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2 **OFFICE OF THE BOARD OF COUNTY COMMISSIONERS**  
3 **OF BLAINE COUNTY**  
4 **REGULAR MEETING OF THE JULY 2021 SESSION**  
5  
6

7 **Third Day**

**Tuesday, July 13, 2021**

8 Pursuant to Statutory Provisions, the Board of Blaine County Commissioners (BCC) met this day at 9:00  
9 a.m. Present were Chairman Dick Fosbury, Vice-Chair Angenie McCleary, and Commissioner Jacob  
10 Greenberg; County Administrator Mandy Pomeroy; Blaine County Chief Deputy Prosecuting Attorney  
11 Tim Graves; Deputy Prosecuting Attorney Amanda Greer; Treasurer John David Davidson; Emergency  
12 Communications Director Robin Stellers; Chief Deputy Assessor Melissa Fry; Appraiser David  
13 Vanderpool; IT Specialist Jon Eaton; County Land Use Director Tom Bergin; Deputy Public Defender  
14 Cheri Hicks; Chief Deputy Clerk of the District Court Andrea Logan; Administrative Services Supervisor  
15 Stephanie Carlson and Support Specialist Kay Draper; County Services Manager Brooke Baird; and  
16 Recording Secretaries Kirsten Eaton and Sunny Grant; KMMT Multimedia Journalist Steve Kirch; Linda  
17 Haavik; Sun Valley Economic Development Executive Director Harry Griffith; Idaho Power Local Area  
18 (Blaine County) Energy Advisor Amber Larna; Tim Wolff. County Clerk JoLynn Drage was present for  
19 part of the morning session.

20  
21 Many participants in this meeting were by webconference or teleconference.

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

23  
24 **PUBLIC COMMENT:**

- 25 • Lili Simpson cautioned the BCC that the current heat wave is not a Pacific Northwest anomaly, but  
26 climate change is happening all over the world. She said locals she's talked to are really scared about  
27 the continuing growth in Blaine County in spite of limited water and other resources. Simpson said the  
28 BCC may want to join non-governmental agencies (NGOs)—The Nature Conservancy, Land Trust,  
29 etc.—in discussing Blaine County growth and conservation issues. Simpson said water experts in  
30 2005 encouraged the County to look into Blaine County's water resources, resulting in a seven-year,  
31 \$750,000 US Geological Survey (USGS) study to understand Blaine County's aquifer and  
32 composition, hydrology and flow, water budget, and water quality. This model is currently used by  
33 Idaho Department of Water Resources (IDWR) to administer water rights in Idaho. Simpson said a  
34 Sustainability Manager is a good start, but the County could really use a water scientist on staff in  
35 Land Use.
- 36 ▫ *Fosbury said water is regulated by the state, and the County is in discussions with Blaine County*  
37 *Land, Water and Wildlife Program Levy Advisory Board Program Coordinator Wendy Pabich about*  
38 *what the County can and cannot do.*
  - 39 ▫ *Greenberg said Land Use is planning a county-wide land use and permitting workshop in August to*  
40 *plan and regulate irrigation restrictions across jurisdictional boundaries.*

41  
42 **COUNTY DEPARTMENT REPORTS**

43 **Claims** - Gretchen Stinnett

44 Commissioner Fosbury requested an update on the Fish and Game claim

45 **Greenberg moved, seconded by McCleary, to approve claims dated July 8, 2021, with additional**  
46 **claim presented. Motion passed unanimously.**

47  
48 **County Administrator** - Mandy Pomeroy

- 49 • The Ambulance District committee is reviewing proposals.  
50 • Ongoing discussions with Idaho Association of Counties (IAC), Governor's Office and Department of  
51 Environmental Quality about getting funds for water and wastewater infrastructure.

