

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

Fourth Day

Tuesday, September 17, 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; Recording Secretary Sunny Grant; and Boise State University Practicum Student John Inman. County Clerk JoLynn Drage was present for part of the morning session.

Chairman Greenberg called the meeting to order at 9:02 a.m.

PUBLIC COMMENT – None

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 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 medical 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 approve and cancel the hearing for Case 2019-1033-1 with reimbursement in the amount of \$50 month. Motion carried unanimously.

McCleary moved, seconded by Fosbury, to approve and cancel the hearing for Case 2018-1055-1 with reimbursement in the amount of \$50 month. Motion carried unanimously.

COUNTY DEPARTMENT REPORTS

Administrative Services - Mandy Pomeroy

• **Employee Recognition**

The BCC thanked employees who made the County Employee Summer Picnic such a hit for employees and first responder honorees. Special recognition went to BBQ Chef Steve Thompson and his assistant Derek Oliver; facilities technicians Tim Green and Ben Russell; and preparation and on-site management Jenny Lovell, April Pina and Esmeralda Palomera.

Assessor's Report - Jim Williams

- DMV staff are at classes this week. Williams thanked Clark for successfully publicizing that only emergency DMV services would be available this week.
- The new Express line has cut wait time by about a third.
- Staff efficiently covered for a team member who was out due to a death in the family.

Road and Bridge - Steve Thompson

• **Department Update**

For safety sake, Road and Bridge has installed locked barricades to close Trail Creek Road through the winter. The BCC agreed to set annual dates of November 15 to close the road and the Friday before Memorial Day to open the road, depending on conditions. The Blaine County Sheriff and Lost River Highway District support Road and Bridge's decisions.

• **Broadford Road Safety Audit Report**

Also present: Precision Engineering Project Manager Joel Grounds; County Road and Bridge North Valley Supervisor Kyle Broadie; Blaine County Outreach and Education Specialist Colleen Clark; and Grants and Procurement Specialist Lyn Drewien.

Grounds presented results of the Broadford Road Road Safety Audit (RSA). The audit determined the current 25mph speed limit is necessary for night-time driving. The RSA suggests enhanced delineation—warning signs for curves and wildlife areas, reflective markers on utility poles and culverts; reflective edgeline marking and chip sealing for added friction; and widening the pavement on curves. Grounds suggested creating a multi-use path for the bicycle-pedestrian traffic if funding is available.

• **Public Comment:**

- Kiki Tidwell, former Broadford Rd. resident, said speeding and impaired driving were always issues. She suggested speed bumps and more police presence.
- Jim Warner, therapist, said impaired drivers look at obstacles and then hit the obstacles they're looking at.

Thompson said Broadford Road was an emergency alternate route to the highway, and needs to be maintained as such. It does not need to be replaced, but needs better delineation and shoulders to supplement normal maintenance.

Recycle Operations Update - Pat Boyle

Also present: Blaine County Facilities Manager Patrick Boyle; and Southern Idaho Solid Waste District Executive Director Josh Bartlomé (by phone).

The Blaine County Recycle Center diverts or recycles 40,000 tons of materials a year that don't go into the landfill. Boyle has safety concerns about the County-operated Recycle Center. Three staff members are working 9-hour days at the Center that is open 54 hours a week Monday through Saturday. The building needs maintenance, and the budget is in the red. Fosbury added that hazardous household waste is sometimes dropped off in closed containers, and Recycle Center staff don't know what's in the containers. Boyle asked the BCC to consider Southern Idaho Solid Waste District managing the Recycle Center.

SISWD operates the Blaine County transfer station next to the Recycle Center, and keeps current on recycling efforts and markets. SISWD can provide additional building space, adequate staffing, better regulation and a hands-on manager; and probably operate the Recycle Center with increased efficiency and commodities market awareness. Bartlomé assured the BCC that SISWD would operate the Recycle Center in line with the County's Recycle Program and the BCC's direction.

County Facilities Manager Boyle could continue to oversee the building and equipment, and County and SISWD Outreach and Education would collaborate on public outreach in Blaine County. Bartlomé will meet with County staff and propose an amendment to the Solid Waste Disposal Agreement.

