

**OFFICE OF THE BOARD OF COUNTY COMMISSIONERS
OF BLAINE COUNTY
REGULAR MEETING OF THE AUGUST 6, 2019 SESSION**

First Day

Tuesday, August 6, 2019

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 Administrative Services Manager Mandy Pomeroy; and Recording Secretary Sunny Grant. County Clerk JoLynn Drage was present for part of the morning session. Resident Kiki Tidwell was present most of the day.

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

Public Comment:

- Kiki Tidwell said the County's expenses exceed the maximum property tax levy allowed. Affordable housing is being created by other entities in Blaine County; and the County can't afford to give away its assets.
Tidwell suggested the County research building a community solar farm. Savings from such a farm could pay the County's entire electrical expense, plus provide savings for individual landowners in the County.
Tidwell suggested the County consider mediation instead of an expensive lawsuit over public access issues.

BOARD OF EQUALIZATION - I.C. 63-501A

There were no Board of Equalization issues to address.

EXECUTIVE SESSION - Idaho Code 74-206 (1)(d) Indigent - Consideration of records that are exempt from disclosure as provided in Chapter 3, Title 9, Idaho Code.

Present were: Blaine County Indigent Services Assistant Hayleigh Simpson.

McCleary moved, seconded by Fosbury, that the BCC convenes in Executive Session, pursuant to Idaho Code 74-206 (1)(d) to consider indigent medical records that are exempt from disclosure. Roll call: McCleary (aye), Fosbury (aye), and Greenberg (aye). Motion carried unanimously.

INDIGENT CONSIDERATIONS

Fosbury moved, seconded by McCleary, to deny Request 2019-1018-1, finding that indigency has not been established. Motion carried unanimously.

BUDGET DISCUSSION

Also present: Chief Deputy Clerk Leslie Londos; County Land Use Administrator Tom Bergin; County Certified Building Official Jeff Giese; County Chief Public Defender Justin McCarthy; County Chief Probation Officer Teresa Espedal; Sheriff Steve Harkins; County Prosecutor Jim Thomas; County Emergency Communications Director Robin Stellers; County Information Technology Manager Clay Landon; County Weed Department Manager John Cenarrusa; County Road and Bridge Manager Steve Thompson; County Facilities Manager Patrick Boyle; Chief Deputy Assessor Melissa Fry; and County Outreach and Education Specialist Colleen Clark.

Budget officer JoLynn Drage presented a tentative Fiscal Year 2020 budget of \$31,501,246 for the BCC's consideration. Additional reductions can be made between now and when the final budget is set. The only change from the BCC's previously proposed tentative budget is the addition of one civil attorney; and a higher contract labor total amount in the Prosecuting Attorney's office.

Chairman Greenberg said he realized how much time County Chief Deputy Prosecuting Attorney Tim Graves spent just answering BCC questions, in addition to potential civil litigation cases. Greenberg decided to support adding an additional attorney to the Prosecutor's office; as well as supporting the original requested amount for contract attorneys. McCleary supported an additional attorney, but not the full amount of contract for services. Fosbury felt the ability to hire a contract attorney with expertise in certain issues would be a wise decision; and added that contract legal fees add up fast. County Administrator Voss supported the Prosecutor's request for an additional staff attorney.

Fosbury moved, seconded by McCleary, to approver tentative budget for Fiscal Year 2020 in the amount of \$31,501,246. Motion carried unanimously.

COUNTY DEPARTMENT REPORTS

Facilities - Pat Boyle

• **Smiley Creek Update**

The County pays Clear Creek Disposal \$650 month to clean up the recycling site at Smiley Creek. Boyle showed photos of the trash around the bins, including some items that had obviously been on the ground for at least a month. Smiley Creek Lodge is willing to take over clean-up of the recycling area near their lodge for \$300 month, which would be a savings of \$4,200 year.

Boyle showed a photo of what was being put in Smiley Creek’s mixed paper bin, which is clearly signed for newspaper and copy paper only, but is contaminated. The County is paying Clear Creek to pick up the paper, but it goes to the transfer station, not to recycling.

Outreach and Education Specialist Colleen Clark said Stanley residents would like more recycle services. She said recyclers do a much better job of responsible recycling when there are people present to answer questions. Boyle said the County spent a fair amount of money to get Smiley Creek recycling established, but most visitors are used to single stream recycling and don’t understand that one batch of contaminants ruins the whole dumpster. He said Ketchum’s YMCA collection area is just as bad. Hailey’s River Street collection area is pretty clean, probably because people live here and understand small town limitations. Fosbury suggested the SNRA might have useful input.