- 1 • Sustainability Manager Lynne Barker has submitted FY2022 budget request for \$450 annual Adobe  
2 InDesign software and \$1,700 for membership in Urban Sustainability Director’s Network, but would  
3 like to purchase those items now. BCC is in support out of Commissioners’ Budget.  
4

5 **CONSENT CALENDAR**

- 6 • **Beverage License Renewals** for Michel’s Christiania; Rickshaw; Wood River Gun Club; Lewis Street  
7 Snacks; Shorty’s Diner; Bigwood Grill; Apples Bar & Grill; International Cowboy Cocina; KB Burritos;  
8 Black Owl Coffee; Lucy’s Breakfast; Enoteca; Town Square Tavern and Ketchum Grill.

9 **Greenberg moved, seconded by McCleary, to approve the Commissioners’ Consent Calendar for  
10 July 13, 2021. Motion passed unanimously.**  
11

12 **CONTRACTS, GRANTS AND AGREEMENTS**

- 13 • **Request to Apply - Idaho Commerce Broadband Grant – Carey ..... Record # 6**

14 Also present: Blaine County Grants and Procurement Specialist Stephen McDougall Graham; and Sun  
15 Valley Economic Development Executive Director Harry Griffith.

16 The County was previously awarded two CARES Act grants from Idaho Department of Commerce to  
17 support installation of broadband infrastructure to Picabo and Carey. IDC didn’t expend all the funds  
18 available, and has reopened a second round of grants for similar projects. Graham requests permission  
19 to apply for a second grant to expand infrastructure to households in Carey at a cost per house of \$6,000.  
20 There are 30 applications so far. No match is required for this grant.

21 **Greenberg moved, seconded by McCleary, to approve the application for the Idaho Department  
22 of Commerce grant for broadband, specifically for the city of Carey household broadband project,  
23 for a total of \$1,519,234.00. Motion passed unanimously.**  
24

25 **WOOD RIVER FIRE ORDER OF ANNEXATION**

26 Also present: Wood River Fire & Rescue Business Office Manager Stephanie Jaskowski.

27 The BCC unanimously approved this Order of Annexation.

28 **Greenberg moved, seconded by McCleary, to approve the Wood River Fire Protection District  
29 Order of Annexation, for certain property owned by the petitioner, into the Wood River Fire  
30 Protection District, as described in Exhibit A. Motion passed unanimously.**  
31

32 **BLAINE COUNTY AMBULANCE DISTRICT**

33 **Greenberg moved, seconded by McCleary, to convene as the Blaine County Ambulance District  
34 Board. Motion passed unanimously.**

- 35 • **Budget Request from Contractors**

36 Also present: Chief Deputy County Clerk Leslie Londos; Sun Valley Mayor Peter Hendricks, City  
37 Administrator Walt Femling; and Fire Chief Taan Robrahn; Carey Rural Fire Chief Richard Kimball; Wood  
38 River Fire & Rescue Business Office Manager Stephanie Jaskowski; and Ketchum Fire Chief Bill  
39 McLaughlin.

- 40 • Ketchum Fire Chief McLaughlin requested \$24,000 for use of the new fire station.  
41 • Wood River Fire and Rescue Chief Ron Bateman said WRFR responded to at least 970 calls for  
42 service, up 39.4% from 2015 when they first went to nine regular full-time firefighters. They have  
43 concurrent calls for service every few days. Each call takes about an hour, partly because round-trip  
44 travel from stations to the hospital is 20-30 miles. Calls are 87% EMS and 13% fire, but their budget  
45 allocation is 57% for EMS and 43% fire.  
46 WRFR FY2022 budget request is \$1,587,000, which is \$359,000 more than a 3% increase would be.  
47 Bateman said WRFR responds to incidents in the southern district of Blaine County, 24/7, with  
48 advanced life support-transport capable asset, and arrive on scene in the cities of Hailey and Bellevue  
49 within 10 minutes 80% of the time.  
50  
51

1 Bateman said WRFR needs an assistant chief, paid partially out of his Chief's salary allocation; and  
2 needs to hire or promote two WRFR members to full-time members, resulting in 12 full-time members.  
3 He proposed cost of living increase at 5%.

