

**OFFICE OF THE BOARD OF COUNTY COMMISSIONERS
OF BLAINE COUNTY
REGULAR MEETING OF THE AUGUST 20, 2019 SESSION**

Third Day

Tuesday, August 20, 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.

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

PUBLIC COMMENT

- Kiki Tidwell said Blaine County gave a parcel to the Blaine County Housing Authority without a public auction in order to pass it on to ARCH, which sold the house to someone they later qualified as low-income; and pocketed the proceeds in their own bank account. Tidwell said the transfer of Blaine Manor property to ARCH Housing Trust through Idaho Housing and Finance Association is a similar situation, in that Blaine County is giving away a \$3 million asset to a private entity 501(c)(3) that doesn't have any public meetings or transparency, and can sell the asset and pocket the money.
- *Chairman Greenberg said the asset hasn't been transferred yet and will be restricted strictly for low income housing. There was a public auction and the County received no bidders.*

EXECUTIVE SESSION – §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 Services Manager Brooke Baird and Indigent Services Assistant Hayleigh Simpson.

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

OPEN SESSION RESUMED

INDIGENT CONSIDERATIONS - Board of County Commissioners Action

McCleary moved, seconded by Fosbury, to deny Request 2019-106-1, since indigency has not been established. Motion carried unanimously.

McCleary moved, seconded by Fosbury, to deny Request 2019-1039-1 for rental assistance, due to incomplete information provided. Motion carried unanimously.

McCleary moved, seconded by Fosbury, to approve and cancel the hearing for Case #2018-1047-1, with reimbursement of \$25 month. Motion carried unanimously.

McCleary moved, seconded by Fosbury, to approve and cancel the hearing for Case #2019-1019-1, with reimbursement of \$25 month. Motion carried unanimously.

McCleary moved, seconded by Fosbury, to approve and cancel the hearing for Case #2019-1048-1, with reimbursement of \$100 month. Motion carried unanimously.

COUNTY DEPARTMENT REPORTS

Assessor's Report – Chief Deputy Assessor Melissa Fry

- Three new appraisers have gone to continuing education classes. David Vanderpool passed his courses to be a certified appraiser.
- Appraisers are on schedule with completing the required number of appraisals for the year.
- One appellant is appealing the Blaine County Board of Equalization's decision to the State Board of Tax Appeals.
- Department of Motor Vehicles has a video on the County's Facebook page promoting the express line for vehicle registration.
- Commissioners Greenberg and McCleary will talk to the Idaho Transportation Department about an additional computer.

Road and Bridge - Steve Thompson

• Right-of-Way Certificate of Completion

The West Glendale grant construction project design is almost complete. The County owns all the right-of-way necessary for the project.

Fosbury moved, seconded by McCleary, to approve and authorize the Chairman to sign the Local Public Agency's Certificate of Completion of Right-of-Way Activities for the Idaho Transportation Department on West Glendale Road and Canal Bridge in Blaine County. Motion carried unanimously.

County Administrator - Derek Voss

- The Right-of-Way Certificate for Glendale Road will have an associated utility agreement authorizing some power lines to be relocated. Cost is estimated at \$56,000, with County portion about \$4,000.
- Idaho Power submitted a proposal to Blaine County to put a community solar farm on Blaine County property. Idaho Power would prefer to do a 1.75MW farm on land in the middle of the property, but that would complicate Road and Bridge's use of the area. Staff suggest there is a seven-acre area that would work well for a 1MW farm that could be available to Idaho Power on a 25-year lease, terms to be decided.

Greenberg reiterated that Idaho Power needs to show the BCC who benefits from the farm if the County is going to donate the land.

Public Comment: Kiki Tidwell said it's very difficult to produce power and sell it in Idaho. She suggested the County could produce power for their own use because they own the land.

- HeliSki is interested in an agreement with the Ambulance District to guarantee monetary reimbursement for when they do emergency rescue.

CONTRACTS, GRANTS AND AGREEMENTS

- **Della View Subdivision Mitigation Project Idaho Department of Water Resources Grant Extension**

Also present: Blaine County Disaster Services Coordinator Chris Corwin

The grant ends September 24, 2019. The City of Hailey is asking the County to submit a request for a one-year grant extension. Hailey was awarded funds from Idaho Water Resources Board (IWRB) for a project in Della View that couldn't be completed last fall because underground utilities were closer to the surface than anticipated. Hailey would like to use funds from last year in conjunction with new funds to make it a more efficient project.

Fosbury moved, seconded by McCleary, to approve the letter request for the Della View Subdivision Flood Mitigation Project Flood Management Grant to extend it for an additional year.