Land Use and Building Services - Tom Bergin/Jeff Giese

• **Idaho Power Transmission Line Funding**

Idaho Power continues to provide County Land use staff with information on cost and funding. Greenberg would like to know the actual difference in cost between overhead and underground power lines, and if the community can influence the Public Utilities Commission to influence Idaho Power to underground at less expense to the community. Fosbury would like to review the input from Idaho Power. Land Use staff continue to seek independent counsel for assistance in negotiating with Idaho Power on potential funding for undergrounding power lines. The BCC agreed that the County should have an expert consultant for this \$30 million project.

• **Fire Code/Bridge Width Update – Jeff Giese**

When the County passed the revised Fire Code last April, the BCC received requests for staff to reconsider the 20ft required width for private driveways. Staff talked to local fire chiefs, who said heavy snowfall the last few winters caused problems with snow removal on narrow bridges and driveways, and fire and EMS services had difficulty navigating roads narrowed even more by snowbanks. Exceptions can be considered on a case-by-case basis, usually with a trade-off of additional water or sprinklers onsite. Fosbury said residents who need to replace their bridges complained that the wider width will require expensive new abutments, tree removal, etc.

Administrative Services - Mandy Pomeroy

• **Gem Plan Acceptance**

Gem Plan will administer the County’s Blue Cross health insurance plan with the same coverage at a reduced premium. Voss questioned guarantee language in the acceptance document. Pomeroy will review this with representative Cindy Tealey, and return to the BCC meeting this afternoon.

• **Copier Sales Agreements**

Administrative Services and Public Defense offices are purchasing copier-printer-scanners at this time.

Fosbury moved, seconded by McCleary, to approve the Equipment Sales Contract and Security Agreements submitted by Integrated Technologies for a Xerox Versalink in the amount of \$3,793.50; plus a Xerox Altalink in the amount of \$5,459.52 for the two departments, Administrative and Public Defender. (Funding has already been approved by the BCC to come out of Contingency.) Motion carried unanimously.

County Administrator - Derek Voss

Also present: Blaine County Land Use Administrator Tom Bergin; and County Road and Bridge Manager Steve Thompson.

- Voss has given Idaho Power alternate sites to consider for a community solar farm. Idaho Power is doing a site plan for the County’s Glendale Road and Bridge property, although Voss is concerned how it might impact Road and Bridge operations.
- The Wood River Land Trust has discontinued their Colorado Gulch Stream Alteration Permit application and is questioning the Colorado Gulch project going forward. Fosbury said the WRLT purchased the land with the road and bridge in place, so the bridge needs to be rebuilt and the road needs to be relocated if necessary.

CONTRACTS, GRANTS AND AGREEMENTS

• **Software License Agreements for Defender Data - Prime Edition**

Month of September 2019	<u>Record #662201</u>
October 1, 2019 to September 30, 2020	<u>Record #662202</u>

Also present: Blaine County Chief Public Defender Justin McCarthy.

This contract is for case management software used by defense attorneys. McCarthy is familiar with this software and it should be in operation in a month. There are two contracts, one for September 2019; and the other for Fiscal Year 2020 from October 1, 2019 through September 30, 2020.

Fosbury moved, seconded by McCleary, to approve the Software License Agreement for Defender Data, Prime Edition License, by Justiceworks LLC in Centerville, Utah, at \$100 month, effective beginning September 1, 2019 for the public defender’s office, approving two agreements, one for FY2019 for the month of September, 2019 and one for October 1, 2019 through September 30, 2020, as amended. Motion carried unanimously.

Engagement letter from Chris Meyer Record #662200

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

The County has some ongoing road issues, notably road validation proceedings with Lee’s Gulch Road. County Chief Deputy Prosecuting Attorney Tim Graves has time constraints, and is concerned about his dual role in advising the BCC on issues of law and then defending them in court. Graves requests permission to hire outside expert counsel, and recommends Chris Meyer, an Idaho road law expert.

McCleary moved, seconded by Fosbury, to approve an Engagement Agreement including Conflict Disclosure and Consent with Givens Pursley, and, specifically, with Mr. Christopher H. Meyer, in the amount of \$425.00 per hour. Motion carried unanimously.