- 4 • Carey Chief Richard Kimball said their FY2022 budget request is a 3% increase to \$85,460. Carey  
5 has 10 paid on-call volunteers. Most of the volunteers work somewhere in Blaine County.

6 Kimball requested an additional \$10,400 to pay two EMT volunteers to be in town every weekend so  
7 they have at least two EMT/firefighters available.

8 Kimball requested a 12 lead heart monitor for basic EMTs. A Zoll x model, compatible with Wood River  
9 Fire and Rescue, costs about \$35,000.

10 Kimball requested \$150,000-\$250,000 to buy a new truck to replace their 1995 current rescue truck;  
11 or a 550 chassis through the State program, and they will put the donated 1984 rescue bed on it at a  
12 cost of \$50-70,000.

- 13 • Sun Valley City Administrator Walt Femling, representing City of Sun Valley and the North Blaine  
14 County Fire District, said the Ambulance District fund balance was over \$3 million. Femling said most  
15 of this money needed to get out into the community where it will save lives.

16 Femling said the City of Sun Valley has over \$5 billion of assessed property, and pays about 50% of  
17 the tax into the Ambulance District budget; but doesn't receive any money back into their budget to  
18 improve their level of service. Every city in Blaine County has an ambulance except Sun Valley. He  
19 said Sun Valley has 50+ events (at the Pavilion, Festival Meadows, and Sun Valley Resort) with 6,000-  
20 8,000 people and needs an ambulance in attendance. Sun Valley's contractor is in Ketchum, which  
21 experiences traffic gridlock several hours a day, and their emergency response travels over the hill to  
22 Stanley, out Warm Springs, and out of town for several hours on back-to-back calls. Response times  
23 to Sun Valley are going to continue to diminish to an unacceptable level.

24 Femling said Sun Valley will purchase over \$2 million in fire apparatus in the next two years; and enter  
25 into a long-term land lease to start building housing for first responders and paramedics next year.  
26 Sun Valley is doing its part to meet growing needs, but needs resource allocation from the Ambulance  
27 District to improve level of service. He said he will partner with the District and work with contractors  
28 to get service for their constituents.

29 Femling asked the BCC to work with the experts—chiefs who had years of experience in running fire  
30 departments—and the County Administrator to create a 10-year Capital Improvement Fund (CIP) that  
31 gets Ambulance Fund Balance money into the community where it can save lives. Sun Valley requests  
32 the Ambulance District set aside at least \$1 million to fund the consultant's recommendations, so his  
33 suggestions can be put to work right away.

- 34 • Femling suggested the Reserve fund should become the CIP fund. He said the city administrators  
35 should work with the County Administrator to develop a financial analysis with the Ambulance fund.
- 36 • Sun Valley Mayor Peter Hendricks confirmed what Femling said ... that Sun Valley wants to work with  
37 all Ambulance District partners. Hendricks strongly supports using available money right now to  
38 augment the emergency responders and resources. Response times, with paramedics and EMTS,  
39 are key to serving the community. He said geographical dispersal is critical to response time, and Sun  
40 Valley needs an ambulance resident in Sun Valley.

41  
42 **McCleary moved, seconded by Greenberg, to reconvene as the Board of Blaine County**  
43 **Commissioners. Motion passed unanimously.**  
44

#### 45 **BUDGET DELIBERATIONS**

46 Budget Officer JoLynn Drage explained budget documents given to the BCC the day before:

- 47 • Budget Assumptions (estimate of known revenue, still subject to change) and 54 New Requests  
48 (things not in prior year budgets).
- 49 • No increase in health insurance premium; small increase in dental insurance.
- 50 • 5% market increase (cost of living is skyrocketing, and employees were not given cost of living  
51 increase last year).