County Administrator - Derek Voss

- **Public Defender** – Voss explained that the County's Public Defender will recommend a contract immigration attorney to support and advise the County's Public Defense office. The preferred attorney has limited liability insurance, which is okay because he is advising the County Attorney, not the client.
- Facilities staff have prepared Request for Proposals for the Public Defender Office remodel.
- Voss is working with a committee on Idaho Power transmission lines, in cooperation with Blaine County Engineer Jeff Loomis.
- Wood River Fire & Rescue failed to annex the transfer station property. Voss is working on the situation and will present options to the BCC in the near future.
- Greenberg is working on different options to discuss power lines with Idaho Power, including talking to a Public Utilities Commissioner and Idaho Transportation Department about Scenic Byways.

RECYCLE CENTER FY2019 FINANCIAL AND OUTREACH UPDATE

Also present: Blaine County Facilities Manager Patrick Boyle; County Outreach and Education Specialist Colleen Clark; and Southern Idaho Solid Waste District (SISWD) Executive Director Josh Bartlomé.

Clark presented a PowerPoint of the Blaine County Recycle Center's FY2019 Financial Report:

- The Recycle Center has recycled or diverted 3,499,983 pounds of material so far this year.
- Cardboard is the largest received by volume.
- Aluminum is the most profitable by ton.
- Paper is only getting \$25.00/ton, but paper bales are going to Twin Falls and being recycled into hydromulch and blow-in insulation.
- Tipping fees for solid waste have remained about the same, but revenue from commodities sold has decreased significantly over the past two years.
- Blaine County's 2019 revenue to date is \$241,528.88 vs. \$309,060.90 expenses.

Outreach and Education

Blaine County partners with Clear Creek Disposal and several local and statewide environmental groups. Blaine County Outreach and Education had a presence in many events in 2019.

Questions for the Future

- Clear Creek Disposal collects food waste from local restaurants and delivers it to Winn's Composting. How can the County develop more composting?
- Department of Environmental Quality is changing regulations for how sludge is managed at the Ohio Gulch drying fields. How does this affect local jurisdictions' use of County drying fields?

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

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

Case 2019-1013-1

Also present were County Chief Deputy Prosecuting Attorney Tim Graves; Blaine County Services Manager Brooke Baird; and appellant's interpreter April Pina.

OPEN SESSION

INDIGENT MEDICAL APPEAL DECISION

Fosbury moved, seconded by McCleary, to continue the hearing for Case #2019-1013-1 to Tuesday, October 8, 2019, at 11:30 a.m. for the applicant to meet with the County Services Director to determine indigency. Motion carried unanimously.

CONTRACTS, GRANTS AND AGREEMENTS

- **Independent Contractor Agreement with John T. Haavik** Record #663377

Also present: Blaine County Land Use Administrator Tom Bergin.

Updated dates are the only change from last year.

McCleary moved, seconded by Fosbury, to approve Contract for Services between Blaine County and John T. Haavik, effective October 1, 2019 and expiring September 30, 2020, for inspection of building construction projects, in the amount of \$55 per hour, with mileage reimbursement of 53.5¢ per mile. Motion carried unanimously.

- **Blaine County Security Agreement with PCP Meadows Land LLC**

Also present: Blaine County Land Use Administrator Tom Bergin.

Security Agreement is part of Conditional Use Permit approval issued for an RV facility.

Fosbury moved, seconded by McCleary, to approve the contract for financial security of \$1,500 between PCP Meadows Land LLC and Quail Creek Planned Unit Development, Middle Phase Part A, Parcel 2 future phases and 12 Broadway Run and Blaine County for installation and establishment of landscaping, which is a condition of approval for their Scenic Highway Overlay District Categorical Exclusion permit, for a period of three growing seasons. Motion carried unanimously.

- **HVAC Controls & Specialties Service Agreement**

Also present: Blaine County Facilities Manager Patrick Boyle.

This service agreement is with a company that the County has used for about five years. Boyle suggested to the company that they only be onsite in spring and fall, and Boyle will assist in remote data backup and monitoring, decreasing the previous contract amount by \$940.

Fosbury moved, seconded by McCleary, to approve Contract for Services between Blaine County and HVAC Controls & Specialties, effective October 1, 2019 and expiring on September 30, 2020, for HVAC automation system maintenance in the Annex building in the amount of \$4,300, to be paid in quarterly installments of \$1,075. Motion carried unanimously.

- **Contract for Services with Mountain Rides Transportation Authority** Record #663271

This annual agreement with local jurisdictions is in addition to the Joint Powers Agreement.

