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**OFFICE OF THE BOARD OF COUNTY COMMISSIONERS
OF BLAINE COUNTY
REGULAR MEETING OF THE MAY 2020 SESSION**

Fifth Day

Tuesday, May 19, 2020

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; County Clerk JoLynn Drage; County Information Technology Manager Clay Landon; County Administrative Services Manager Mandy Pomeroy; County Weed Department Manager John Cenarrusa; Administrative Specialist Jenny Lovell; County Grants and Procurement Specialist Lyn Drewien; County Chief Deputy Prosecuting Attorney Tim Graves; County Assessor Jim Williams; County Disaster Services Coordinator Chris Corwin; County Land Use and Building Services Deputy Director Kathy Grotto; County Engineer Jeff Loomis; Information Technology Specialist Ben Parker; GIS Manager Sam Young; Recording Secretary Sunny Grant; Blaine County Extension Educator Greg Loomis and Extension Administrative Assistant Sarah Busdon; Blaine County Chief Deputy Treasurer Morgan Drage; Sun Valley Economic Development Executive Director Harry Griffith; Mark de Reus; Lisa Baird; Blaine County Fair Board members Kyle Green and Brandi Hennefer; ARCH Community Housing Trust Executive Director Michelle Griffith; *Idaho Mountain Express* reporter Gretel Kauffman; Jeffrey Bitton; Kirk Flannigan; Kiki Tidwell; Samantha Stahlnecker; Sean Flynn; Darren Goldberg; David Patrie; Wood River Fire & Rescue Chief Ron Bateman; and Nicki Dorazio.

Due to advisable physical separation during the ongoing COVID-19 pandemic, most participants in this meeting were by webconference or teleconference.

Chairman Greenberg called the meeting to order at 9:01 a.m.

PUBLIC COMMENT:

- Kiki Tidwell confirmed her previous assertion that the County had spent \$250,000 on two road access issues. She asked the BCC to apologize to County taxpayers for not knowing the extent of the expense.
- Tidwell said an expired contract to transfer a \$3 million County-owned property plus \$500,000 to ARCH was on today's agenda. She said Idaho Statute 57-28 Purchasing by a Political Subdivision required due process that she wasn't sure the County was following.

Greenberg moved, seconded by McCleary, to convene as the Ambulance District Board. Motion carried unanimously.

BLAINE COUNTY AMBULANCE DISTRICT

Ambulance Bill Assistance

The Salvation Army paid \$300 of an ambulance bill for Janice Gray, and has requested the Ambulance Board consider forgiving part or all of the remaining bill. The County's existing policy is that these bills are not cancelled, but McCleary and Fosbury felt this situation was similar to an indigent case. The BCC agreed to waive half of the bill.

Greenberg moved, seconded by McCleary, to reduce Janice Gray's \$935 ambulance bill to \$467.50, and credit the \$300 payment already made, leaving a balance due of \$167.50 to be paid by Ms. Gray. Motion carried unanimously.

Carey Rural Fire and Rescue Application for Motorized Gurney

Also present: Carey Fire Chief Richard Kimball .

Carey Chief Richard Kimball asked the Ambulance District to purchase a motorized gurney for Carey along with the ones it was getting for Ketchum and Wood River ambulance providers. The motorized gurney is consistent with equipment on other Blaine County ambulances.

Fosbury moved, seconded by McCleary, to purchase a PowerPro XT motorized gurney with MTS Power Load Assembly from Stryker Medical, at a total cost of \$39,518.05, to be used by the Carey Rural Fire and Rescue. Motion carried unanimously.

McCleary moved, seconded by Fosbury, to reconvene as the Board of County Commissioners. Motion carried unanimously.

ASSESSOR'S OFFICE REOPENS

Assessor Jim Williams said his staff was on staggered schedules to allow for social distancing. The new online appointment system is working well.

The assessment roll will be finalized soon. Assessed values are as of January 1, 2020, based on sales in 2019. If there is a COVID-19 effect, it will be seen in 2021.

1 **Property Tax Exemptions**

2 Also present: Blaine County Assessor Jim Williams and Chief Deputy Assessor Melissa Fry.

- 3 • One renewal application for The Life Church does not meet criteria of Idaho Code 63-602B, which
- 4 says the property must be used exclusively for religious purposes. The church leased the bare lot to
- 5 the City of Hailey in 2019 for snow storage for \$15,700. Williams said this is the BCC’s decision, but
- 6 his recommendation is that it does not qualify.
- 7 • Other renewing exemptions have not changed.
- 8 • New exemptions are for the Wood River Land Trust and The Nature Conservancy (the Rinker Rock
- 9 Creek Ranch off of Highway 20) and the ARCH parcel.

