

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

First Day

Tuesday, April 2, 2019

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

Chairman Greenberg was absent.

Vice-Chair McCleary called the meeting to order at 9:00 a.m.

PUBLIC COMMENT

Resident Lili Simpson sent the BCC an email about a proposed working group to bring together stakeholders involving dog/human conflicts with wildlife, primarily on public lands. She emphasized public education, particularly in the Old Cutters Subdivision area.

BOARD OF EQUALIZATION - I.C. 63-501A

There were no BOE issues to address.

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.

Fosbury moved, seconded by McCleary, that the BCC go into Executive Session, pursuant to Idaho Code 74-206 (1)(d) to consider indigent matters. Roll call: Fosbury (aye), and McCleary (aye). Motion carried 2/0.

Also present: Blaine County Services Manager Brooke Baird and Indigent Services Assistant Hayleigh Simpson.

OPEN SESSION RESUMED

INDIGENT MEDICAL APPLICATIONS

Fosbury moved, seconded by McCleary, to approve Cases #2019-25 and #2019-27 with no reimbursement. Motion carried 2/0.

COUNTY DEPARTMENT REPORTS

Recorder/Auditor - Leslie Londos

• **ADA Compliant Office Remodel**

Also present: Blaine County Facilities Manager Patrick Boyle; and project architect Jolyon Sawrey.

The BCC authorized \$9,000 in the FY19 budget for new furniture in the Clerk's office. In the process of laying out the office, project architect Jolyon Sawrey discovered the office was not ADA compliant. The Clerk/Auditor/Recorder requests \$20,000 from Contingency for new workstations and lateral file cabinets to open up space for ADA compliance. County Facilities Manager Patrick Boyle will work with Sawrey on components of the project that can be done in-house.

Fosbury moved, seconded by McCleary, to approve the request for funds for ADA compliant office in Blaine County Recorder/Auditor office, not-to-exceed \$20,000 from Contingency, understanding that \$9,000 was budgeted in FY2019. Motion carried 2/0.

County Administrator - Derek Voss

Also present: Landscape architect Denise Ford, interested in WRLT/BCC bridge.

The Colorado Gulch Bridge project team met to discuss the size of the bridge from the County's standpoint. Voss will convey their discussion to the Wood River Land Trust and request time on an upcoming BCC agenda.

CONTRACTS, GRANTS AND AGREEMENTS

• **Interagency Agreement between Blaine County, Idaho and Lost River Highway District, Idaho, for Federal Lands Access Program Funding for Trail Creek Road Corridor Study**

• **Federal Lands Access Program (FLAP) Grant - Request to Apply**

Also present: Blaine County Grants and Procurement Specialist Lyn Drewien; County Road and Bridge Manager Steve Thompson; County Engineer Jeff Loomis; and County Administrative Services Specialist Esmeralda Palomera.

County Grants Specialist Lyn Drewien requested BCC approval of a request to co-apply with Lost River Highway District, in partnership with the US Forest Service, for a Trail Creek Road Corridor Study to

address the unpaved part of Trail Creek Road. Once the project is surveyed, construction will be handled by Western Federal Lands over a two-year timeframe.

Fosbury moved, seconded by McCleary, to approve Interagency Agreement between Blaine County, Idaho and Lost River Highway District in Idaho for Federal Lands Access Program, funding for Trail Creek Road corridor study. Motion carried 2/0.

Fosbury moved, seconded by McCleary, that we approve the grant request for the Trail Creek Road Corridor Study in the amount of \$250,000 for Trail Creek Road. In discussion, that includes required match of \$18,350. That match will be split 50/50 between Blaine County and Lost River Highway District. **Motion carried 2/0.**

- **Lease with Cities of Ketchum and Hailey and Sun Valley Water & Sewer for Ohio Gulch Sludge Management Site**
- **MOU between Hennessy Company, Blaine County, Ketchum, Hailey and Sun Valley Water & Sewer**

Also present: Hailey Public Works Director Brian Yeager; Hailey Wastewater Manager Steve Holyoak; and Dave Hennessy.