CONSENT CALENDAR

- **Beverage License renewals** for The Argyros, 5B Vino Valet, N&H Pub, LLC dba the Red Shoe, Lewis Street Snacks, and Blaine County Senior Council Inc. dba Senior Connection.
- **Catering Permit** for Sun Valley Brewery, catering an event for Draper Rendezvous at 11 Croy Creek Rd. (Lions Park) on August 24, 2019 from 10 am until 11 pm.

McCleary moved, seconded by Fosbury, to approve the Consent Calendar for August 6, 2019. Motion carried unanimously.

FIRE MITIGATION GRANT UPDATE

Also present: Blaine County Land Use Administrator Tom Bergin; Fire Mitigation Project Manager Stacy McLaughlin; Wood River Fire Protection District Chief Bart Lassman; and Starweather resident Dean Hovencamp.

Residents along Teal Drive have asked that large chunks of already masticated material be ground down, chipped or removed from the project, possibly in a costshare agreement using grant funds from the Department of Lands and money from the Starweather Homeowners Association. Bart Lassman said it would be a positive “firewise” move to remove some of the bigger debris. McCleary wants the homeowners to be positive about the project.

Residents were concerned about weeds in the common area that became visible after the mastication, so McLaughlin walked the site with Chief Lassman and County Weed Department Manager John Cenarrusa. Kim of Littlewood Pest Control recommended the weeds be addressed this fall and again next spring. Commissioner Fosbury said the weeds he saw were pre-existing, mature weeds that have come back and are not new emergent weeds. Greenberg said the fire mitigation was to remove deadfall debris that would be fuel for a potential future fire. Landscaping is the HOA’s responsibility. Lassman didn’t think weed control was part of the fire mitigation grant.

Public Comment:

- Starweather resident Dean Hovencamp supported a costshare agreement to remove large chunks of materials at a cost of \$7,000. The HOA sprays weeds every year.

The BCC directed McLaughlin to work with the County’s Grant Administrator and County Clerk on specifics of a 50/50 costshare agreement to pay the contractor from the Fire Mitigation grant and HOA funds.

FRIEDMAN MEMORIAL AIRPORT AUTHORITY MEETING PREVIEW

Also present: Friedman Memorial Airport Manager Chris Pomeroy and Friedman Memorial Airport Contracts/Finance Administrator Lisa Emerick.

Friedman Airport Manager Chris Pomeroy reviewed tonight’s FMAA meeting agenda with the BCC. Main topic tonight will be consideration of the FY2020 budget.

BOARD of COUNTY COMMISSIONERS REPORTS

The BCC reported on issues and committees they were involved in:

Support letter for proposed substantial rehabilitation of Snow Mountain Apartments – Greenberg
Also present: Chief Deputy Assessor Melissa Fry; and County Land Use Administrator Tom Bergin.

At the request of Cordes & Associates COO Scott Niblack, the BCC will write a letter in support of the federal government voucher program for Snow Mountain rental housing.

Southern Idaho Solid Waste District Meeting – Fosbury

- Blaine County had 13% increase in solid waste that went to Milner Butte, increasing the County’s annual cost to \$2,009,000.
- Department of Environmental Quality is changing state regulations on biosolids received from wastewater treatment plants. SISWD is suggesting cities look into composting food waste.

Correspondence

- Wood River Resource Conservation and Development (WRRC&D) – Greenberg
The BCC can't support cloud seeding after recent flood events.

