

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

First Day

Tuesday, July 6, 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; Human Resources Generalist Justin Highhouse; Senior IT Analyst Ben Parker; IT Specialist Jon Eaton; Blaine County Deputy Prosecuting Attorney Amanda Greer; Land Use and Building Services Deputy Director Kathy Grotto; County Engineer Jeff Loomis; Administrative Services Supervisor Stephanie Carlson; Grants and Procurement Specialist Stephen McDougall Graham; Administrative Services Support Specialist Kay Draper; Sustainability Manager Lynne Barker; Chief Deputy Sheriff Will Fruehling; County Recording Secretaries Kirsten Eaton and Sunny Grant. County Clerk JoLynn Drage was present for part of the morning session.

Many participants in this meeting were by webconference or teleconference.

Commissioner Fosbury called the meeting to order at 9:01 a.m.

PUBLIC COMMENT: None.

BOARD OF EQUALIZATION - Idaho Code 63-501A

No Board of Equalization issues to address.

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

McCleary moved, seconded by Greenberg, to accept settlement of \$13,167 on Request Number 2014-007 for Applicant #187, and to write off the remaining balance of \$4,739.97. Motion carried unanimously.

LAND USE AND BUILDING SERVICES

- **Quitclaim Deed of County-owned property to Blaine County Recreation District pursuant to Idaho Code Section 31-808(6) – Tax Lot 7998, .0506 acres.**

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; Treasurer John David Davidson; and Land Use Planner Allison Kennedy.

Tim Graves said this property was previously offered at public auction and received no bid. Under I.C. §31-808, no resolution or further action is necessary for the BCC to dispose of the property as it sees fit. The BCC also does not have to cancel back taxes on the property, since the County holds tax deed on it; and can quitclaim the property directly to the Blaine County Recreation District, without any compensation, since the parcel is better suited to BCRD needs.

Treasurer John David Davidson asked that the BCC formally forgive back taxes. He will compute the exact amount, and the BCC can cancel back taxes at next week's meeting.

IDAHO TRANSPORTATION DEPARTMENT TRANSFER OF SH 75 SPUR

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves.

The BCC previously passed a resolution to accept this parcel and funding from ITD. A signed document from ITD transferring the right-of-way should arrive any day. Once the County accepts the transfer from ITD, the County will transfer the respective portions of Sun Valley Road and accompanying funding to the cities of Ketchum and Sun Valley.

- **State Highway 75 Spur Quitclaim Deed to Blaine County**

Greenberg moved, seconded by McCleary, to approve the Quit Claim Deed between State of Idaho Transportation Board, to Idaho Transportation Department and Blaine County, to transfer ownership of State Highway 75 Spur, Agreement #7149, dated April 20, 2021, attached thereto as Exhibit C, and accepts right-of-way. Motion passed unanimously.

• **City of Sun Valley Quit Claim Deed**

McCleary moved, seconded by Greenberg, to approve the Quit Claim Deed between Blaine County, Idaho and City of Sun Valley for transfer of ownership for the portion of State Highway 75 Spur lying within the City of Sun Valley, Agreement # 7149, dated April 20, 2021. Motion passed unanimously.

• **City of Ketchum Quit Claim Deed**

Greenberg moved, seconded by McCleary, to approve the Quit Claim Deed between Blaine County, Idaho and City of Ketchum for road validation and transfer of ownership for the portion of State Highway 75 Spur lying within the City of Ketchum, Agreement # 7149, dated April 20, 2021. Motion passed unanimously.

BLAINE COUNTY AMBULANCE DISTRICT

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

• **Strategic Planning Request For Proposal Response Opening**

Also present: Blaine County Grants and Procurement Specialist Stephen McDougall Graham.