The cities of Ketchum and Hailey and Sun Valley Water and Sewer District currently lease drying fields at Ohio Gulch. The leases expire this week; and the cities request a one-year extension.

Fosbury moved, seconded by McCleary, to execute the Addendum to the Lease Agreement between Blaine County and the cities of Ketchum, Hailey and Sun Valley Sewer and Water District for use of Ohio Gulch landfill for the drying fields for solid waste. Motion carried 2/0. Record #659490

Hennessy Company's Quigley Farms has its own onsite sewage collection and treatment facility that is in the approval process by Department of Environmental Quality. The cities have agreed to allow Quigley to share the Ohio Gulch sewage disposal site upon payment of a shared maintenance fee.

Fosbury moved, seconded by McCleary, to approve the Memorandum of Understanding between Hennessy Company, Blaine County, and the cities of Ketchum and Hailey and the Sun Valley Sewer and Water District for usage of the Ohio Gulch Sludge Management Facility for Quigley Farms biosolids. Motion carried 2/0. Record #659491

Public Comment: None.

BOARD of COUNTY COMMISSIONERS REPORTS

Mountain Rides Letter of Support for Low or No Emission Bus Program – McCleary

Mountain Rides continues to seek grants for low or no emission busses. The BCC will submit a letter of support.

Southern Idaho Solid Waste District Board Meeting – Fosbury

- SISWD Board approved two fee waivers requested by Blaine County. SISWD records the dump trips the entities make and the County pays the accumulated tipping fees reflected in the end-of-year accounting.
- The Board toured the SISWD facility and reviewed the history of SISWD.

Correspondence

- Ongoing communications with Ketchum Rural Fire District and Ketchum Fire Department.
- BCC sent a letter requesting the Governor veto Senate Bill 1159 making the initiative process more difficult.
- Transportation bill, similar to former Surplus Eliminator, would make funding to counties more reliable. BCC probably supports it.

BLM TRAVEL MANAGEMENT PLAN UPDATE

Also present: Blaine County Land Use Administrator Tom Bergin; County Road and Bridge Manager Steve Thompson; BLM Twin Falls District Manager Mike Courtney; BLM Shoshone Office Field Manager Codie Martin and Outdoor Recreation Planner John Kurtz; Blaine County Recreation District Executive Director Jim Keating; Morgan Buckert; Chris Leman; Idaho Conservation League Conservation Associate Josh Johnson; Wood River Land Trust Stewardship Coordinator Cameron Packer; National Forest Foundation (NFF) Northern Rockies Program Manager Dani Southard; The Nature Conservancy Conservation Manager Tess O'Sullivan; Hailey Community Development Director Lisa Horowitz; Bellevue Community Development Director Diane Shay; intern Brittany Shipley; and Lili Simpson.

BLM representatives said BLM Travel Management Plans are on pause for right now. The current Administration's priority is to provide access.

In the meantime, BLM staff are looking for ways to work with local entities, such as the Blaine County Recreation District, to authorize trails through different means. Commissioner Fosbury said the Blaine County community wants to use their access, and can be smart enough to be adaptable.

Public Comment:

- Lili Simpson suggested the Land, Water and Wildlife Levy Program could potentially be used to fund wildlife projects. She said hikers can't travel as far as cyclists and need trails close to town.
- TNC Conservation Manager Tess O'Sullivan and ICL Conservation Associate Josh Johnson expressed concern that trails that weren't meant for motorized use won't be restricted to non-motorized use.

Martin said all BLM Travel Plans across the west limit travel to existing roads and trails so motorized vehicle cross-country travel is now prohibited.

Courtney added that the Administration support all access with no restrictions, and the BLM and user groups need to be ready for this conversation.

- Hailey and Bellevue Community Development Directors Lisa Horowitz and Diane Shay said their cities encourage trail development and were ready to partner with the BLM and stakeholders on creative solutions. BCRD Executive Director Jim Keating concurred.
- Keating encouraged the BLM to explore already existing public motorized and non-motorized access points in the County. Keating asked if the Environmental Assessment work already completed could be used.