APPROVAL OF BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

- **May 6, 2019 Special Meeting Idaho Power Public Facility Conditional Use Permit**
McCleary moved, seconded by Fosbury, to approve Special Meeting Minutes for the BCC for Monday, May 6, 2019, as amended. Motion carried unanimously.
- **May 7, 2019 Regular Meeting**
Greenberg moved, seconded by McCleary, to approve the minutes of Monday, May 7, 2019. Motion carried unanimously.
- **May 8, 2019 Special Meeting Community Service Budget Presentations**
McCleary moved, seconded by Fosbury, to approve minutes for Wednesday, May 8, 2019, as amended. Motion carried unanimously.
- **May 9, 2019 Special Meeting 63-602NN Property Tax Exemption Applications**
McCleary moved, seconded by Fosbury, to approve Special Meeting Minutes of May 9, 2019, as amended.
- **June 26, 2019 Board of Equalization Special Meeting**
McCleary moved, seconded by Fosbury, to approve the Special Meeting Minutes of the Board of Equalization for Wednesday, June 26, 2019, as amended. Motion carried 2/0. Fosbury abstained because he was not present.
- **July 9, 2019 Regular Meeting**
Greenberg moved, seconded by McCleary, to approve the minutes of July 9, 2019, as amended. Motion carried 2/0. Fosbury abstained because he was not present.
- **July 11, 2019 Budget Meetings**
McCleary moved, seconded by Fosbury, to approve the Budget Meeting minutes of Thursday, July 11, 2019, as presented. Motion carried unanimously.
- **July 16, 2019 Regular Meeting**
McCleary moved, seconded by Fosbury, to approve the Regular Meeting of the County Commissioners for Tuesday, July 16, 2019, as amended. Motion carried unanimously.
- **July 17, 2019 Budget Meeting**
McCleary moved, seconded by Fosbury, to approve Special Meeting minutes of the Board of County Commissioners for Wednesday, July 17, 2019, as amended. Motion carried unanimously.
- **July 18, 2019 Budget Meeting**
McCleary moved, seconded by Fosbury, to approve the Budget Meeting minutes of the Board of County Commissioners for Thursday, July 18, 2019. Motion carried unanimously.
- **July 23, 2019 Regular Meeting**
McCleary moved, seconded by Fosbury, to approve the Regular Meeting minutes of the Board of County Commissioners for July 23, 2019, as amended. Motion carried unanimously.
- **July 30, 2019 Special Meeting Flying Heart Ranch Access**
Greenberg moved, seconded by Fosbury, to approve the minutes for Tuesday, July 30, 2019, as amended. Motion carried 2/0. McCleary abstained because she was not present.

BREAK

Administrative Services - Mandy Pomeroy

- **Gem Plan Acceptance**

The Gem Plan is the new administrator of the County's Blue Cross health insurance plan. The coverage and cost to individual County clients is the same.

McCleary moved, seconded by Fosbury, to approve the Gem Plan proposal for medical and vision benefits for Blaine County for FY19. Motion carried unanimously.

LAND USE and BUILDING SERVICES HEARINGS

- **Title 9 Zoning Regulations Text Amendment - Sawtooth City Zones: Public hearing and consideration of county-initiated amendments to Blaine County Code, Title 9, Zoning Regulations, Chapter 24, Sawtooth City Zones (SCC, SCR-.4). Amendments are proposed to Sections 3-Regulations, 4-Conformance, 5-Building Sites, and 7-Sign Standards. The P&Z Commission recommended approval on June 13, 2019.**

Grotto read public notice.

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

No disclosures.

Sawtooth City was recognized as a designated community in 1972, so the Sawtooth National Recreation Area worked with Blaine County to develop a County ordinance that would govern Sawtooth City that would reflect the goals of the SNRA. These text amendments are to bring the 1977 ordinance up to date.

Public Comment: None.

Fosbury moved, seconded by McCleary, to approve the proposed text amendments to Title 9 Zoning Regulations, Chapter 24, Sawtooth City Zones, as recommended by the Planning and Zoning Commission, and modified today by the BCC, finding the proposed text amendments are in accordance with the Comprehensive Plan and will not have demonstrable negative impacts on potable water or on delivery of services. Motion carried unanimously.

63-602NN EXEMPTION - SNOW MOUNTAIN APARTMENTS

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; Chief Deputy Assessor Melissa Fry; and Cordes Development COO Scott Niblack (by phone).

Chief Deputy Clerk Leslie Londos read notice to the Blaine County taxing districts and the Idaho Department of Commerce.

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

Cordes Development is applying for low income housing tax credits to do full rehabilitation of an existing 40-unit property located in Blaine County. The 40 units have full federal rental assistance—low-income tenants never pay more than 30% of their income toward housing costs. The property is 38 years old and needs all major systems replaced, at an estimated cost of \$5 million. The entire project cost is about \$9 million, including \$2 million for acquisition, land and debt assumption; and probably cost of adding some new market rate units.

If awarded tax credits in the next couple months, Cordes will purchase the property in May, 2020; and then, under new ownership, requests tax remediation for hard costs. The updated project will serve low income families in Blaine County for another 30 years.

Niblack explained how current tenants are provided for during the renovation. The contractor will hire local crews.

Melissa Fry said the I.C. 63-602NN exemption will go into effect after the first full year after completion.

Attorney Graves said Idaho Statute and County Ordinance give the BCC flexibility in how to structure their decision in the contract. The County can't grant the tax exemption until the applicant owns the property; and Cordes won't buy the property until they have assurance of tax exemption.

