

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

Third Day

Tuesday, May 18, 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 Mandy Pomeroy; Blaine County Assessor Jim Williams; Blaine County Human Resources Generalist Justin Highhouse; and Recording Secretary Gary Brower. Both as intermittent Recording Secretary and 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.

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

PUBLIC COMMENT - None

BCC discussed addition of South Central Public Health District (SCPHD) to Board reports and giving McCleary proxy to vote on behalf of BCC for the SCPHD budget.

CONTRACTS, GRANTS AND AGREEMENTS

Also Present: Land Use LUBS Deputy Director Kathy Grotto

- **Cookston Wetland Conditional Use Permit-Blaine County Security Agreement** . Record **682948**

Also Present: LUBS Deputy Director Kathy Grotto

Greenberg moved, seconded by McCleary, to approve the Wetland CUP Blaine County Security Agreement between Rebecca Cookston and Blaine County for Wetland Conditional Use Permit in the amount of \$2500. Motion carried unanimously.

- **Independent Contractor Agreement with Kim Fromme, Ph.D.** Record **683316**

Also Present: Blaine County Deputy Public Defender Cheri Hicks

Cheri Hicks explained the contract and case necessitating \$350/hour fee and 15 hours paid prior to this expert beginning work. PDC Grant funds should be able to be used.

Greenberg moved, seconded by McCleary, to approve the Independent Contract Agreement between Blaine County and Dr Kim Fromme for public defense expert witness services for the rates outlined in the contract. Motion carried unanimously.

- **Contract for Services with Biota Research and Consulting, Inc** Record # **683101**

Also Present: Biota Representative Ryan Colyer.

Chairman Fosbury summarized contract that would allow Biota to work with both Galena Engineering and Michael Bouiss on civil engineering, land surveying services & structural engineering for bridge in the Colorado Gulch Bridge Project.

County Administrator Mandy Pomeroy said contract has not gone through legal review, but will submit if requested by BCC. Typically reoccurring contracts without significant changes do not use legal review process.

Commissioner Greenberg cautioned that all contracts may need a review to ease the burden on the BCC from reviewing contracts with too many discrepancies. Greenberg also asked what line in the budget this contract is going to be paid from.

County Administrator Mandy Pomeroy deferred budget line decision to the board.

Chairman Fosbury suggested using contingency budget line and that the project should be completed by Fall of FY2023.

Vice-Chairman McCleary asked how much Biota anticipates the cost of the project.

Biota Representative Ryan Colyer said unknowns to the projects are stream alterations, designs of the bridge, potential impact to wetlands, abutments and potential mitigation plans can cause some uncertainty of the cost. A \$25,000 not to exceed amount should be sufficient.

County Administrator Mandy Pomeroy will be the contract owner for the duration of the project.

Greenberg moved, seconded by McCleary to approve the contract for services with Biota Research and Consulting Inc with consulting services to develop the right of way and perform aspect easement work for the Colorado Bridge Project as outlined in attachment A of the Colorado Bridge Project for the cost schedule as outlined to be appropriated out of contingency in a not to exceed amount of \$25,000. Motion carried unanimously.

COUNTY DEPARTMENT REPORTS

- **Assessor's Report** – Jim Williams

Assessor Jim Williams touted 1 year anniversary of appointment system for DMV and will continue this efficiency for another year.

Commissioner Greenberg supported the continuation of the appointment system. Vice-Chair McCleary suggested blocks of time for walk-ins. Assessor Jim Williams indicated they have flexible time within the office every day for situational needs to serve the public.

Assessor Jim Williams said new assessment notices will be sent out early by June 7. Williams sees a likely increase in county tax revenue in line with values seen across the state as determined by formulas in Idaho State statutes.

County Clerk JoLynn Drage said currently collected property tax revenue will not see an increase more than 3% for the Blaine County budget.

Chairman Fosbury said he does expect additional property tax revenue collected from new construction projects.

BCC and Blaine County Assessor Jim Williams discussed Covid-19 and mask protocols in relation to observed public and employee behaviors.