10
11 **Greenberg moved, seconded by McCleary, to approve the 2020 new property tax exempt**
12 **applicants, as presented; and the 2020 renewing property tax exemptions, excluding**
13 **RP02N18009292C (The Life Church Wood River, Inc.), as presented by the Assessor’s office.**
14 **Motion carried unanimously.**

15
16 **County Administrator - Derek Voss**

17 Also present: Mandy Pomeroy; and Clay Landon.

- 18 • If the BCC is going to continue online meetings, they need to consider an IT solution to efficiently
- 19 host the online meetings.
- 20 • *The BCC supported a temporary position for someone with technical digital conferencing*
- 21 *expertise, funded out of Administrative Services.*
- 22 • The Ambulance District, County Medical Director, Wood River Fire & Rescue and Ketchum Fire
- 23 Department are discussing future ambulance purchases with FY20 budgeted funds and funds
- 24 budgeted for FY21.

25
26 **CONTRACTS, GRANTS AND AGREEMENTS**

27 • **Request to Apply - FY21 EdPro Rural Economic Development Grant**

28 Also present: Sun Valley Economic Development (SVED) Executive Director Harry Griffith; and Lyn
29 Drewien.

30 This is the tenth year for SVED to compete for Economic Development grant funds.

31 **Fosbury moved, seconded by McCleary, to approve the Request to Apply for FY2021 EdPro**
32 **Rural Economic Development Program Professional Grant, in the amount of \$24,250, with a**
33 **Blaine County match of \$12,125. The Project period is July 1, 2020 through June 30, 2021.**
34 **Motion carried unanimously.**

35
36 **COVID-19**

37 **Updates**

- 38 • Local COVID-19 testing is important as Blaine County reopens for business.
- 39 • The BCC discussed if they should encourage people to take their temperature.

40
41 **BLAINE MANOR LAND TRANSFER**

42 Also present: County Chief Deputy Prosecuting Attorney Tim Graves; ARCH Community Housing Trust
43 Executive Director Michelle Griffith;

44 County Attorney Tim Graves said the BCC previously committed to transfer the former Blaine Manor
45 property to the Idaho Housing Finance Association, a political subdivision of the State of Idaho. That
46 contract expired in February, 2020. The BCC had authorized ARCH to move forward with the Hailey
47 entitlement process, which has now concluded. The BCC now needs to hold a public hearing to
48 determine if transfer of this property to IHFA is in the public interest, per Idaho Code 31-808(9).

49
50 Graves said the BCC has for the last 12 years attempted to dispose of this property in various ways,
51 including an unsuccessful online auction and a unsuccessful Request for Proposal process.

52
53 The BCC agreed that affordable and workforce housing are needed in the community, and continued
54 their support of this project. Thirty of the units are senior housing and the other 30 units are family
55 housing. The BCC instructed legal counsel to prepare legal notice and all necessary documents.

56
57 **2020 BLAINE COUNTY FAIR DISCUSSION AND CONSIDERATION**

58 Also present: Morgan Drage; Grant Loomis; Sarah Busdon; and Brandi Hennefer; and Sarah Michael.

59 Blaine County Fair Board President Morgan Drage said it would be difficult to manage physical
60 separation during the 2020 Fair, which is largely focused on 4-H activities. Sarah Busdon said 4-H
61 youth had worked hard to raise their market sale animals, and would be disappointed if there is no
62 auction. She suggested they have a virtual auction.

63
64 The BCC agreed that it would be best to pursue a virtual fair this year, especially the market animal
65 sale. Fosbury will see how the Long-Term Recovery Committee can help. Greenberg suggested
66 County Commissioners compete in a virtual pie eating contest to enhance the market sale.

- 1 • Mark de Reus suggested the videographer who records the auction interview each of the children
2 who are raising animals to sell and feature their animals.
3 • Grant Loomis said a virtual sale will be an important skill for the children to work on and develop, as
4 part of their experience in animal husbandry.
5

6 **DISCUSSION WITH O-19 COMMITTEE (Outfitting in Relation to COVID 19)**

7 Also present: Idaho Outfitters and Guides President Jeff Bitton; and Mystic Saddle Ranch co-owner
8 Rebekah Cain.

9 Jeff Bitten said O-19 is a new organization of outfitters and guides to devise operating plans and
10 procedures to be safe in the era of COVID-19. They discussed concerns and ideas with the BCC.
11

12 **APPROVAL OF BOARD OF COUNTY COMMISSIONERS MEETING MINUTES**

- 13 • **February 18, 2020 Regular Meeting**
14 • **February 19, 2020 Special Meeting** (Army Corps Section 206 review)
15 • **February 25, 2020 Regular Meeting**
16 • **April 21, 2020 Regular Meeting**
17 • **April 28, 2020 Regular Meeting**