Blaine County was sponsor of that grant and did the side channel work; and now the City of Hailey needs to complete the rest of their project. **Motion carried unanimously.**

- **State of Idaho Contract Amendment No. 3 between the State of Idaho, Department of Health and Welfare and the Blaine County Sheriff Department**

Also present: Sheriff's Office Civil Administrator Ginger Clement.

This renews a long-term contract where Idaho Health & Welfare chooses to pay for Sheriff's service of civil documents.

Fosbury moved, seconded by McCleary, to approve the Idaho Health and Welfare Contract for Civil Service Amendment #3 to update the contract amount from \$18,300 to \$20,100 and extend the contract for one year to September 30, 2020; and authorize the Sheriff to sign the contract. Motion carried unanimously.

CONSENT CALENDAR

- **Beverage License Renewals** for 93 Bar & Grill and Lago Azul Mexican Restaurant
- **New Beverage License** for Family Dollar, Inc. dba Family Dollar #30097

McCleary moved, seconded by Fosbury, to approve Consent Calendar dated August 20, 2019. Motion carried unanimously.

IDAHO POWER TRANSMISSION LINE FUNDING DISCUSSION

Also present: Blaine County Land Use Administrator Tom Bergin; County Planner Allison Marks; and *Idaho Mountain Express* reporter Mark Dee.

Chairman Greenberg and staff suggest a committee be established to sift through complex details in moving forward. A preliminary meeting has been scheduled for later this week to evaluate major questions:

- Funding undergrounding of the redundant lines, including evaluation of Idaho Power estimates, PUC role, local financing and funding options. An outside party should evaluate Idaho Power's estimated cost for reasonableness. Financial expertise is needed to discuss funding options, including a two-year levy; permanent levy; bonding, which is not usually used for financing another entity's project, i.e., Idaho Power's transmission line; Idaho Power surcharge; and Idaho Power's high interest rate should they fund the project; and Local Improvement District.
- Idaho Power has been working with Power Engineers to review plans and re-evaluate costs.
- Consideration of Hwy. 75 Scenic Byway designation.
- If the County requires power lines be undergrounded from Hailey to Ketchum, Fosbury would like to see power lines on Gannett Road also undergrounded.
- Will the PUC force Blaine County to accept overhead lines if the County can't or won't pay for undergrounding?
- What is to be gained by a County-wide advisory vote? When is a good time to put an advisory vote on a ballot?

Public Comment:

- Kiki Tidwell was an intervenor on the Public Utilities Commission case, and, along with a top legal counsel on transmission lines and Idaho energy law, is very familiar with the PUC's ruling on Baine County redundant lines. Tidwell said it's not true that lines will go above ground if the County doesn't fund undergrounding. The ruling merely stated that Idaho Power was allowed to have a redundant line. The PUC did not microsite the redundant line in Blaine County's scenic corridor.

AMBULANCE DISTRICT CONSIDERATION OF CAPITAL EQUIPMENT FUNDING, CITY OF KETCHUM

Also present: Ketchum Fire Chief Tom Bowman; Wood River Fire Protection District Chief Bart Lassman; and Ketchum Assistant Fire Chief and extrication expert Tom Ancona.

Tom Bowman said the City of Ketchum is in transition from a 56-year contract with Ketchum Rural Fire District to a new contract with the City of Sun Valley. Ketchum would like to purchase new extrication and associated equipment for their fire engines; and a new drug box for an ambulance that doesn't have one.

The BCC discussed the difference between service and equipment and what equipment is the responsibility of the service provider. The contract is vague. Voss said the ambulance district is responsible for the patient; the fire department is responsible for necessary equipment.

Bart Lassman added that there is an ownership issue: The Ambulance District owns the ambulances; the fire departments own their fire trucks and equipment on them.

McCleary moved, seconded by Fosbury, to convene as the Blaine County Ambulance Board. Motion carried unanimously.

Fosbury moved, seconded by McCleary, to approve the request for purchase of a drug box Model 5201, with price not to exceed \$1,500 to cover shipping and handling; and deny the request to provide payment for extrication equipment to be used by the fire department. Motion carried unanimously.

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

BREAK

LAND USE and BUILDING SERVICES HEARINGS

- **Comprehensive Plan - Chapter 8, Land Use.** Public hearing and consideration of proposed amendments to Title 8, Ch. 1, Comprehensive Plan. The Land Use chapter will include sections on eight subareas of Blaine County. The Ketchum/Sun Valley subarea draft chapter is presented for hearing at this time. The P&Z Commission recommended approval of the subarea section on June 13, 2019.

Also present: Blaine County Land Use Administrator Tom Bergin; County Land Use and Building Services Deputy Director Kathy Grotto; Blaine County Comprehensive Plan Update Consultant Lisa Horowitz; Pacific Current Partners (owners of Meadows RV and Mobile Home Park) representative David Patrie; Citizens for Responsible Development (CRD) representatives Donn Wonnell and Jeffra Syms; and Chris Hoy.