- 1 • Nominal budget increases are cost of doing business.
- 2 • Budget worksheets for Revenue and Expenses.
- 3 • Tax Supported Funds.
- 4 • Dedicated Funds for FY2022. Road and Bridge, Dispatch and Waterways have to be worked out.

5  
6 Drage said the County has already received most of its CARES Act reimbursement. She said Payment  
7 In Lieu of Taxes (PILT) was higher than anticipated, increased fees from Land Use and Recording, and  
8 COVID pandemic grants brought in more money. She suggested the tentative FY2022 was doable, if not  
9 sustainable.

10  
11 The BCC discussed a new public defense full time employee, realizing that funding from the Public  
12 Defense Commission is unsure.

13  
14 **BREAK**

15  
16 **LAND USE and BUILDING SERVICES HEARINGS**

- 17 • **Stonegate Sub, Lot 20; Plat Amendment. Public hearing and consideration of a proposal by Tim and**  
18 **Robin Wolff to relocate their building envelope at 110 Stonegate Circle. The size and circular shape of**  
19 **the building envelope is not proposed to change.**

20 Also present: Applicant's representative Samantha Stahlnecker; and Field Architecture representatives  
21 Jess Field and Marlon Cruz.

22 Cooley read public notice.

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

25  
26 No disclosures.

27  
28 Applicant's representative Samantha Stahlnecker said the application is to shift the platted building  
29 envelope more to the center of the lot. The shape and overall size of the envelope will not change.

30 Public Comment: None.

31  
32 The BCC agreed it meets standards.

33  
34 **Greenberg moved, seconded by McCleary, to approve with conditions this application by Tom**  
35 **and Robin Wolff, Trustees, for a plat amendment amending Lot 20, Stonegate Subdivision, finding**  
36 **the proposed building envelope relocation complies with the applicable criteria set forth under**  
37 **Title 10, Chapters 4 and 5, Subdivision Regulations; and applicable regulations of Title 9 Zoning**  
38 **Regulations, subject to the following conditions and plat notes provided. Motion passed**  
39 **unanimously.**

40  
41 • **Discussion on Water Issues**

42 The BCC and County Land Use and Building Services Director informally discussed current and  
43 anticipated water issues. The County will contract with Dr. Wendy Pabich to keep an eye on water  
44 regulations, local water usage, technology, and, potentially, conservative design for daily water usage in  
45 new subdivisions.

- 46  
47 • **Little Wood Res. Rd/Muldoon Creek - Stream Alteration Permit. Public hearing and**  
48 **consideration of an application by Blaine County Road & Bridge Department to replace an**  
49 **existing bridge over Upper Muldoon Creek on Little Wood Reservoir Road. The existing bridge**  
50 **is currently too narrow for intended uses. This project is located approximately 21 miles**  
51 **northeast of Carey.**

1 Also present: Blaine County Land Use and Building Services Director Tom Bergin; Floodplain Manager  
2 Kristine Hilt; and County Engineer Jeff Loomis.

3 Hilt read public notice.

4 **Greenberg moved, seconded by McCleary, that notice is adequate. Motion passed unanimously.**

5

6 Disclosures:

- 7 • Commissioners McCleary and Greenberg had no disclosures.
- 8 • Commissioner Fosbury said he'd visited the site with County Engineer Jeff Loomis. Fosbury said he  
9 can be objective about the permit application.

10

11 Additional Materials:

12 Exhibit B-1 comment from Army Corps of Engineers representative Christian Griffith.

13 Exhibit B-3 short paragraph from Bradley Dawson who does review for County stream alteration permits  
14 that presented a preferred approach to the bridge replacement.

15

16 Road and Bridge Manager Steve Thompson said there are two options to replace the outdated bridge:  
17 Option A - Leave existing abutments in place, and not disturb the creek. Road and Bridge would do much  
18 or all of the work within the County right-of-way, out of the streambed. The new bridge is longer and  
19 wider, and supports are in the road. Construction timeline would be to have a passable bridge in two  
20 weeks.