Fosbury moved, seconded by McCleary, to enter into a Contract for Services with Mountain Rides Transportation Authority, pursuant to the Joint Powers Agreement, Instrument #629888 in Blaine County records, in the amount of \$154,000, payable in quarterly installments. Motion carried unanimously.

- **Idemia Identity & Security LLC Maintenance Terms and Conditions** Record #663273

No change, except in name.

McCleary moved, seconded by Fosbury, to approve the System Maintenance Agreement effective October 1, 2019 and expiring on September 30, 2020, between Blaine County and Idemia Identity and Security LLC for fingerprint scanner system maintenance in the amount of \$6,042. Motion carried unanimously.

- **Radio IP Software Maintenance Agreement**

McCleary moved, seconded by Fosbury, to approve the Software Maintenance Agreement effective October 1, 2019 and expiring on September 30, 2020, between Blaine County and Radio IP Software Inc., for software licensing and maintenance, as detailed in Exhibit A, in the amount of \$1,575.70. Motion carried unanimously.

- **Beacon JMS Annual Maintenance Agreement**

McCleary moved, seconded by Fosbury, to approve a Software Maintenance Agreement effective October 1, 2019 and expiring on September 30, 2020, between Blaine County and Beacon Software Solutions Inc. for jail management software licensing in the amount of \$15,308.39. Motion carried unanimously.

- **Motorola Solutions Extension to Maintenance and Support Agreement**

McCleary moved, seconded by Fosbury, to approve an Extension to a Maintenance and Support Agreement 211 for Premier Mobile Data Communications Software effective October 1, 2019 and expiring on September 30, 2020, between Blaine County and Motorola Solutions, Inc. for software license and maintenance in the amount of \$29,419.00. Motion carried unanimously.

CONSENT CALENDAR

- **New Liquor License:** Alpenglow LLC dba as Alpenglow located at 271 N Main Street, Ketchum

Greenberg moved, seconded by Fosbury, to approve the Commissioners' Consent Calendar for September 17, 2019. Motion carried unanimously.

BOARD of COUNTY COMMISSIONERS REPORTS

- **Region IV Development Association Board Meeting** – Greenberg
- **Idaho Public Safety Communication Commission Meeting** – Greenberg
- **Other**
 - There will be a number of resolutions at the upcoming Idaho Association of Counties meeting, including one submitted by Blaine County that proposes amending State Statute language regarding Local Improvement Districts.
 - The Public Utilities Commission decision for redundant power lines doesn't consider how the redundant power lines project affects ratepayers. Ketchum residents required the lines be underground due to aesthetics, which is how County residents feel as well. Idaho Power's concern is that power lines along the highway are more accessible and easier to maintain.

BREAK

LAND USE and BUILDING SERVICES HEARINGS

- **Comprehensive Plan - Chapter 8, Land Use.** Continuation (from August 20) of public hearing and consideration of proposed amendments to Title 8, Ch. 1, Comprehensive Plan: the Ketchum/Sun Valley subarea draft of the Land Use Chapter. The P&Z Commission recommended approval of the subarea section on June 13, 2019. CONTINUED FROM AUGUST 20.

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 representative David Patrie; Bramble Patch owners in the CH Overlay representative Marc Reinemann; Citizens for Responsible Development (CRD) member Donn Wonnell; and Sarah Michael.

The BCC was given a revised draft of Chapter 8 containing edits made on August 20, and comment letter from resident Sarah Michael. Horowitz presented the current draft language. The BCC discussed sewer concerns, master planning, and whether they were committed to a Community Housing Overlay.

Public Comment:

- Reinemann and Michael commended the BCC on their commitment to the Community Housing Overlay District, but felt the first couple policy statements in the Design Outcomes were impediments to housing.
- Patrie, representing the owner of The Meadows Mobile Home and RV Park, said they also have issues with first two Desired Outcomes. The Meadows supports the Community Housing Overlay District and improvements to the CHD, but wants to make sure Desired Outcomes in Chapter 8 align with Desired Outcomes in Chapter 2.
The Meadows provides housing for low and moderate-income County residents, and wants to provide more, as well as recreation opportunity. A lot of School District and hospital employees don't qualify for BCHA and ARCH housing, and need starter homes and smaller units. Patrie agreed that Master Planning doesn't really work for this area, with a hodgepodge of smaller pieces under different owners who may or may not intend to own their property for a long time.
- Wonnell said Citizens for Responsible Development wanted assurance that the process will start and end with owners who live near the development areas.