Public comment:

- Kiki Tidwell said this is an awesome opportunity for the County to attract a \$9 million capital investment to refurbish housing that will be energy efficient. The developer can choose to do this project anywhere in the country, and the tax benefit encourages him to come here.

Deliberation:

- Fosbury favored granting 100% of the tax exemption, given the income level of the residents and projected 25-year benefit of the project. He didn't think the tax exemption would have much impact on the city to provide services.
- Greenberg agreed that this would allow the investor to purchase the property and do the renovation, without impacting the rent structure for tenants, who will pay 30% of their income; and the exemption would have little impact on City revenue.
- McCleary supported the project at 100% for five years.

The BCC directed counsel to work with the applicant to write a Letter of Understanding with conditions discussed in this meeting.

WARM SPRINGS CONSULTING ADDITIONAL FUNDING REQUEST

Warm Springs Consulting previously asked the BCC to cover cost overrun on their Resiliency workshops.

- Fosbury said Warm Springs Consulting didn't get the diversified funding they expected; but his experience as a consultant has taught him to talk to the client before incurring cost overrun. He feels their workshops resulted in valuable ongoing projects; and was willing to contribute \$4,000.
- McCleary originally agreed to fund \$3,000 to \$5,000.
- Greenberg didn't want to set a precedent of funding a project, and then being asked to increase funding because someone else didn't step up, and/or the organization put more time and money into the project than anticipated.

Fosbury moved, seconded by McCleary, to authorize payment of \$4,000 to Warm Springs Consulting on the Resilience project that they began last year and completed this winter; money will come from contingency. Motion carried unanimously.

FLYING HEART RANCH PUBLIC ACCESS (PARKING)

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Land Use Administrator Tom Bergin; County Code Compliance Specialist Kristine Hilt; County Road and Bridge Manager Steve Thompson; Matt Price; Sam Linnet; Steve Crosser; Craig Hill; Carl Everson; Bob Jost; Susan Livermore; Peggy Walton; Ulrich Reiss; Vicki Williams; Nicole Miller; Trout Unlimited Secretary and Wood River Land Trust Board member Nick Miller; TU Hemingway Chapter President Alan Richardson; Sid Tomlinson; Mark Levin; Picabo Angler General Manager John Huber; George Rizzo; Alan Klokke; Justin Petty; Clark Shafer; Patti Lousen; Karren DeSeve; Ed DeSeve; Mike Bordenkircher; Zack Poff; Bob Crosby; Paddy McIlvoy; Kurt Nelson; Gaby Velasquez; Wayne Roth; Rick Webking; Ginna Lagergren; Bernard Friedlander; Ned Burns; Stephanie Reed; A.P. Walch; Wood River Land Trust Project Coordinator Ryan Santo; Kurt Nelson; *Mountain Express* reporter Tony Evans; and Boise State Public Radio South Central Idaho reporter Rachel Cohen.

County Attorney Tim Graves said the dispute refers to parking along Aspen Lakes Drive in Flying Heart II Subdivision. The platted subdivision in question clearly demarcates a private road with public access, 80 feet in width. As was customary in 1980, when the plat was approved, the Board of County Commissioners at that time did not accept new roads for maintenance, primarily because the County didn't want to take on maintenance responsibility going forward. Aspen Lakes Drive remains open to public access. The Flying Heart Owners Association (FHOA) says "public access" does not include parking; and has put up NO PARKING signs in the private road within their ownership and control.

Blaine County believes public access does allow for public parking. The County feels these signs are in violation of the plat, but the County has no authority to remove signs on private land without judicial order.

At a BCC-FHOA meeting two weeks ago, FHOA proposed to have a single parking area constructed on the southern end of the loop in the subdivision, about 2/10 mile from one pedestrian access point and almost 5/10 mile from the other pedestrian access point to the river. The BCC asked that this parking area be constructed immediately, while the discussion continues. The BCC further responded last week, on August 6, that parking in Flying Heart should be located at each of the two Fisherman pedestrian access points, with overflow parking in the southern loop area; and new signs would direct people to the designated parking areas.

The BCC also set today's public hearing to work with third parties—guides, etc.—to work with Flying Heart complaints of trespassing, litter, public defecation, etc. Graves received notification from the Flying Heart Owners Association president and attorney that FHOA rejected all County proposals and neither would participate in today's hearing. Their legal position is that parking is not allowed within Flying Heart subdivision.

