

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

**Fourth Day**

**Tuesday, August 27, 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; Boise State University Practicum Student John Inman; and Recording Secretary Sunny Grant. County Clerk Blaine County Clerk JoLynn Drage was present for the morning session. Kiki Tidwell was present for most of the morning session. County Administrative Services Manager Mandy Pomeroy was present for part of the morning session.

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

**PUBLIC COMMENT**

- The BCC previously transferred County-owned Parcel B Valley Club West Nine property to ARCH. Kiki Tidwell said the community housing deed restriction can be taken off at the sole discretion of Blaine County Housing Authority for any reason, so the public good is not assured in perpetuity.
- Tidwell was an Intervenor in Public Utility Commission hearings on Idaho Power redundant lines, and offered to share her files. She said several comments were made about Idaho Power only wanting to placate the wealthy north part of Blaine County.

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

Also present: Blaine County Indigent Services Assistant Hayleigh Simpson.

**McCleary moved, seconded by Fosbury, 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, as provided in Chapter 3, Title 9, Idaho Code. 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 approve Case No. 2019-1049-1 for non-medical assistance, with no reimbursement. Motion carried unanimously.**

**COUNTY DEPARTMENT REPORTS**

**Claims - Gretchen Stinnett**

**McCleary moved, seconded by Fosbury, to approve claims dated August 21, 2019. Motion carried unanimously.**

**County Administrator - Derek Voss**

- Received three-party agreement with Ketchum and Sun Valley to clean the artwork on the hospital bridge. The City of Sun Valley will not participate because they don't want to bind future Councilmembers to expenses. The County will cover the bill; and revise the agreement for next year.
- Cindy Tealey and her company, Gallagher Benefit Services, are now responsible for the County's medical benefit program, and will submit a Broker of Record letter for BCC signature.

**CONTRACTS, GRANTS AND AGREEMENTS**

- **Memorandum of Understanding between United States Department of the Interior Bureau of Land Management Shoshone Field Office and Blaine County by and through the Board of County Commissioners**

Also present: Grants and Procurement Specialist Lyn Drewien.

**McCleary moved, seconded by Fosbury, to approve the Memorandum of Understanding between the United States Department of the Interior Bureau of Land Management Shoshone Field Office and Blaine County, by and through the Board of County Commissioners for Maintenance of Recreation infrastructure around Magic Reservoir on BLM land. Motion carried unanimously.**

- **Request to Accept Grant Funding: Indigent Defense Fund Grant**

Also present: Blaine County Chief Public Defender Justin McCarthy; and County Grants and Procurement Specialist Lyn Drewien.

The County originally requested its County share from the Public Defense Commission, plus additional funds primarily to assist in remodeling a new public defense office. The PDC responded with a little over \$58,000, plus \$25,000 for conflict attorneys.

**Fosbury moved, seconded by McCleary, to approve the request to accept grant funding from Indigent Defense Fund in the amount of \$83,392.43, which includes additional \$25,000, specifically to cover cost incurred for conflict attorney fees as part of the workload compliance assistance. Motion carried unanimously.**

McCarthy will draft a new letter to the PDC requesting additional funding for specific Code requirements such as soundproofing a new office.

- **Request to Apply: Idaho Community Foundation Heart of Gold Grant - Blaine County Search and Rescue**

Also present: Blaine County Sheriff's Lieutenant Bryan Carpita; and Blaine County Grants and Procurement Specialist Lyn Drewien.

Search and Rescue Commander Carpita said S&R is comprised of volunteers, and the Sheriff's office is looking for donations. Idaho Community Foundation Heart of Gold has provided funding for operational expenses in the past. Since S&R volunteers work on their own time and offset the cost of County government, Voss felt they should be covered by Workmen's Compensation.

**Fosbury moved, seconded by McCleary, to approve the request to apply for Idaho Community Foundation's Heart of Gold grant in the amount of \$5,000 for Blaine County's Search and Rescue program, subject to revising the wording on the grant application. Motion carried unanimously.**

### **CONSENT CALENDAR**

- **Beverage License Renewal** for International Cowboy Cocina LLC dba International Cowboy Cocina.
- **New Beverage License** for St. Luke's Medical Center/Wood River LTD dba St. Luke's Medical Center Wood River at 100 Hospital Dr., Ketchum, Idaho
- **Junior College Certificate of Residency forms**  
**College of Southern Idaho - Fall 2019 - Spring 2020:**  
Elizabeth Baeza; Marisol Baeza; Travis Beckman; Frederick Benford; Patrick Bohl; Courtney Bowman; Gail Brennan; Ashley Carr; Eddie Castanos; Lizabeth Ceja Cervantes; Jackeline Chanco Barbaran; Yocelin Chavez; Sydney Chickrell; Shanon Christensen; Mason Corkutt; Joanne Cox; Piper Diges; Nick Domke; Yancey Joe Egoavil; Christian Ervin; Daniel Estrada; Sarah Feltman; Melody Flade; Pedro Garcia; Anne Marie Gardner; Emanuel Guzman; Jonathan Hernandez; Kevin Ibarra; Brigitte Jeremais Quipse; Kimberly Kishimoto; Erica Kreckowski; Viridiana Lemus; Richard C Manning; Daisy Martinez; Cameron Maxwel; Nancy Montes Diaz; Perla Munoz; Amber Nava Dimental; Brenda Navarrete; Crystal Oliphant; Andrea Palencia; Mariana Perez Cano; Carina Rangel; Carol Reagn; Sabrina Robillard; Adrian Salinas; Elizabeth Sandoval; Emily Slane; Gabriel Smith-Nelson; Karina Steleck; Jessica Timmons; Jose Varela; Dede Sara Vazquez; Thora Walsh; Shawna Ward; and Ryan Willows Munro.  
**College of Western Idaho - Fall 2019 - Spring 2020:**  
Stephen Roth