21 Option B – If the BCC wants the existing concrete abutments removed, the stream channel would be  
22 widened a bit and riprap in place of abutments. Option B is a little more expensive.

23

24 Thompson and County Engineer Loomis answered BCC questions.

25

26 Public Comment:

- 27 • Muldoon Grazing Association President Brian Bean (landowner of Lava Lake Ranch and Muldoon  
28 Sheep Company) asked if any other stream alterations are being proposed as a consequence of  
29 redoing the bridge. He said landowners very much favor Option A, with less disturbance. Bean said  
30 vegetation intermixed with riprap doesn't work. He said any activity outside the right-of-way, which is  
31 prescriptively claimed by the County as a public road, is a problem for the landowners. He said Option  
32 B disturbance is greater than Option A, and greater than as presented, i.e., ripping out "a couple  
33 hundred feet" of mature, stable, excellent condition shrubs and trees. Bean said the bridge is relatively  
34 stable, nicely vegetated, and he hates to see disturbance.

- 35 • Bean said a mineral exploration company has used roads in the area, including Forest Service roads,  
36 to stake out a large block of mining claims in Muldoon in the last month. He said they've trespassed  
37 on private property, and placed at least one stake on private land. Bean is concerned the bridge will  
38 make it easier for big drilling rigs to go into a valuable natural resources area in Blaine County. The  
39 company, under the 1872 Mining Act, is not required to notify the Forest Service or landowner. Bean  
40 said Muldoon landowners are very concerned, and he suspects the County should be concerned as  
41 well.

42 Bean said Option A is fine, as long as things are returned to natural state and there is no other stream  
43 alteration without his express approval.

44 Bean said hunting season opens the end of August, and people are already in Muldoon looking  
45 around.

- 46 ▫ *Steve Thompson said this bridge could probably handle the weight of heavy equipment, but other  
47 bridges in that area probably could not.*

48

49 *Hilt said any work below the ordinary high water mark in the stream channel in the County falls under  
50 jurisdiction of Idaho Department of Water Resources (IDWR). IDWR Stream Protection Program State  
51 Coordinator Aaron Golart was notified of the bridge project.*

52

1 Blaine County Engineer Jeff Loomis prepared the application for Road and Bridge, and said Option A  
2 would be easier for Road and Bridge. Any work in the stream should be done by experts.

3  
4 Public Comment: None.

5  
6 Commissioner Fosbury said Option A would have no impact on the streambed or habitat, which is stable,  
7 and complies with County Standards. Commissioners Greenberg and McCleary agree.

8  
9 **Greenberg moved, seconded by McCleary, to approve the application by Blaine County Road &  
10 Bridge Department for a Stream Alteration Permit on Upper Muldoon Creek and hereby authorizes  
11 Option A, finding the proposed complies with the applicable criteria set forth under Title 9 Zoning  
12 Regulations, Chapter 17, Floodplain Overlay District and Riparian Setback District, subject to  
13 Conditions 1 through 7, and delete Condition 8. Motion passed unanimously.**

- 14  
15 • **Title 9 Zoning Regulations Text Amendment - Floodplain Overlay District and Riparian Setback  
16 District: Continuation from July 6, 2021, of a public hearing on and consideration of county-initiated  
17 amendments to Blaine County Code, Title 9, Zoning Regulations, Chapter 17. The majority of proposed  
18 amendments are required updates by FEMA. Amendments include a new provision to provide for  
19 variances, greater riparian setbacks for waterways containing Endangered Species Act listed species,  
20 additional elevation of residential mechanical utilities, exemptions for agricultural diversions and  
21 updates of referenced guidance documents for stream and riparian work. The Planning and Zoning  
22 Commission recommended approval of the amendments on April 8, 2021.**

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

25 Variances in Blaine County are addressed separately under a different chapter within Title 9 Zoning  
26 Regulations; but FEMA requires a new section on variances in the floodplain. This application was  
27 continued on the record, and no new notice is needed. Amendments affect variances in the floodway and  
28 floodplain sub-districts; non-conforming structures and uses in the floodplain, overlay and Riparian  
29 Setback District; and modification, alteration, expansion and improvement to any non-conforming  
30 structure. Five conditions of a variance must be met before an applicant can proceed to Standards of  
31 Evaluation. Proposed changes were reviewed by County Attorney Tim Graves and have since been  
32 submitted to and approved by FEMA.