Graham said public notice was published June 9 and June 16, 2021. The closing date was July 1. The Ambulance District opened five timely responses:

- Cambridge Consulting Group, Cambridge, Maryland – Cost estimate \$140,000. Timeline: 6 months.
- Viable Insights and Catalyst – coordinated effort of two companies – Bid amount \$31,580 – Timeline: 2 months.
- AP Triton, Sacramento, CA – Project fee not to exceed \$27,322 – Valid for 90 days.
- Matrix Consulting Group, San Mateo, CA – Project cost not to exceed \$47,000 – Goal is 90 days for study with timely delivery of data, etc.
- Public Consulting Group - Project cost not to exceed \$49,500 – Five months estimated time.

One additional proposal was received, but not by the submittal deadline. A Review and Selection Committee will review the proposals.

Greenberg moved, seconded by McCleary, to accept the five Requests for Proposals received by the deadline, July 6, 2021, and to direct the County’s Review and Selection Committee to review these five proposals submittals. Motion passed unanimously.

McCleary moved, seconded by Greenberg, to reconvene as the Blaine County Board of Commissioners. Motion passed unanimously.

FIRE RESTRICTIONS FOR NO MAN’S LANDS IN BLAINE COUNTY

Also present: Blaine County Chief Deputy Tim Graves.

“No Man’s Lands” refers to land that is not in a fire district. There are significant parts of Blaine County, many of which are rural residential or remote inholdings, that are not in a fire district. If there is a fire on these lands (sometimes referred to as “jurisdictional islands”), the responsibility falls to a sheriff to respond, at their discretion. County Commissioners have authority to coordinate fire restrictions, triggered by drought or some occurrence. Restrictions would be strict and relatively broad, and include things like agricultural burning or camping. Commissioner Fosbury suggested Stage 1 Prohibitions of Burning for now. Graves said the restrictions could be in cooperation with BLM and the Forest Service, etc. The BCC directed staff to draft an ordinance.

CONTRACTS, GRANTS AND AGREEMENTS

• **Syringa Exhibit A - 200MB Ethernet Reterm** Record # 6

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; and Senior IT Analyst Ben Parker.

Several months ago, the BCC approved a 50MB 911 secondary circuit connecting the Annex to the Public Safety Facility. This is a decrease in price and the price is locked in for three years. Graves said this is a 36-month contract, but there is a termination clause after one year.

Greenberg moved, seconded by McCleary, to approve contract between Syringa and Blaine County for Ethernet circuit at \$995 per month. Motion passed unanimously.

Also present: Blaine County Grants and Procurement Specialist Stephen McDougall Graham.

• **Request to Accept - Idaho Commerce - Community Development Block Grant – Healthy Environment - Senior Connection**

Also present: Blaine County Grants and Procurement Specialist Stephen McDougall Graham.

The County received a grant award from Idaho Department of Commerce to benefit the Senior Connection for \$207,203. The Wood River Women’s Foundation will provide the \$18,600 match. There will be a companion agreement between the County and the Senior Connection.

Greenberg moved, seconded by McCleary, to accept grant money from the Idaho Department of Commerce – Community Development Block Grant Agreement in the amount of \$207,203, for Senior Connection’s mold mitigation HVAC Upgrade. Matching funds \$18,600. Motion passed unanimously.

• Update - Idaho Broadband Grant Program

County Grants Specialist Stephen McDougall Graham told the BCC that Sun Valley Economic Development Executive Director Harry Griffith is considering applying for some remaining funds in the Idaho Broadband Grant Program.

CONSENT CALENDAR

• Beverage License Renewals for Family Dollar Store #30097; Barrio 75; Ketchum Kitchens; Wiseguy Pizza Pie Hailey; Wise Guy Pizza Pie Ketchum; 7 Fuego; The Kneadery; The Argyros; Desperados Mexican Restaurant; 5B Vino Valet; Divine; The Cellar Pub; Valley Country Store; Ranch At Sun Valley; The Casino 2 & Casino Cafe; La Cabanita Mexican Restaurant; La Cabanita #3; The Wicked Spud; A Taste of Thai #1; Smoky Mountain Pizzeria Grill; The Sawtooth Club; KB's; Sushi On Second; Power House; Raspberry's; Grumpy's; Silver Dollar Saloon; Sun Valley Culinary Institute; Limelight Hotel Ketchum; Mama Inez; Magic Lantern Cinema; Warfield Distillery & Brewery; East Side Magic; Veltex Market; Base Camp Hailey; Stinker Store #111; Lefty's; Frenchman's Gulch; Vintage Restaurant; Galena Lodge and Cristina's.