18 **McCleary moved, seconded by Fosbury, to approve Commissioner meeting minutes of Regular**
19 **February 18, 2020 meeting, Special February 19, 2020 meeting, Regular February 25, 2020**
20 **meeting, Regular April 21, 2020 meeting, and Regular April 28, 2020 meeting, as presented.**
21 **Motion carried unanimously.**
22

23 **LAND USE and BUILDING SERVICES HEARINGS**

- 24 • **Aspen Lakes Drive - Plat Amendment.** Public hearing and consideration of a request by John Hockin
25 and Merritt Schoch to amend Lot 30, Flying Heart Ranch II Subdivision to relocate the building envelope to 0.5
26 acres outside of the mapped floodplain. The 10.73 acre property is zoned Residential/Agricultural District (R-
27 5), Rural Residential District (R-10), and areas of Floodplain (FP), Floodway (FW), Riparian Setback (R), and
28 Mountain Overlay (MOD) Districts.

29 Also present: Tom Bergin; Allison Marks; Kristine Hilt; and applicant's representative Sam Stahlnecker.
30 Marks read notice.

31 **Fosbury moved, seconded by McCleary, that notice is adequate. Motion carried unanimously.**

32 **No disclosures.**

33 **New Materials:**

- 34 • Public comment forwarded to BCC from Mark de Reus stated that CC&Rs require Homeowners
35 Association Design Review for a building envelope shift.
36 • *Marks said Land Use only looks at CC&Rs that are listed on the plat; and these were not.*

37 Marks read public notice.

38 **Fosbury moved, seconded by McCleary, that notice was adequate for this hearing.**

39 **No disclosures.**

40 **New Materials:**

- 41 • Public comment letter from Marc de Reuss was email-forwarded to the BCC.

42 The BCC does not need to include a condition that the proposed building envelope is approved by the
43 Homeowners Association because CC&Rs are not mentioned on the plat. Samantha Stahlnecker said
44 HOA review is required, but not necessarily before County approval.
45

46 Stahlnecker said the proposed building envelope is in the only area on the lot that is above the base
47 flood elevation. The proposed building envelope includes about half the existing envelope, plus area to
48 the north and south. The proposed building envelope is slightly smaller in size, and is 25ft from the
49 property line. It is not in any hazard areas. The neighboring residence is about 120ft from the property
50 line.
51

52 The right-of-way width on Aspen Lakes Drive is shown as 60ft on the proposal, but is actually 80ft.
53

54 **Public Comment:**

- 55 • Mark de Reus asked that his comment letter requesting denial be changed to "conditioned on Flying
56 Heart Design Review Committee approval". He is a Flying Heart resident and said he'd previously
57 been able to obtain a Letter of Map Amendment (LOMA) without doing a building envelope
58 relocation and modification.
59 • Don Brandenburger, practicing architect and Flying Heart resident on the Design Review Committee,
60 said building envelopes are important and the DRC doesn't easily change them. He added that this
61 was a narrow lot in the subdivision, and asked that BCC approval be conditioned on approval by
62 Flying Heart DRC.
63
64 • Mark de Reus suggested the applicant review firewise management methods before planning their
65 landscape design.
66

1 Kristine Hilt said any landowner who builds within a mapped floodplain is required by federal law to
2 purchase flood insurance if they have a federally-backed mortgage. If they develop in an area removed
3 from the floodplain via a LOMA, there would be no insurance requirement.

4
5 McCleary saw advantages to removing the building envelope from the floodplain, and didn't think the
6 County typically conditioned approval on CC&Rs.

7
8 Fosbury supported the application, but was concerned that plat amendment criteria 2a states that the
9 proposed plat amendment should not alter the existing character of the subdivision. He would prefer to
10 see what the homeowners association decided first.

11
12 Greenberg agreed it was probably more appropriate for the applicant to comply with CC&Rs
13 requirements to avoid any conflict between the County and the homeowners association. He didn't
14 think it altered the character of the neighborhood as long as it met setback requirements.

15
16 **Fosbury moved, seconded by McCleary, to continue this application by Hockin and Schoch for
17 a plat amendment for Flying Heart Ranch II, Lot 30A, until July 14, 2020, at 1:30. Motion carried
18 unanimously.**

- 19
20 • **250 Teal Drive - Plat Amendment.** Public hearing and consideration of an application by Wallace
21 and Helen Morgus to amend Lot 38, Starweather Subdivision by relocating the Building Envelope closer to the
22 Big Wood River, within the floodplain, to a higher elevation. The proposed location would require access
23 through or over an active flood swale. The 1.99-acre property is zoned Planned Residential Development (R-
24 2), lies entirely within the Floodplain (FP) Overlay and has areas of Riparian Setback (R).