**McCleary moved, seconded by Fosbury, to approve Commissioners' Consent Calendar of August 27, 2019. Motion carried unanimously.**

### **BOARD of COUNTY COMMISSIONERS REPORTS**

- **McCleary introduced Boise State University Practicum Student John Inman.**
- **South Central Public Health District Board Meeting – McCleary**
- **Update on Idaho Public Safety Communications Commission Subcommittee NextGen - Greenberg**
- **Correspondence**
  - University of Idaho has asked BCC to comment on new Blaine County Extension Educator.
  - The BCC received a letter of thanks from Lincoln County for their ambulance.
- **Other**
  - Greenberg will meet with Idaho U.S. Congressman Mike Simpson at the airport to talk about the remote tower pilot program.
  - Deputy Public Defender candidates interviews this week.
  - Southern Idaho Solid Waste District meeting will discuss Blaine County recycling – Fosbury
  - BCC received single noise complaint from Draper Preserve Rendezvous Music Festival – Greenberg

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

- **June 11, 2019 Regular Meeting**
- **August 6, 2019 Regular Meeting**
- **August 13, 2019 Regular Meeting**
- **August 20, 2019 Regular Meeting**

**McCleary moved, seconded by Fosbury, to approve the Commissioners' Regular Meeting Minutes of June 11, August 6, August 13, and August 20, 2019, as amended. Motion carried unanimously.**

## **IDAHO POWER 138kV UNDERGROUNDING PROJECT UPDATE**

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; Land Use Administrator Tom Bergin; County Planner Allison Marks; County Road and Bridge Manager Steve Thompson; Chief Deputy Assessor Melissa Fry; County Outreach and Education Specialist Colleen Clark; Idaho Power (IP) Delivery Planning Manager Dave Angell, IP Counsel Pat Harrington, and IP Project Manager Tom Barber; Len Harlig; Fritz Haemmerle, representing South Valley residents; Greg Adams (by phone), representing Rolling Rock Properties; Jane H. Mason; John Dondero; Valley Club Owners Association President Cynthia Woolley; Kris Dondero; Laura Midgley; and *Idaho Mountain Express* reporter Mark Dee.

Greenberg said Blaine County P&Z and the BCC found that Idaho Power's proposed redundant overhead power poles would be 15-20 ft higher than existing poles, in a Scenic Highway Overlay District, with almost twice as many power lines. The BCC required Idaho Power to underground power lines in order to meet the Conditional Use Permit application Standards of Evaluation. The process now is to determine who will pay for undergrounding.

Angell said Idaho Power had done a thorough review of base cost of overhead redundant transmission power lines and a detailed review with Power Engineers on undergrounding the transmission lines. Both reviews estimated labor hours for undergrounding the transmission project about the same as originally presented, at \$35 million. Idaho Power is prepared to discuss cost and funding options with the BCC and County staff at their convenience.

Idaho Power currently projects its service date at 2023. North County residents are at risk until transmission lines are in place. Idaho Power representatives described various funding methods, including a levy, surcharge, and Local Improvement District for those landowners directly impacted by the redundant lines.

- Idaho Power would do a thorough pre-project engineering study.
- Idaho Power would include a 30% contingency.
- Ketchum and Hailey already have a 3% maximum franchise fee, and Sun Valley has a 1% franchise fee. In addition to the franchise fee, Idaho Power could add a 3% surcharge to certain power bills (as determined by Blaine County and Idaho Power), which would incur about 9% interest (depending on cost of capital at the time) to collect the repayment of undergrounding over a 10-year period. Idaho Power will present the BCC with a spreadsheet showing revenue a surcharge would generate for each jurisdiction.

### **Public Comment:**

- Fritz Haemmerle, representing South Valley residents, said they still didn't have true costs of the power line and funding options.
- Cynthia Wooley, representing 99 Valley Club owners and taxpayers, said several miles of power lines would be directly next to the west side of their property, and they would like more cooperation from Idaho Power on actual cost. She said Idaho Power should pay for burial of the lines, along with the North Valley, since the redundant lines are for their benefit.
- Kiki Tidwell, an intervenor in the Idaho Power case before the Idaho Public Utility Commission, said PUC Order 33872 specifically says, "This Order does not constitute approval of any cost of the line for ratemaking purposes.", so Idaho Power will have to go through another PUC case to get the rest of Idaho to pay for the \$14.5 million undergrounding in Ketchum. Idaho Power told the PUC they would have to underground lines in Ketchum because the community is "adamantly opposed to visual impacts"; but residents throughout Blaine County are equally opposed to visual impacts of power lines. Tidwell added that all County residents are at risk of losing power, and need back-up energy storage generators at all local substations.