Grotto read public notice.

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

Grotto presented a story map for the area.

Land Use had good participation in multiple public meetings, but received a small response to surveys.

Lisa Horowitz reviewed the subarea with the BCC, with discussions on rezoning, mobile home parks, the need for community wells and/or storage, limited access across Wood River Trail, traffic and road issues. Some Hulen Meadows residents want their neighborhood removed from Ketchum's Area of City Impact.

Public Comment:

- David Patrie said Pacific Current Partners owns more than 40 acres in the Ketchum-Sun Valley sub area. PCP thanked County staff for public meetings and felt the draft Comp Plan captured most of the sentiment. One concern is that a master plan already exists and a new one "as a first step" is an unnecessary waste of resources
- Donn Wonnell said CRD members just want to be listened to, even when their opinions differ. *Greenberg said he knew Broadway Run homeowners wanted to work with the County on adequate notice of traffic and other community issues instead of contentious and threatening litigation. Perhaps a revised Master Plan would be advisable.*
- Kiki Tidwell asked what the proposed new Urban Transitional zone would accomplish; and warned the BCC about continuous "spread".
Tidwell added that the County's land transfer process on Buttercup's affordable housing unit was not noticed and not transparent.
Tom Bergin said Land Use projects, including land transfers, were generally adequately noticed.

McCleary moved, seconded by Fosbury, to continue Comprehensive Plan - Chapter 8 Land Use, to September 17, 2019, at 1:30 p.m. Motion carried unanimously.

LAND USE and BUILDING SERVICES

• Findings of Fact: 150 Golden Eagle Rd. plat amendment

Also present: Blaine County Land Use Administrator Tom Bergin; County Land Use and Building Services Deputy Director Kathy Grotto; and County Code Compliance Specialist Kristine Hilt.

Grotto said this should be Decision and Findings of Fact.

Fosbury moved, seconded by McCleary, to approve the Findings of Fact, Conclusions of Law and Decision, as amended, with required plat notes and conditions, for the application of Charles F. Pigeon to amend Lot 21, Block 3, Golden Eagle Ranch II Subdivision, revising the plat note regarding building height. Motion carried 2/0. Greenberg abstained since he was not at the meeting.

• Findings of Fact: Silver Creek Storage condo short plat

McCleary moved, seconded by Fosbury, to approve the Findings of Fact, Conclusions of Law and Decision regarding application of Silver Creek Storage LLC to subdivide the existing self-storage unit on Lot 1, Block 3, Picabo Hills Subdivision in 24 condominium units. Motion carried 2/0. Greenberg abstained since he was not at the meeting.

• Findings of Fact: Trout Unlimited Sharps Fire Restoration Stream Alteration Permit

McCleary moved, seconded by Fosbury, to approve the Findings of Fact, Conclusions of Law and Decision regarding an application of Trout Unlimited for a Stream Alteration Permit on Thompson, High Five and Cold Spring Creeks, all tributaries of the Little Wood River. Motion carried 2/0. Greenberg abstained since he was not at the meeting.

BOARD of COUNTY COMMISSIONERS REPORTS

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

Carey Centennial Commemorative Plaque – Greenberg

- Good turnout for the Commemoration, including State and U.S. legislators.
- The BCC ordered a plaque for the Commemoration that will be presented to Carey when finished. Fosbury will follow up.
- The BCC discussed a future joint meeting with the City of Carey.

Regional Collaboration Group Meeting – McCleary

This collaboration, a result of the Resilience workshops, continues to meet to discuss benefits of regional collaboration.

Correspondence

- The Hunger Coalition requested BCC support for a story in the newspaper about fairness and justice for everyone in the community, including Latino population. The Commissioners offered individual support – McCleary.
- Biota Project reported on projects they were working on. – Greenberg
Greenberg suggested a field day to the various Biota projects.
- City sludge fields at Ohio Gulch. – Fosbury.
Cities and County need to meet to work out new Department of Environmental Quality’s standards for sludge handling.
- The BCC discussed the Public Defense Grant. County Public Defender Justin McCarthy will pursue the need for the Public Defender office remodel to provide confidentiality.

APPROVAL OF BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

- June 18, 2019 Regular Meeting
- June 25, 2019 Regular Meeting

McCleary moved, seconded by Fosbury, to approve Board of County Commissioners regular meeting minutes for June 18, 2019. Motion carried unanimously.

McCleary moved, seconded by Fosbury, to approve Board of County Commissioners regular meeting minutes for June 25, 2019. Motion carried 2/0. Fosbury abstained because he was not present for the meeting.

ADJOURN

At the hour of 3:57 p.m., with no more business before them, the County Commissioners adjourned.

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