25 Also present: Blaine County Certified Floodplain Manager Kristine Hilt;, applicants Lesley Andrus and
26 Darren Goldberg; and Realtor Penny Leopold;

27 Hilt said the property owners are Wallace and Helen Morgus, and the applicants are Lesley Andrus and
28 Darren Goldberg.

29
30 Hilt read public notice.

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

32 **No Disclosures.**

33 **New Materials:**

- 34 • Exhibit A6, an email from Leslie Andrus that she received from Carol Pintler of the Nichols Group,
35 property management for Starweather Homeowners Association and subdivision, that gave the
36 applicant HOA pre-approval for a building envelope shift. The HOA approval is conditioned upon
37 County approval.
38 • Exhibit D5 – public comment email from Steve and Lynn Heidel to the BCC that was forwarded to
39 the BCC.
40 • Exhibit D2 – two photos that were part of John Davenport's public comment, but did not print as part
41 of the BCC's packets. One photo is of the easement at the north end of subdivision that appears to
42 be flooded, and a photo of the river at the end of that easement during the 2017 flood.

43
44 Lesley Andrus said a swale runs through the platted building envelope, and the application is to move
45 the existing building envelope, which is already quite low, away from the swale and to the highest part
46 of the lot, which is 4-5 feet higher than the existing building envelope.

47
48 The County requires the lowest floor be 2ft above base flood elevation, so structures in the proposed
49 building envelope would still have to be elevated one or two feet.

50
51 Fosbury suggested Andrus/Goldberg talk to an engineer or river expert and an architect about building
52 in this location, which is located on the bend of the river and prone to erosion. Hilt confirmed that similar
53 properties had lost their access during the 2017 flood, which also affected utilities. Hilt warned the
54 applicants that the Wood River is active and this could be a dangerous place to develop. The BCC and
55 staff discussed concerns and potential difficulties of building on this lot.

56
57 **Public Comment:**

- 58 • Kiki Tidwell suggested this application could have been handled in a more streamlined process.

59
60 Fosbury agreed there was slightly higher ground outside of the existing building envelope, but his
61 experience was that there's too much risk to move away from the road. He recommended building an
62 access road from the existing road to the existing building envelope and properly elevating the driveway
63 and house. He said architects and land planners can deal with the swale.

64
65 McCleary agreed.

66
67 The County Engineer's notes said it was difficult to recommend one building envelope location over the
68 other. Flood hazards may be difficult to avoid in this location.

1 McCleary moved, seconded by Fosbury, to deny this subdivision application by Helen and
2 Wallace Morgus, to amend Lot 38, Starweather Subdivision, by modifying the building envelope,
3 finding that the application does not comply with applicable criteria set forth under Title 10
4 Subdivision Regulations and applicable criteria of Title 9 Zoning Regulations. Motion carried
5 unanimously.
6

7 **LAND USE and BUILDING SERVICES**

8 • **Findings of Fact: Tegan/Lot 7, Golden Eagle Sub/Stream Alteration Permit Reconsideration**
9 **Fosbury moved, seconded by McCleary, to approve Findings of Fact, Conclusions of Law and**
10 **Decision on the Tegan application for a Stream Alteration Permit, located on Lot 7 Golden Eagle**
11 **Ranch. Motion carried unanimously.**
12

13 • **Findings of Fact: Marks/Lot 8, Lane Ranch Plat Amendment**
14 **Fosbury moved, seconded by McCleary, to approve Findings of Fact, Conclusions of Law and**
15 **Decision on the application by Michael and Carol Marks to amend Lot 8, Lane Ranch One**
16 **Amended, as submitted. Motion carried unanimously.**
17

18 • **P&Z Discussion: Request for Extension of Lot 1, Block 1, Hyndman Peak Sub Plat**
19 **Amendment and Accessory Dwelling Unit Conditional Use Permit approvals**

20 The applicant is requesting an additional one-year extension on the plat and 18-month extension on the
21 Accessory Dwelling Unit Conditional Use Permit. Bergin said these extensions are consistent with the
22 Code and understandable due to COVID-19.

23 **Fosbury moved, seconded by McCleary, to approve the Request for Extension on Lot 1 Block 1**
24 **Hyndman Plat Subdivision plat for one year, and accessory dwelling unit for 18 months until**
25 **November, 2021. Motion carried unanimously.**
26

27 **ADJOURN**

28 **At the hour of 3:38 p.m., with no more business before them, the County Commissioners**
29 **adjourned.**
30
31
32

33 Attest: _____ Approved _____
34 JoLynn Drage Jacob Greenberg
35 County Clerk Chairman
36