33  
34 **Greenberg moved, seconded by McCleary, to approve text amendments to Title 9 Zoning  
35 Regulations Chapter 17 Floodplain Overlay District and Riparian Setback District, finding that  
36 proposed amendments are in conformance with the Comprehensive Plan, and will not have  
37 demonstrable adverse impacts on potable water or the delivery of services. Motion passed  
38 unanimously.**

39  
40 **LAND USE AND BUILDING SERVICES**

- 41 • **Quitclaim Deed of County owned property to Blaine County Recreation District pursuant to  
42 Idaho Code Section 31-808(6) which includes the cancelation of taxes owing, late charges, and  
43 interest.**

44 Also present: Blaine County Attorney Tim Graves; and Land Use Planner Allison Kennedy.

45 The BCC previously held an unsuccessful auction for the property. Attorney Graves said the BCC can  
46 now dispose of the property as it sees fit, without resolution or additional finding. The BCC previously  
47 took tax deed on the property, automatically cancelling any back taxes, but the County Treasurer asked  
48 the BCC to formally forgive past due taxes, interest and penalty.

49  
50 **Greenberg moved, seconded by McCleary, to cancel taxes, interest and penalty on Parcel  
51 RP03N180075410, totaling \$838.20. Motion passed unanimously.**

1 Greenberg moved, seconded by McCleary, to approve Quit Claim Deed between Blaine County  
2 and the Blaine County Recreation District, for Parcel RP03N180075410. Motion passed  
3 unanimously.

4  
5 **ORDINANCE 2021-11 - FIRE RESTRICTIONS ON LANDS**  
6 **WITHIN UNINCORPORATED AREAS OF BLAINE COUNTY**

7 County Attorney Amanda Greer reviewed some minor changes with the BCC.

8 McCleary moved, seconded by Greenberg, to adopt Ordinance 2021-11, an ordinance of Blaine  
9 County, Idaho, adding Blaine County Code Section 4-2-2 to impose fire restrictions when a severe  
10 fire threat has been declared on land within unincorporated areas of Blaine County that are not  
11 part of a fire protection district, as amended. Motion passed unanimously.

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

14 • **October 27, 2020 Regular Meeting**

15 McCleary moved, seconded by Greenberg, to approve the Regular Meeting Minutes of Tuesday,  
16 October 27, 2020, as amended. Motion passed unanimously.

17  
18 • **Board of Equalization June 30, 2021 Meeting Minutes**

19 Greenberg moved, seconded by McCleary, to approve the Minutes of the Board of Equalization  
20 Appeals meeting of June 30, 2021, as amended. Motion passed unanimously.

21  
22 **EXECUTIVE SESSION – §74-206 (1)(b) - Evaluation, Dismissal or Disciplining of Employees.**

23 Greenberg moved, seconded by McCleary, to go into Executive Session, pursuant to Idaho Code  
24 74-206 (1)(b), to consider the evaluation, dismissal or disciplining of a public officer, employee,  
25 staff member or individual agent. Greenberg (aye), McCleary (aye) and Fosbury (aye). Motion  
26 carried unanimously.

27  
28 **ADJOURN**

29 **At the hour of 5:00 p.m., with no more business before them, the County Commissioners**  
30 **adjourned.**

31  
32  
33  
34 Attest: \_\_\_\_\_ Approved \_\_\_\_\_  
35 JoLynn Drage Dick Fosbury  
36 County Clerk Chairman