The BCC previously authorized the County Prosecutor's office to file a lawsuit against FHOA to seek declaratory judgment and conjunctive relief to allow parking within Flying Heart Subdivision, while Flying Heart and the BCC discuss this and potentially work toward a settlement of the issue. When FHOA directed parked cars to be towed, the BCC directed legal counsel to begin legal action. The question today is if the BCC should pursue litigation at this time.

The BCC admonished the public to respect private property and the landowners to treat fellow citizens well within Blaine County.

- McCleary doesn't feel that FHOA's one parking area solution is adequate for the public. She thinks viable public access must include parking close to the river access.
- Fosbury is a retired civil engineer and land surveyor in Blaine County for over 42 years; who worked with the retired County engineer for over 30 years to develop, provide and plat public and private accesses, public and private roads, private driveways, etc. He said the term "private road"—terminology used by Blaine County since the late '70s—refers specifically to the entity responsible for maintenance and snow removal of the road. The front page of the plat includes a plat note that clearly states that river access and the road is made available for public access. The developer/landowner signs the plat in the "owner's certificate," which includes all property in the plat, as required by State Code, that includes a statement that the road is reserved for public access, but the County is not required to take over maintenance of the road. Maintenance of the road, including snow removal, is the responsibility of property owners within the subdivision. Fosbury said path users maintain the trail. Fosbury has not seen a private road in Blaine County that does not allow people to park on the shoulder of the road. He said destructive and/or damaging behavior needs to be managed in cooperation with the Sheriff.
- Greenberg said parking needs to be near the access point for the disabled, elderly, children and/or those carrying equipment.

Public Comment:

- Alan Reynolds was County Planner when the subdivision was approved. The plat notes originated in the Subdivision Ordinance, which is County law and is enforceable and subject to fines. Reynolds said the FHOA attorney knows the law.
 - Woody Friedlander asked if the BCC was prepared to move forward with litigation.
 - Ulrich Reiss moved here to go fishing here. Flying Heart homeowners were super nice. Two years ago, he noticed a guide who had several people with him who was there several times and parked on private property. The guide told Reiss that no one had ever said anything.
 - George Rizzo said public access in Blaine County is also for hiking, mountain biking, etc.
 - Ginna Ladergren and her husband have enjoyed trails for 38 years and never seen any litter. They are older and can no longer enjoy wilderness hiking because of physical issues.
 - Sam Linnet asked the BCC to authorize litigation to protect the public access that was part of the subdivision approval. He was appalled that the OA didn't work with the County and community to resolve their complaints.
 - Justin Petty said access is a big issue, including on Silver Creek and in south Bellevue.
 - Backwoods Mountain Sports General Manager Paddy McIlvoy supported the BCC lawsuit against Flying Heart homeowners.
 - Flying Heart resident Vicki Williams and her husband do not live on the road where the two accesses are. She has no problem with people walking to the river and doesn't know what caused the whole problem; but she did ask people to refrain from angry accusations.
 - Zinc Spur resident Susan Livermore has lived one house down from a fisherman's access for 30 years and has never seen litter. People using the access to enjoy the river have always been a positive thing.
 - Picabo Angler General Manager John Huber reiterated that making public access difficult has an economic impact on his business and his guides.
 - Hailey resident Clark Shafer is grateful the County is taking a stand to preserve public access to Idaho land and water. He empathized with homeowners who had to deal with people speeding, trespassing, and littering, but said every neighborhood deals with these problems. He asked the FHOA to discuss the issue with all its homeowners, and work with the Sheriff and community to solve the problems.
 - Paddy McIlvoy apologized for his earlier accusation against all Flying Heart homeowners.
 - Flying Heart resident Peggy Walton said fishermen never bothered her, but there is a ton of litter. She said the real problem is mushroom season, when people and cars are everywhere; and, this year, people were running around in camo looking for elk antlers.
 - Stephanie Reed said a lawsuit against the FHOA could affect Flying Heart house values and sales.
 - Carl Everson said the stated distances from the proposed parking to the river are actually distances to the walk to the river. He added that 80ft is a wide right-of-way if parking isn't included. He said Flying Heart isn't particularly well-flagged for private land, so people don't always know they're trespassing. Some landowners now have surveillance cameras and can visually identify trespassers and mushroom pickers.
- Everson added that trail maintenance should only be done with the landowner's permission.

ADJOURN

At the hour of 5:09 p.m., with no more business before them, the County Commissioners adjourned.

Attest: _____ Approved _____
 JoLynn Drage Jacob Greenberg
 County Clerk Chairman