- **Facilities** – Pat Boyle
 - McBride ADU Usage

Also Present: Blaine County HR Generalist Justin Highhouse and Facilities Manager Pat Boyle
Facilities Manager Pat Boyle reviewed McBride ADU Building expected usage and criteria for habitation of the dwelling.

HR Generalist reviewed the handling of potential issues of Blaine County being the landlord and employer of residents for the McBride Building.

County Administrator Mandy Pomeroy asked the BCC for direction regarding developing and soliciting a waiting list and choosing prospective housing tenant. Pomeroy requested BCC decide if they would like to choose from the top applicants or have administrative team make best choice using established criteria.

BCC weighed the complex dynamics for choosing McBride building housing applicants. There was an emphasis on being open and transparent in the choice of the tenant with a preference for the BCC to not be part of the selection, however updates on the how the process went would be expected.

- **County Administrator** – Mandy Pomeroy

County Administrator Mandy Pomeroy announced that a selection for the Sustainability Program Manager Position has been completed and the announcement of the successful candidate is forthcoming. Pomeroy reviewed the funding results for the meeting of the Colorado Gulch Bridge team.

Pomeroy conveyed that there is confusion on the Covid-19 facemask policy being received as emails from employees.

Brief Recess

- **COVID-19**
 - Innovation and Testing Task Force – no updates to report
 - Adaptive Planning Committee – no updates to report
 - Emergency Medical Services Health Emergency Operations Center – no updates to report
 - Blaine County COVID-19 Risk Level Plan

BCC reviewed fluctuations of the most recent and current Covid-19 risk levels and guidelines at the Federal, State and Local jurisdictions. BCC discussed policy inconsistencies among various governmental agencies and observed in public & business Covid-19 practices. BCC set a hearing time for discussion of Blaine County Policy for Thursday May 20, 2021 at 9am without public comment. BCC board members shared several of their own individual perspectives on multiple facets of the pandemic including: current Covid-19 precautions and practices; government policies; recent Center for Disease Control (CDC) guidance; local jurisdictional policy disparities within Blaine County; local observations of facemask use; impact on the Health Care infrastructure; BCC's responsibility to ensure a safe environment for everyone; vaccination rates and availability of vaccines; venerable population segments; local business practices; indoor vs outdoor mask mandates; individual citizen responsibility, mask mandates, and enforceability of potential decisions by this board.

CONSENT CALENDAR

- New liquor license for Lucy's Breakfast LLC dba Lucy's Breakfast

Greenberg moved, seconded by McCleary to approve the consent calendar for May 18, 2021. Motion carried unanimously.

BLAINE COUNTY FAIR BOARD APPOINTMENTS

Greenberg moved, seconded by McCleary to appoint Lauri Fiscus, Devra Mary, Inge del Real to the Blaine County Fair Board. Discussion: Length of terms according to Idaho Statute. Motion Carried Unanimously.

BLAINE COUNTY AMBULANCE DISTRICT

Fosbury moved, seconded by Greenberg to accept settlement payment in the amount of \$400.00 from Kristopher Holleman for the Ambulance bill from 2015 as full payment of their debt. Motion

Carried Unanimously.

BOARD of COUNTY COMMISSIONERS REPORTS

- Correspondence

Chairmen Fosbury received inquiry from Idaho Conservation League (ICL) that would like to propose some projects in coordination with the Wood River Land Trust. Fosbury said he would coordinate the initial inquiry.

BREAK

LAND USE and BUILDING SERVICES HEARINGS

Also Present: LUBS Deputy Director Kathy Grotto; Applicant Representative Galena Engineering Sean Flynn; and Applicant Drew Avery

- **851 1st Street; Picabo Hills Subdivision Plat Amendment.** Public hearing and consideration of an application by Drew and Celeste Avery for a plat amendment to modify a plat note restricting the access points to Lot 14, Block 4, Picabo Hills Subdivision and to allow a driveway within a platted landscape easement.

LUBS Deputy Kathy Grotto read notice into the record.

McCleary moved, seconded by Greenberg that notice for this hearing was adequate. Motion carried unanimously.

LUBS Deputy Kathy Grotto introduced new materials into the record.

