

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

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**Third Day**

**Tuesday, April 13, 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; Grants and Procurement Specialist Stephen McDougall Graham was present for the morning session; Recording Secretaries Sunny Grant and Kirsten Eaton. County Clerk JoLynn Drage was present for part of 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 expressed concern about Idaho Power lines failing in an ice storm in Hailey last winter, and no back-up generator. Tidwell asked what the Board was doing to remedy this in the future; and suggested a public feedback survey.
- Lili Simpson said people were making their own trails around Cutters subdivision, which could scare and negatively impact wildlife in the area. She said secretarial orders from the Secretary of Interior could support additional trails, including in Quigley Canyon, which is most used by residents.
  - *Fosbury and McCleary said the County is concerned about wildlife and looking into forming a wildlife advocacy group to provide more educational information.*

**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 and County Indigent Services Assistant Hayleigh Simpson.

**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**

**Greenberg moved, seconded by McCleary, to deny request number 2021-1120-3, finding that indigency has not been established. Motion carried unanimously.**

**PROCLAMATION 2021-01 PUBLIC SAFETY TELECOMMUNICATORS WEEK** ..... Record # **681481**

The BCC and Hailey Police Chief Steve England thanked Blaine County emergency communications personnel for their extraordinary efforts during the COVID pandemic. Emergency Communications Director Robin Stellers asked the County to proclaim April 11-17 as National Public Safety Telecommunicators Week.

**Greenberg moved, seconded by Commissioner McCleary, to approve Proclamation 2021-01, a proclamation of the Board of County Commissioners of Blaine County, Idaho, recognizing Public Safety Telecommunicators Week. Motion carried unanimously.**

**COUNTY DEPARTMENT REPORTS**

**Claims** - Gretchen Stinnett

**Greenberg moved, seconded by McCleary, to approve claims dated April 7, 2021. Motion passed unanimously.**

**Land Use and Building Services** - Allison Kennedy

**Blaine County Greenhouse Inventory Data Summary – request to create contract**

County Planner Allison Kennedy said Land Use would like to compile data on greenhouse emissions into a formal report. Kennedy recommended hiring a consultant to create the report, and suggested Sharon Grant Peterson. The BCC supported the request.

**Administrative Services** - Mandy Pomeroy

Pomeroy said Outreach and Education Specialist Stephanie Carlson was making plans to observe Earth Day, 2021, including promoting the County's electric vehicle charging station behind the County Annex Building.

- Pomeroy said the new County Human Resources Generalist will start April 15.
- The BCC and County elected officials thanked retiring County Administrator Derek Voss for his many contributions to Blaine County.

**Clerk - JoLynn Drage**

The BCC and staff discussed merit bonus and cost of living increases for County employees.

**Ketchum Law Enforcement Agreement Reimbursement**

County Clerk JoLynn Drage and the BCC discussed the reimbursement amount in the agreement. McCleary wanted to talk to the Sheriff before releasing funds.

**FMAA JOINT POWERS AGREEMENT EXTENSION**

Freidman Memorial Airport Authority Jim Laski asked the BCC to approve the JPA time extension. Fosbury said JPA issues had been addressed and an extension is no longer needed.

**CONTRACTS, GRANTS AND AGREEMENTS**

**Airport Coronavirus Response Grant Program (ACRGP) Grant Offer**

Friedman Memorial Airport Manager Chris Pomeroy asked the BCC to approve requests for two grants, one for \$1.29 million and another for \$19,000.

**Greenberg moved, seconded by McCleary, to approve the Airport Coronavirus Response Grant Program, (ACRGP) Grant Agreement, 3-16-0016-054-2021 - FA21NN-K2049, between Blaine County, City of Hailey, and Federal Aviation Administration. Motion carried unanimously.**

**Local Highway Technical Assistance Council (LHTAC) Local Rural Highway Investment Program (LRHIP) Application for Blaine County Transportation Plan Update**

Blaine County Grants and Procurement Specialist Stephen McDougall Graham said Blaine County did not receive grant funds the last time due to weaknesses in the application. County Road and Bridge Manager Steve Thompson said the grants are competitive, and it is important the County move forward to update the County Transportation Plan.

**Agreement for Outside Legal Counsel ..... Record # 681962**

Administrative Services Manager Mandy Pomeroy said the BCC asked her to work with outside legal counsel John Seiller to review and edit the public defender contracts. Two minor corrections must be made to the draft contract before signing.

**Greenberg moved, seconded by McCleary, to approve the Agreement for Outside Legal Counsel, between Blaine County and John Seiller, Attorney at Law, at the rate of \$300/hour, as amended today. Motion carried unanimously.**

**COVID-19 UPDATES**

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

**BOARD of COUNTY COMMISSIONERS REPORTS**

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

**BLAINE COUNTY'S CONTINUING PARTICIPATION IN FEMA'S VOLUNTARY COMMUNITY RATING SYSTEM (CRS)**

Blaine County Floodplain Manager Kristine Hilt asked the BCC to consider whether Blaine County wanted to remain in FEMA's CRS rating system. National Flood Insurance Program (NFIP) insurance provides a 15% discount for policies within the floodplain, and 5% discount outside the regulated floodplain. The BCC discussed cost-benefit, noting that only 92 Blaine County residents have NFIP insurance. Hilt said FEMA's CRS five-year audits were time- and resource-consuming for Land Use staff, and only benefited a few County residents.

Blaine County has a robust floodplain and riparian program, and is constantly collecting data from Army Corps of Engineers, FEMA, and LiDAR flights. Hilt said the BCC can opt out of the program for now; and it would be fairly easy to reinstate the CRS program later. NFIP insurance is introducing a new rating method in October 2021. Congress will have to reauthorize FEMA later this year, and FEMA will have to dismantle and rebuild the program based on the recent natural disasters and FEMA's current debt.