Greenberg moved, seconded by McCleary, to approve the Consent Calendar for July 6, 2021, as presented. Motion passed unanimously.

BOARD of COUNTY COMMISSIONERS REPORTS

- Fosbury told the BCC about Pulse Point health app that can be connected to EMS or other health bulletins.
- McCleary will discuss King County Safe Communities Ordinance at the upcoming Mayors' meeting,
- McCleary and County staff discussed a potential Department of Motor Vehicles / Drivers License adjunct station in the new Ketchum City Hall.
- Fosbury met with new Sustainability Manager Lynne Barker and is looking forward to working with her on the Energy Requests for Proposal and other environmental-related topics.
- Fosbury discussed the County's urgent housing needs with Dave Wilson. Wilson is on the Governor's Economic Advisory Council and will talk to the Governor about Blaine County's need for workforce housing. Wilson asked if the County has a recent Needs Assessment.
- Fosbury asked staff to look at relaxing County ordinances regarding RV housing and tiny homes on wheels.

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 to Idaho Code 74-206 (1) (b), to consider the evaluation, dismissal or disciplining of an employee. Greenberg (aye), McCleary (aye) and Greenberg (aye). Motion carried unanimously.

ANNUAL DELEGATION MEETING

Also present: US Congressman Mike Simpson's Area Director Linda Culver; US Senator James Risch's Idaho Deputy Chief of Staff Mike Mathews; and US Senator Mike Crapo's Regional Director Samantha Marshall.

The BCC shared their priority concerns with the delegation:

- Blaine County needs immediate solutions to lack of workforce housing. Local communities are trying to get the Idaho Legislature to rescind legislation passed three years ago that took away authority of local communities to restrict short-term occupancy.
- Blaine County is 80% public lands. Payment In Lieu of Taxes (PILT) revenues are critical to many counties in Idaho.
 - *Marshall said Senator Crapo is a lead in trying to permanently fund Secure Rural Schools (SRS). Both the Senate and House are working on bills that would update value of federal lands.*
- Environmental issues are important to Blaine County and its jurisdictions. The County and City of Ketchum have recently hired a Sustainability Manager.
- Fire risk is always a major concern.
- Federal and local leaders need to wake up to climate change—118° temperatures, water shortages, fires and smoke—that threaten local economies and agriculture.
- The whole Blaine County community is battling Idaho Power and the Idaho Public Utilities Commission to get power transmission lines safely undergrounded, especially from wildfire, wind and ice.
- Insurrection at the White House on January 6, 2021 put every single legislator and the Vice President at risk. Federal legislators of both parties need to help each other to be safe and hold responsible people accountable.
- Commissioner Fosbury said Custer County recently issued a Conditional Use Permit for an airstrip. The Sawtooth National Recreation Area (SNRA) was aware the airstrip was being constructed two years ago, but had no ability to enforce conservation easements and protections in line with federal

standards. The landowner applied for and received approval for the airstrip this spring, after the fact. An appeal has been filed.

Fosbury encouraged legislators to collaborate with each other in the best interests of our communities.

LAND USE and BUILDING SERVICES HEARINGS

• **Title 9 Zoning Regulations Text Amendment - Floodplain Overlay District and Riparian Setback District:** Continuation from May 25, 2021, of a public hearing on and consideration of county-initiated amendments to Blaine County Code, Title 9, Zoning Regulations, Chapter 17. The majority of proposed amendments are required updates by FEMA. Amendments include a new provision to provide for variances, greater riparian setbacks for waterways containing Endangered Species Act listed species, additional elevation of residential mechanical utilities, exemptions for agricultural diversions and updates of referenced guidance documents for stream and riparian work. The Planning and Zoning Commission recommended approval of the amendments on April 8, 2021.

Also present: Blaine County Land Use and Building Services Director Tom Bergin; and Floodplain Manager Kristine Hilt.

