus a few adjacent R-1 unsubdivided parcels. When the SNRA became a National Recreation Area, the federal government declared Sawtooth City a “designated community,” under the jurisdiction of Blaine County.

Sawtooth City residents have requested changes to outdated County Code; and request the BCC consider initiating text amendments. Staff will meet with SNRA Area Ranger Kirk Flannigan and Private Lands Administrator Sharon Barnes to be sure proposed County Code changes are consistent with Sawtooth NRA regulations.

Commissioner Greenberg suggested things he felt should be reviewed.

Public Comment: None

McCleary moved, seconded by Fosbury, to initiate text amendments to Title 9 Chapter 24 Sawtooth City Zones, according to the BCC’s discussion today, and direct staff to prepare draft amendment for discussion with the Sawtooth National Recreation Area and for public hearing. Motion carried unanimously.

- **Planning & Zoning Commissioner Training Update**

Also present: County Land Use and Building Services Deputy Director Kathy Grotto; and County Planner Allison Marks.

The BCC previously suggested a training session for new P&Z Commissioners regarding land use and meeting management topics. Blaine County Land Use Administrator Tom Bergin suggested attorney Chris Meyer, of Givens Pursley Law Offices in Boise. Staff will invite local P&Z Commissioners, and perhaps local mayors to the evening session.

- **Idaho Department of Environmental Quality Request for Triumph Five Year Review Input**

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Land Use and Building Services Deputy Director Kathy Grotto; and County Planner Allison Marks.

Previously, Idaho Department of Environmental Quality sent a letter to BCC with a list of issues they planned to address in their Five Year Review, and requested the BCC suggest additional issues not on the list. DEQ said the County would have a second chance to make comments when the draft Five Year Review is available.

At last week's meeting, the BCC and local Triumph residents Carl Massaro and Pat Murphy discussed the list, and suggested additional topics. At this meeting, Grotto presented a draft letter written by County Land Use Administrator Tom Bergin to IDEQ Mine Waste Program Scientist Don Carpenter.

The BCC directed staff to add these formal requests and present the letter to the BCC for signature:

- The BCC needs to review the site when it's not covered with snow, and make sure IDEQ knows that the BCC will want to make additional comments when IDEQ's Five Year Review draft is ready.
- The County asks IDEQ to send results of all monitoring to the County.
- IDEQ needs to address the possibility of a natural event causing an unplanned mine water release or movement in the tailing file.

EXECUTIVE SESSION – §74-206 (1)(f) Potential Litigation

McCleary moved, seconded by Fosbury, to go into Executive Session, pursuant to Idaho Code 74-206 (1)(f), for pending litigation pertaining to Lee's Gulch Road validation consideration. Roll call: Fosbury (aye), McCleary (aye) and Greenberg (aye). Motion carried unanimously.

BOARD of COUNTY COMMISSIONERS REPORTS

Sun Valley City Consideration of Consolidation – Fosbury

At a recent Sun Valley City Council meeting, Sun Valley Director of Public Safety Walt Femling presented his take on a Ketchum Council meeting the previous week and other topics pertaining to Ketchum and Sun Valley emergency services consolidation.

Weed Management Proposal by Seven Generation – Fosbury

Fosbury met with Cathy Wild of Seven Generation, which is interested in working with the County's Weed Department to suffocate knapweed using biological methods.

Ohio Gulch Meeting with Cities on Lease Extension – Fosbury

The cities of Ketchum, Sun Valley and Hailey have been dumping sludge on separate fields at Ohio Gulch for many years. The cities request a year's lease extension to their current agreement with the County to review the agreement. The City of Hailey is drafting a new lease for review by the County Attorney.

Front-End Loader – Fosbury

The Southern Idaho Solid Waste District is trying to ascertain the owner of a front-end loader they use to maintain the sludge area road.

Blaine County Resilience Workshop – BCC

Participants at the workshop were broken into several groups to discuss and formulate resiliency projects. One group focused on regional collaboration, including developing a regional office. Another group focused on housing projects, including community education.

Other

- McCleary will draft a letter to the Legislature from BCC opposing restrictions on Medicaid expansion.
- Greenberg will send Legislature a letter from the BCC regarding placing initiatives on the ballot.
- National Alliance on Mental Illness (NAMI) art show was very well done and well attended.
- McCleary will draft letters to the Governor's office and Fish and Game thanking them for removing Blaine County from their plans to initiate wolf trapping.
- Fosbury said a gentleman complained that the County Annex was closed when he had to turn something in to the Assessor's office on Friday. The BCC said the Annex is usually open when there is a deadline.

APPROVAL OF BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

- February 26, 2019 Regular Meeting
- November 26, 2018 Special Meeting

McCleary moved, seconded by Greenberg, to approve special meeting minutes of November 26, 2018, as amended. Motion carried 2/0. Fosbury abstained because he wasn't a Commissioner at the time.

McCleary moved, seconded by Fosbury, to approve regular meeting minutes of County Commissioners of February 26, 2019, as amended. Motion carried unanimously.

ADJOURN

At the hour of 4:37 p.m., with no more business before them, the County Commissioners adjourned.

Attest: _____ Approved _____

JoLynn Drage
County Clerk

Jacob Greenberg
Chairman