Public Comment: None.

**Commissioner Greenberg moved, seconded by McCleary, to have staff prepare a letter for the BCC to sign to discontinue participation in the FEMA Community Rating System program. Motion carried unanimously.**

**CITY OF HAILEY RUBBISH PRESENTATION**

The 3R Task Force has been researching cost-benefit of collecting and selling recyclable materials, including single stream recycling.

Hailey City Administrator Heather Dawson and Hailey Resilience Coordinator Rebecca Bundy said Blaine County cities' drop-off sites are being contaminated, rendering the recyclables unsaleable. Greenberg encouraged the Task Force to continue to research options to collect a maximum amount of uncontaminated saleable recyclables. The BCC wants to plan a workshop to encourage other rural counties in Idaho that are beginning to consider recycling.

Southern Idaho Solid Waste District Board approved the sale of carbon credits which will provide revenue to be shared with counties in the district.

### **Break**

Administrative Services Support Specialist Kay Draper was present for the afternoon session.

### **LAND, WATER and WILDLIFE PROGRAM**

Also present: Blaine County Land, Water and Wildlife Program Levy Advisory Board Program Coordinator Wendy Pabich; and Sarah Michael.

**Funding Request:** The Land, Water and Wildlife Program Levy Advisory Board recommended funding the Wood River Wolf Project with \$23,805 (20% of total project cost) to assist with paying two seasonal contract field staff members, in addition to satellite communication equipment and transportation costs for the 2021 grazing season. These funds will be used to advance non-lethal efforts to deter wolves and other predators from sheep grazing on Forest Service lands in Blaine County.

Sarah Michael presented a PowerPoint of non-lethal wolf deterrent methods and gave the BCC a revised budget. A night range rider will be hired to monitor the sheep herd.

Public Comment: None.

Bergin reviewed timeline of the grant process.

**Commissioner Greenberg moved, seconded by McCleary, to approve the Wood River Wolf Project request for \$23,805 funding from Land, Water and Wildlife program, as presented. Motion carried unanimously.**

### **LAND USE and BUILDING SERVICES HEARINGS**

- **Comprehensive Plan - Chapter 8, Land Use. Continuation (from April 6) of public hearing and consideration of proposed amendments to Title 8, Comprehensive Plan. The proposed Chapter 8, Land Use and Land Use Maps, would replace two sections of the current plan: Section 9, Land Use and Section 12, Property Rights. The chapter also covers Community Design.**

Blaine County Land Use Deputy Director Kathy Grotto and Blaine County Comprehensive Plan Consultant Lisa Horowitz reviewed the latest changes of Chapter 8 with the BCC. Grotto said the LI needed to remain for light industrial uses, although some residential could be included in mixed use. The BCC and staff agreed that the County needed to plan for agricultural land, LI land and residential, as well as open space.

Public Comment: None.

**McCleary moved, seconded by Greenberg, to continue this hearing to April 20, 2021 at 2:30 p.m. Motion carried unanimously.**

### **LAND USE and BUILDING SERVICES**

- **Findings of Fact: Lot 16A, Block 2, Buckhorn Subdivision First Addition - Plat Amendment**  
**Commissioner Greenberg moved, seconded by Commissioner Fosbury, to approve Findings of Fact, Conclusions of Law and Decision regarding the application of Robert and Deborah Commons, Lot 16A, Block 2, Buckhorn Subdivision First Addition Plat Amendment. Motion carried unanimously.**

- **P&Z Discussion: Initiation of Transferable Development Right (TDR)-related Zoning Code Text Amendments**

Land Use Planner Allison Kennedy asked the BCC to consider making amendments to the TDR chapter, including reducing the minimum size of TDR sending lots.

**Commissioner Greenberg moved, seconded by Commissioner Fosbury, to initiate review of the Blaine County TDR Program, Title 10 Chapter 10 and associated chapters, and Title 9 by the Blaine County Land Use department. Motion carried unanimously.**

### **BLAINE COUNTY FACILITIES**

- **Blaine County Fairgrounds/City of Carey Lot Line Shift**

Blaine County Facilities Manager Pat Boyle and Carey Public Works Director Steve Grigsby measured the lot currently used as a park. Boyle didn't see a real benefit to keeping the Lot 4 "parking lot", and suggested giving it to the City of Carey. Carey City Clerk Tess Cenarrusa and Grigsby agreed.

### **NEEDS ASSESSMENT FOR PUBLIC HEALTH OFFICER FOR CONSULTATION**

Blaine County Medical Director Dr. Terry O'Connor would like to pursue a Master's degree in Public Health at Johns Hopkins School of Public Health. Dr. O'Connor felt Blaine County could use a better public health system, and asked the County to consider a financial contribution to cover his education costs. The BCC discussed including a contribution in the FY2022 budget process.

**BOARD OF COUNTY COMMISSIONERS ACTION**

**Tidwell v. Blaine County**

As a result of a decision in Executive Session on April 6, **Greenberg moved, seconded by Commissioner McCleary, to direct the Deputy Prosecuting Attorney to file an appeal in Tidwell v Blaine County. Motion carried unanimously.**

**EXECUTIVE SESSION – §74-206 (1)(f) Potential Litigation Blaine County v. Flying Heart Ranch Owners**  
**Commissioner Greenberg motioned to go into executive session, seconded by Commissioner McCleary, pursuant to IC Section 74-206(1)(f) - Blaine County v Flying Heart Ranch Owners. Greenberg (aye), McCleary (aye) and Fosbury (aye). Motion carried unanimously.**

**ADJOURN**

**At the hour of 4:59 p.m., with no more business before them, the County Commissioners adjourned.**

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