Applicant Representative Galena Engineering Sean Flynn presented plat amendment to modify plat note to allow a driveway within a platted landscape easement. Flynn said a trail is not actually present, street traffic is low, driveway crossing easement should pose no problem as the trail is not being used, several existing access points currently exist in the neighborhood, the will of the neighborhood seems to want these additional accesses, and the only public letter by former HOA president Nick Purdy is in support of proposed modification.

Applicant Drew Avery presented overall plan for the property and the proposed additional driveway access to the property. Avery said the access would also offer additional access for emergency vehicles as well. Avery mentioned the Homeowners Association (HOA) is currently inactive.

Sean Flynn indicated where the trees currently are and that they will not be changing the nature of the subdivision.

BCC discussed with County staff and applicant several topics including: trailer access on driveway; county road standards; driveway specifications; allowance of 3 driveway approaches in this zone for one property; clarification of county road location; review of standards for driveway separations; public safety concerns; lack of active HOA; process for changing plat note for one lot vs all the lots; the addition of driveway does not increase neighborhood traffic; potential of removing shared access driveway; adherence to right of management plans; and use of a waiver process for approval.

Public Comment

Applicant Drew Avery indicated that recent approval of neighbors' driveway had approximately 50' between existing shared driveway and new driveway. HOA design review committee did not have any concerns.

Public Comment Closed

McCleary moved, seconded by Greenberg to continue hearing on June 15, 2021 at 2:30 pm. Motion carried unanimously.

- **Comprehensive Plan - Chapter 8, Land Use.** Continuation (from April 6, 13 and 20, 2021) of public hearing and consideration of proposed amendments to Title 8, Comprehensive Plan. The proposed Chapter 8, Land Use and Land Use Maps, includes 8 subarea sections. Also Present LUBS Deputy Director Kathy Grotto and Lisa Horowitz

LUBS Deputy Kathy Grotto read notice into the record.

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

LUBS Deputy Kathy Grotto and Lisa Horowitz presented an overview of potential language edits and amendments to Title 8 in the Comprehensive Plan to the BCC.

BCC reviewed, clarified concepts, proposed priorities, and suggested several potential language improvements for the parts of the Comprehensive Plan that were presented by staff.

McCleary moved, seconded by Greenberg to continue Comprehensive Plan Discussion to June 1, 2021 @ 2:30pm. Motion carried unanimously.

APPROVAL OF BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

- **October 29, 2020 Special Meeting**

Greenberg moved, seconded by McCleary to approve minutes for A Special Meeting October 29, 2020 as amended. Motion carried unanimously.

COUNTY DEPARTMENT REPORTS (Continued)

- McBride ADU Usage

Also Present County Administrator Mandy Pomeroy.

Vice Chairman McCleary revisited morning conversation regarding McBride ADU building and was concerned about selection criteria of tenant for employee rental housing whereas financial need and affordability should be weighted more heavily.

Chairman Fosbury said he understood the primary reason for the housing issue is that there is no available housing regardless of income.

County Administrator Mandy Pomeroy said it would be unlikely the criteria established for the housing would come down to a tie and a tenant being chosen at random.

Commissioner Greenberg said that from an altruistic perspective you want to give someone affordable housing, but that is not necessarily the purpose of this housing unit. Greenberg sees this housing being used primarily for the purpose of transitioning, attracting people to come and work at Blaine County and recruiting a qualified employee from out of area.

BCC agreed to move forward with staff recommendations for the McBride ADU usage.

BOARD of COUNTY COMMISSIONERS REPORTS (Continued)

- **South Central Behavioral Health Board Meeting**

BCC discussed the pros and cons to the methodology and formulary used by the South Central District Health Board to charge Blaine County. BCC felt there were disparities in the amount of funding compared to the services being received.

EXECUTIVE SESSION - Idaho Code Section 74-206(1)(b) – Evaluation, Dismissal or Disciplining of Employees

Greenberg moved, seconded by McCleary to go into executive session pursuant Idaho Code 74-206(1)(b), Evaluation, Dismissal or Disciplining of Employees. Roll Call. McCleary – Aye. Greenberg – Aye. Fosbury – Aye. Motion carries 3-0.

ADJOURN

At the hour of 3:55pm with no more business before them, the County commissioners adjourned.

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