Hilt read public notice for May 25 and new notice of July 6 public hearing, since meetings were more than 30 days apart.

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

Hilt reviewed suggested edits, including more restrictive setbacks on streams and rivers designated critical habitat to any listed or proposed aquatic species under the Federal Endangered Species Act.

McCleary moved, seconded by Greenberg, to continue discussion at the July 13, 2021 BCC meeting at 3:15 pm. Motion passed unanimously.

• **UPDATE ON PUBLIC ASSEMBLY: Road to Summer's End Concert Series (July 23 & 24, 2021) and Summer's End - The Draper Rendezvous (August 27 & 28, 2021)**

Also present: DrSwanMusic CEO Luke P. Henry.

Land Use Planner Allison Kennedy said some documentation is still needed. Henry said he is gradually pulling things together, and making revisions as necessary. Masks will be handed out at the gate, with recommendation that they be worn. Tickets are on sale for the first event.

LAND USE and BUILDING SERVICES

• **Findings of Fact: Picabo Hills Plat Amendment**

Greenberg moved, seconded by McCleary, to approve the Findings of Fact, Conclusions of Law and Decision regarding an application by Drew and Celeste Avery for a plat amendment to modify a plat note restricting the access point for Lot 14, Block 4, Picabo Hills Subdivision, as presented. Motion passed unanimously.

• **Findings of Fact: Thunder Meadows Lots 22 and 23 Plat Amendment**

Greenberg moved, seconded by McCleary, to approve the Findings of Fact, Conclusions of Law and Decision regarding an application of Elizabeth Collins Trust to shift the lot line between Lots 22 and 23, Thunder Meadows Subdivision. Motion passed unanimously.

• **Findings of Fact: Perez Short Plat Subdivision**

Greenberg suggested revisions.

Greenberg moved, seconded by McCleary, to approve the Findings of Fact, Conclusions of Law and Decision regarding an application of Gerardo Perez-Cano, to subdivide Lots 1 and 2, Block 1, T&T Subdivision, to a four-lot short plat subdivision named Perez Subdivision, as amended. Motion passed unanimously.

• **Vacation Order: T & T Subdivision Plat Vacation - Draft Order**

The BCC previously approved the Vacation, and reviewed the Vacation Order draft.

• **P&Z Discussion: Carey Park Subdivision - Transfer of a portion of Lot 4 to City of Carey**

Also present: Blaine County Land Use and Building Services Director Tom Bergin; and Carey Public Works Director Steve Grigsby.

Tom Bergin updated the BCC on the transfer. Once the plat is ready, the Quit Claim for Lot 5A will be granted to the City of Carey, and the plat and Quit Claim recorded.

Greenberg moved, seconded by McCleary, to authorize the BCC Chairman to sign Quit Claim Deed associated with granting a portion of what's known as the Carey City Park to the City of Carey when the plat is complete. Motion passed unanimously.

COUNTY DEPARTMENT REPORTS

• **Land Use and Building Services** – Blaine County Land Use and Building Services Director Tom Bergin; Floodplain Manager Kristine Hilt; and County Engineer Jeff Loomis.

- **Update and Amendment to Brockway Engineering Professional Services Contract - FEMA/USGS Technical Assistance**

Hilt said Blaine County contested the USGS water gauge near SNRA because the County is concerned about data being used as the foundation for new FEMA floodplain maps. Land Use contracted with Brockway to do a detailed engineering analysis for a technical report to be submitted to USGS. The County hopes FEMA will accept the detailed analysis and amend their gauge reading, and update their draft hydrology and draft FEMA floodplain map. Hilt considers this very important because the Big Wood River between Ketchum and Hailey will be surveyed in the next few weeks.

Brockway has completed his technical report and submitted it to USGS. The first report was budgeted at Not to Exceed \$7,300 and billed at a total of \$15,600. Hilt supported the additional work; and said Land Use has money in the Planning and Projects line item to cover this expense, if the BCC approves. She plans to forward this bill to the City of Ketchum and, potentially, to USGS, for reimbursement.