Courtney said private property owners have control over their property.

He added that the BLM will use all the information they already have.

Courtney suggested interested groups and individuals get together and form something like a Wood River Trails and Partnership and decide on their most important needs. Commissioner McCleary will work with the stakeholders and follow-up with BLM.

BREAK

LAND USE and BUILDING SERVICES HEARINGS

- **Village Green at Valley Club, Lot 16, Block 1 and Lot 17B, Block 1A- Plat Amendment: Public hearing** and consideration of a plat amendment application by John and Cynthia Chiles to amend the aforementioned lots. The project site is 16 and 17 Streamside Dr. (noted on plats as Sage Valley Court), zoned Planned Residential Development District (R-2).

Also present: Blaine County Land Use Administrator Tom Bergin; County Planner Allison Marks; applicants' representative Garth McClure and architect Shaun Kelly; Village Green Valley Club Homeowners Association President Jack Bariteau; and neighbor Paul Stevenson.

Marks read public notice; but said notice is not adequate because the plat says Sage Valley Court, and the Assessor's information says Streamside Drive. The application can preliminarily be discussed today; but can't be formally addressed until renoticed date of April 23.

No new materials.

The application received a positive response from the Homeowners Association.

The application is to amend the Lot 16 boundary and shift the Limited Common Area of Lot 17 (applicants own both lots) in order to have enough setbacks to expand their garage onto the little triangle to the southeast.

Public Comment:

- Paul Stevenson, owner of lot 20, asked what would happen if the Chiles wanted to sell either lot.
HOA President Jack Bariteau said the building envelope was being shifted, but not expanded. If they chose to sell a lot, all HOA restrictions would be enforced.

Fosbury moved, seconded by McCleary, to continue the application of John and Cynthia Chiles, Village Green and Valley Club Phase I Subdivision Lot 16 and Phase II Lot 17B to April 23, at 3:15 pm. Motion carried 2/0.

- **24 Gimlet Lane- Floodplain Conditional Use Permit:** Public hearing and consideration of a floodplain conditional use permit application by David and Marie Morrow to upgrade culverts under a private driveway, within the designated floodplain. The project site is 24 Gimlet Lane (Lot 19, Gimlet Sub #10) and is zoned Planned Residential (R-2) with areas of Floodplain (FP) Overlay District.

Also present: Blaine County Land Use Administrator Tom Bergin; Blaine County Engineer Jeff Loomis; County Planner Allison Marks; applicant's representatives Steve Butler, Chuck Erwin and Mick Halverson; and intern Brittany Shipley.

Marks read public notice.

Fosbury moved, seconded by McCleary, that notice is adequate for the Floodplain Conditional Use Permit for the Morrrows, pursuant to I.C. 67-6512. Motion carried 2/0.

Disclosures: Commissioner McCleary has been onsite to look at other projects in the area that were experience flooding issues.

Commissioner Fosbury has no disclosure.

No new materials

Steve Butler, representing the applicant, said they are proposing to replace an existing culvert. Butler engineered a bigger culvert to handle debris as well as high water. The BCC and County Engineer discussed the culvert replacement plans and work done by neighbors.

Butler said he'd witnessed three high water events, and not much erosion in the channel. He suggested the culverts and armoring the approach would minimize potential of erosion. County Engineer Jeff Loomis agreed that erosion control should be done around the culverts, although erosion control wasn't part of this application. Butler encouraged a condition of approval to limit improvements to the disturbance area of the culverts, to be approved by the County engineer.

Loomis said the area had been submerged during the last flood event because the culvert backed up. Putting in two culverts should help the channel flow more normally.

The applicant will submit a revegetation plan in compliance with Condition 5.

Public Comment: None.

Fosbury moved, seconded by McCleary, to approve the application by David and Marie Morrow, located at 24 Gimlet Lane, for a Floodplain Conditional Use Permit to upgrade culverts under their private driveway, finding this proposal does comply with applicable criteria set forth under Title 9 Chapter 17 Floodplain Overlay District and Riparian Setback District, subject to the six conditions that are listed, which includes a revegetation plan submitted to the County for approval, and including erosion protection on the large culverts, to be reviewed and approved by County engineer. Motion carried 2/0.