*Pat Harrington responded that Idaho Power has done everything possible to protect against outage in the North Valley, and continues that effort.*

- Greg Adams (by phone), representing Rolling Rock Properties, agreed that Idaho Power needs to take a look at all funding options, including a surcharge. He suggested the Idaho Energy Resources Authority Council could offer a lower interest rate.
- Laura Midgley, Valley Club resident, organized a petition with over 700 signatures in favor of burial of power lines. She asked why Idaho Power, which admitted their lack of experience with undergrounding, would be entrusted with planning and maintaining undergrounded power lines.

*Angell said Idaho Power is working with Hailey-based Power Engineers, a foremost underground power line contractor in the world.*

Midgley asked what fire risk there was with above-ground power lines.

## **IDAHO POWER COMMUNITY SOLAR UPDATE**

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Land Use Administrator Tom Bergin; County Planner Allison Marks; County Road and Bridge Manager Steve Thompson; Idaho Power (IP) Delivery Planning Manager Dave Angell, IP Counsel Pat Harrington, and IP Project Manager Tom Barber; County Outreach and Education Specialist Colleen Clark; Len Harlig; and *Idaho Mountain Express* reporter Mark Dee.

Angell said Idaho Power has evaluated the footprint on Blaine County Road and Bridge property, and determined it will support a 1MW project. Idaho Power continues to pursue other local sites. Angell said

the County could negotiate a 25-year lease, or could participate in the project as a subscriber. Idaho Power estimates they would need 3,000+ subscribers at \$500 each, with an estimated payback period of 18 years. If there is a lease, the subscription payment would increase accordingly.

The BCC wasn't convinced the project is viable or that there is a benefit for County residents. Greenberg suggested the BCC discuss other options, including the County installing its own solar farm to pay its power bill; or a solar project to benefit lower-income residents. Angell will work with Marks to establish a potential lease rate, a self-build project, etc.

Public Comment:

- Kiki Tidwell said a community solar project in Blaine County must be win-win. The solar farm is currently projected to reimburse the customer 2.2¢ per 1kW hour against the pay rate of 10¢ per kW hour, which she didn't think would work for 3,000 people in Blaine County. Tidwell said the County could install its own solar farm on its land, and use the energy, not sell it.

**BREAK**

**LAND USE and BUILDING SERVICES HEARINGS**

- **Discussion of denial of Little Wood Reservoir Road access permit for Chris Hoy.**

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

No notice is necessary for this discussion.

This is a cluster subdivision north of Carey, with one big lot and three little lots. Hoy has a temporary home on Lot 3, and would like to construct a permanent home and have access into Lot 3. His neighbor allows him to access his land across an easement, but, last winter, Hoy had to plow the easement in order to access his property.

Staff will review the sight distances for traveling cars and driveway. The BCC directed the County engineer to review the proposed driveway; and County attorney to review the legality of a proposed driveway across County land.

- **Lot 1A, Block 10, Picabo Townsite, at 301 Robert Street:** A public hearing and discussion of a Plat note that states: "Lot 1A is hereby dedicated as a park in perpetuity, or other future need as identified by Blaine County in conjunction with Picabo residents." This lot is zoned mid-density residential (R-.4).

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Land Use Administrator Tom Bergin; County Planner Allison Marks; County Road and Bridge Manager Steve Thompson; Blaine County Housing Authority (BCHA) Executive Director Nathan Harvill; Jon Cordova; Bob Turzian; and Maureen Turzian.

There is no application pending before the BCC. No notice is required, but notice was sent as staff felt appropriate.

On June 4, 2019, the BCC determined that transfer of a County-owned 0.68-acre parcel to the Blaine County Housing Authority for development of affordable housing was in the public interest. Plat Note 2 on the parcel states: "Lot 1A is hereby dedicated as a park in perpetuity, or other future needs, as identified by Blaine County, in conjunction with Picabo residents." The lot is platted, but unimproved. Today's meeting is to discuss the best use of the parcel for Blaine County and Picabo residents.

Public Comment:

- Picabo residents asked the BCC what kind of affordable housing was being considered. *Nathan Harvill said the BCHA did not think the parcel was appropriate for multi-family rental. The BCHA will work with the Picabo community to integrate needed housing into the community.*

The BCC discussed zoning and how many units could be on the parcel. Fosbury felt a single-family residence would be most appropriate for this location.

The BCC directed the BCHA to meet with Picabo neighbors to answer questions and explain what BCHA does.

**ADJOURN**

**At the hour of 3:20 p.m., with no more business before them, the County Commissioners adjourned.**

Attest: \_\_\_\_\_ Approved \_\_\_\_\_  
 JoLynn Drage County Clerk Jacob Greenberg Chairman