County Engineer Jeff Loomis worked closely with Brockway. Fosbury said a bad gauge reading is clearly USGS's fault, and a bad reading in a preliminary study is easily identified by any local engineer.

County Engineer Loomis said the map wouldn't be revised, but the hydrology associated with the USGS gauging station would be. USGS wanted to make an adjustment; but Brockway needed to do an extensive analysis of why the observed data points were in error. USGS asked Brockway to give recommendations for the corrected flow if their data points were disproved, which accounted for the increased price. Greenberg said the contract would need to be amended before paying the extra amount.

- **Temporary RV's on Property**

Tom Bergin said Ketchum now allows RVs to be occupied on private property for up to 180 days. McCleary said the community needs to provide housing for people, especially during the construction season, and 180 days seems sufficient for temporary housing. The County usually allows temporary parking of RVs on private property, but responds to complaints of neighbors leasing out their property for RV camping. Fosbury said every RV space is occupied. He asked staff to explore what other jurisdictions are doing with tiny homes and homes on wheels, particularly in snow country.

Human Resources - Justin Highhouse

Employee Recognition - Human Resources Generalist Justin Highhouse

- Emergency Communications Director Robin Stellers thanked RMS Data Manager Cathy Thomas for her assistance in the Dispatch Center refresh, NextGen 911 conversion for the primary and back-up centers, and computer-aided dispatch records management.
 - *Commissioner Greenberg said accurate data in the RMS system was crucially important to first responders.*
- County Administrator Mandy Pomeroy recognized Emergency Communications Director Robin Stellers for her dedication to the Emergency Communications Center and all the agencies they serve. Pomeroy said Stellers seems to work around the clock because she's always sending email updates in the middle of the night.
 - *Commissioner Greenberg said Stellers was one of the best Public Safety Answering Point Directors in the state.*
- Blaine County Chief Public Defender Justin McCarthy said Legal Secretary Heidi Southward has provided their clients with excellent customer service, sometimes arranging transportation from out of state and lodging while here; and in one case went out of her way to find residential treatment options for a client.
- Administrative Services Supervisor Stephanie Carlson thanked Support Specialist Kay Draper for filling in for the Building Services Office Manager and covering for the Administrative Services Supervisor at the same time.

County Administrator - Mandy Pomeroy

- **Blaine County Employee Housing Assistance Proposal**

The Sheriff's Office recently requested housing assistance to help them recruit and keep employees. Pomeroy is drafting a housing policy; and suggested Human Resources do an employee survey. She suggested the BCC may want to consider a voucher instead of a stipend in employees' paychecks, which is subject to taxes.

- **IT Department Structure Review**

County Administrator Pomeroy has discussed potential IT department restructuring with the County's current IT staff. Parker and Eaton have collaborated extensively to cover all department needs since the IT Manager left. They suggest they become an Enterprise Architect and Security / Network Engineer. The County would advertise for an IT Analyst I, II or III, depending on education and experience. The fourth IT position would not be recruited until BCC approval and Fiscal Year 2022.

Eaton said he and Parker are building redundancy into their positions, and training each other in their respective positions.

The BCC agreed current IT staff were a good basis to build on. Pomeroy will advertise for the Analyst position.

APPROVAL OF BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

• June 14, 2021 Budget Meeting

Greenberg moved, seconded by McCleary, to approve minutes of the budget meeting of June 14, 2021, as presented. Motion passed unanimously.

• June 15, 2021 Regular Meeting

Greenberg moved, seconded by McCleary, to approve minutes of the Regular Meeting of June 15, 2021, as presented. Motion passed unanimously.

• June 21, 2021 Budget Meeting

Greenberg moved, seconded by McCleary, to approve minutes of the Budget Meeting of June 21, 2021, as presented. Motion passed unanimously.

• June 22, 2021 Regular Meeting

Greenberg moved, seconded by McCleary, to approve minutes of Regular Meeting of June 22, 2021, as amended. Motion passed unanimously.

ADJOURN

At the hour of 4:33 p.m., with no more business before them, the County Commissioners adjourned.

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