- **Silver Creek - Stream Alteration Permit Extension Request:** Public hearing and consideration of a Stream Alteration Permit extension request by Picabo Livestock Company LLC to extend the 2018 dredging project deadline to 2020. The project area is located in Productive Agricultural District (A-40) with Wetlands Overlay, within Sections 29 and 30, T1S, R20E, BM, Blaine County.

Also present: Blaine County Land Use Administrator Tom Bergin; County Engineer Jeff Loomis; County Planner Allison Marks; applicant Nick Purdy; Mick Halverson; and intern Brittany Shipley.

Marks read public notice. The applicant is also the surrounding landowner. Applicant posted public notice on the entrance to the property.

Fosbury moved, seconded by McCleary, that notice was adequate for the Stream Alteration Permit Extension Request by Nick Purdy of Picabo Livestock Company. Motion carried 2/0.

New materials: Three new public comments in favor of the application were given to the BCC. Idaho Department of Water Resources (IDWR) hasn't yet created a written waiver, but they will do so for a one-year extension.

Disclosures: McCleary was a County Commissioner involved in the SAP process. Fosbury has no disclosures.

Applicant Nick Purdy explained the project, including work completed and work anticipated.

Neighbor Mick Halverson commended Nick Purdy for his habitat work on Silver Creek.

Public Comment: None in the meeting. Staff received numerous letters of support.

Fosbury moved, seconded by McCleary, to approve the application by Picabo Livestock Company, Inc. for an extension to the previously-approved Stream Alteration Permit for additional dredging of Silver Creek's Big Bend area, finding that the proposal does comply with applicable criteria set forth under Title 9 Chapter 17, Floodplain Overlay District and Riparian Setback District, with nine conditions as included in the Staff Report. Motion carried 2/0.

LAND USE and BUILDING SERVICES

- **Ordinance 2019-06: Building Code/Title 7, Ch. 1 Text Amendment/Update** [Record #659211](#)
- **Ordinance 2019-05: Electrical Code/Title 7, Ch. 2 Text Amendment/Update** ... [Record #659210](#)

Also present: Blaine County Land Use Administrator Tom Bergin; and County Certified Building Official Jeff Giese.

County Certified Building Official Jeff Giese said this is continued from last week's fully-noticed hearing. No new notice was required.

Public Comment: None.

Fosbury moved, seconded by McCleary, to approve Blaine County Ordinance 2019-06, comprised of the amendments to Blaine County Code, Title 7, Chapter 1, Building Code, by deleting it in its entirety and adopting a new Chapter 1, Building Code, which includes the 2015 International Building Code (IBC), the 2012 International Residential Code (IRC), the 2015 International

Swimming Pool and Spa Code (ISPSC), the 2015 International Existing Building Code, the 2012 International Energy Conservation Code Residential Provisions (IECC), and the 2015 International Energy Conservation Code Commercial Provisions (IECC) and amendments based on local conditions. Motion carried 2/0.

Fosbury moved, seconded by McCleary, that we approve Blaine County Ordinance 2019-05, which is comprised of the amendments to Blaine County Code Title 7, Chapter 2 Electrical Code, Chapter 3 Plumbing Code, Chapter 4 Mechanical Code, and Chapter 5 Americans with Disability Act by deleting it in its entirety and adopting a new Chapter 2 Electrical Code, Chapter 3 Plumbing Code, Chapter 4 Mechanical Code, and reserving Chapter 5 for future use. Motion carried 2/0.

APPROVAL OF BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

- March 19, 2019 Regular Meeting minutes are postponed until April 9, 2019.

ADJOURN

At the hour of 3:36 p.m., with no more business before them, the County Commissioners adjourned.

Attest: _____ Approved _____
JoLynn Drage Angenie McCleary
County Clerk Acting Chairman