McCleary moved, seconded by Fosbury, to continue this hearing to October 1, 2020, at 3:00 pm. Motion carried unanimously.

LAND USE and BUILDING SERVICES

- **Resolution 2019-44 for Blaine County Housing Authority Lot in Picabo**

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Land Use Administrator Tom Bergin; County Land Use and Building Services Deputy Director Kathy Grotto.

Grotto explained BCHA deed restrictions. Graves assured Picabo residents present that the unit(s) were not intended to be used for rentals.

Fosbury moved, seconded by McCleary, to approve Blaine County Resolution 2019-44, a resolution of the Blaine County Commissioners, providing additional conditions upon the transfer of certain property to another political subdivision, in accordance with pursuant Idaho Code §31-808 (9) and the approved plat for the South Picabo townsite replat, as amended. Motion carried unanimously.

• **US Army Corps of Engineers Section 206 Federal Interest Determination Discussion**

Also present: Blaine County Land Use Administrator Tom Bergin; Certified Floodplain Manager Kristine Hilt; US Army Corps of Engineers Project 206 Manager Brandon Hobbs (by phone); Wood River Land Trust Project Coordinator Ryan Santo; Blaine County Disaster Services Coordinator Chris Corwin; and Hailey residents Ken and Ginna Lagergren.

In August, 2017, the BCC requested U.S. Army Corps of Engineers (ACE) assistance under a Continuing Authorities program, Section 206 Authority for Ecosystem Restoration, for the Della View reach of the Big Wood River, south of the Bullion Bridge. Blaine County was approved for the project at the end of 2018, and gave ACE permission to proceed with a feasibility study and Federal Interest Determination, which determines if there is federal interest in the project. The County received notification in July, 2019, that the Federal Interest Determination was approved

Hobbs said the Federal Interest Determination confirms there is a degraded ecosystem for which ACE feels they can formulate a potential solution under Section 206. ACE will identify the most feasible solution to the ecosystem restoration; then develop a Feasibility Study timeline and budget collaboratively with river stakeholders, including the Wood River Land Trust.

Hobbs assured the County that any work done as part of Section 205 Flood Damage Reduction, which the County had also requested, could not impact Section 206 Ecosystem Restoration. Hobbs agreed that it would be best if both Section projects could be done simultaneously, but Section 205 has not yet been approved. He said he could “slow-roll” Section 206 a bit to see if Section 205 is approved. Hobbs said ecosystem restoration would likely have the benefit of reducing flood risk; and Section 205 could, with the collaboration of stakeholders, be designed to benefit the ecosystem.

Hobbs confirmed that \$550,000 is an average cost for a feasibility study of this scale. McCleary said the County doesn’t have the funds for the required match without help from stakeholders and grants. Hobbs said he thinks a Section 206 Study could accept work in-kind for all of the match, as long as it was required work for the project and was done after the cost-sharing agreement is signed. Hobbs said \$50,000 of the initial \$100,000 is typically reserved for the Federal Interest Determination effort; and the other \$50,000 is used for developing the scope of the project, feasibility, etc., and preparation for the project cost-sharing agreement.

Hobbs outlined the pre-project process and the County’s grant match responsibility under the cost-share agreement. The Feasibility Study is followed by agency and technical review and public comment. Before actually starting the project, ACE needs some County match money. The County’s match could be split over the project timeframe, as long as County funds remained in ratio to federal funding. Hobbs said a realistic guess for the project would be at least \$500,000, and more likely \$3-\$5 million. The County can always discuss reducing the scope of the project or phasing the timeframe, or look for another provider to take the Feasibility Study and do the project for less money.

Public Comment:

- Ginna Lagergren asked if the feasibility study would assess how a future pedestrian bridge would affect the ecosystem.

Hobbs said the Study could probably determine that a future bridge wouldn’t have a negative impact on the ecosystem.

Hobbs said the ACE team will start to develop a scope and budget, and then plan a visit in Blaine County with stakeholders to refine the scope of study, in anticipation of signing a cost-share agreement.

APPROVAL OF BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

- **June 18, 2019 Special BLM Noon Meeting**
- **June 18, 2019 Special BLM Evening Meeting**
- **August 27, 2019 Regular Meeting**

McCleary moved, seconded by Fosbury, to approve minutes for June 18 BLM public comment special noon meeting and evening meetings, and August 27, 2019 regular meeting. Motion carried unanimously.

ADJOURN

At the hour of 4:49 p.m., with no more business before them, the County Commissioners adjourned.

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