

**OFFICE OF THE BOARD OF COUNTY COMMISSIONERS
OF BLAINE COUNTY
REGULAR MEETING OF THE FEBRUARY 2023 SESSION**

Second Day

Tuesday, February 14, 2023

Pursuant to Statutory Provisions, the Board of Blaine County Commissioners (BCC) met this day at 9:00 a.m. Present were Chair Muffy Davis, Vice-Chair Angenie McCleary, and County Administrator Mandy Pomeroy; County Clerk Stephen McDougall Graham; Administrative Services Director Kristy Heitzman; Blaine County Road and Bridge Manager Steve Thompson; Administrative Services Assistant Morgan Baird; and Deputy Clerk-Auditor-Recorder Joana Guerrero; *Idaho Mountain Express* staff writer Mike Shultz was present for the morning session.

Some participants in this meeting were by web conference or teleconference.

Chair Davis called the meeting to order at 9:00 a.m.

PUBLIC COMMENT –

Present: Winn’s Compost Owner Winn Weaver; Triumph Chuck Christopher; Sun Valley Trekking Owner Francie St. Onge; Neve St. Onge; Blaine County Housing Authority Board/Nordic Back Country Skier Alliance Sarah Michael.

- Winn Weaver requested for the BCC to assign a temporary liaison for the Southern Solid Waste Board while Commissioner Fosbury is on leave.
- Chuck Christopher alerted the BCC that there is an ongoing issue in Triumph with overnight and prolonged public parking. Christopher explained the Sheriff has not been able to resolve the issue and would like for the County to find a solution. The BCC is going to discuss with County Chief Deputy Prosecuting Attorney Tim Graves regarding a No Parking Ordinance. That would allow the Sheriff to issue fines.
- Francie St. Onge provided the BCC with a written statement opposing the SNRA restrictions on yurts/huts.
- Nordic Back Country Skier Alliance Member Sarah Michael would like for the BCC to provide a letter or statement opposing the SNRA yurt/hut restrictions.
- Blaine County Housing Authority Board Chair Sarah Michael supports the contract between City of Ketchum, Blaine County Housing Authority (BCHA) and Blaine County.

CONSENT CALENDAR

- Claims – February 8, 2023.
- **Resolution 2023-05 Destruction of Election Records**
- Junior College Certificate of Residency forms
 - College of Southern Idaho Fall 2022 & Spring 2023
 - Gamino, Daphne
 - Emerick, Jeff
 - Sloan, Rae Anne
 - Alvarez, Vanessa

McCleary moved, seconded by Davis, to approve the Consent Calendar for February 14, 2023. Motion passed 2/0.

CONTRACTS, GRANTS AND AGREEMENTS

Present: Grants, Elections and County Services Specialist Deidre Dolce; Chief Deputy Sheriff Will Fruehling; IT Enterprise Architect Ben Parker; IT Security/Network Engineer Jon Eaton; Trial Court Administrator Shelly Tubbs; Ketchum City Administrator Jade Riley; Blaine County Housing Authority Board Chair Sarah Michael.

- **FY23 Request to Accept USFS Cooperative Law Enforcement Agreement Modification**

McCleary moved, seconded by Davis, approve the request to accept the change in funding for grant agreement 22-LE-11041400-001, increasing obligations by \$5,000 for FY23. Motion passed 2/0.

- **Modern Endpoint Management Pilot with Azure AD and Intune. Record #698058**
The next step to Microsoft 365 migration is the computer system multifactor. The funds being requested were included in the original Microsoft 365 migration ARPA fund request.

McCleary moved, seconded by Davis, the approve the Modern Endpoint Management Pilot with Azure AD and Intune Management contract with CompuNet, Inc in the amount of \$10,000 for FY2023. Motion passed 2/0.

- **Release of Blaine County from Memorandum of Understanding Relating to Problem-**

Solving Court Coordinators. Record #**698971**
Twin Falls County refunded Blaine County a total of \$110,592.91 for a Problem-Solving Court Coordinator.

McCleary moved, seconded by Davis, to release Blaine County MOU with Twin Falls County for a Problem-Solving Court Coordinator. Motion passed 2/0.

- **Contract For Services-ARPA/SLFRF Reimbursement Blaine County Historical Museum.** Record #**698991**

McCleary moved, seconded by Davis, to approve the Contract for Services between Blaine County and the Blaine County Historical Museum.

- **FY23 Contract for Services- City of Ketchum for Administering Blaine County Housing Authority (BCHA).** Record #**699444**

McCleary requested for the contract include two-line items stating “establishing BCHA as one stop shop” and “applicants will be referred to other available community resources.”

McCleary moved, seconded by Davis, to approve the FY2023 contract for services between Blaine County and the City of Ketchum for the operations of Blaine County Housing Authority in the amount not to exceed \$151,185 to be paid monthly. Motion passed 2/0.

BLAINE COUNTY AMBULANCE DISTRICT CONTRACT

McCleary moved, seconded by Davis, to convene as the Blaine County Ambulance District Board

- **Assignment and Agreement for Collections Services.** Record #**698970**

Whitman provides Blaine County will billing services. Blaine County Collectors provided Blaine County with collection services. Omni AR bought Blaine County Collectors.

McCleary moved, seconded by Davis, to approve the Assignments and Agreements for Collection Services agreement between Blaine and Omni AR. Motion passed 2/0.

McCleary moved, seconded by Davis, to reconvene as the Blaine County Commissioners. Motion passed 2/0.

COUNTY DEPARTMENT REPORTS

Road and Bridge - Steve Thompson

- **FY23 RAISE Grant Discussion**
 - Grants, Elections and County Services Specialist Deidre Dolce presented the required components for the FY23 RAISE Grant. The FY23 RAISE Grant for rebuilding American infrastructure and sustainability. There are two types of grants available one is “Planning Ready” and the second is “Shovel Ready” Blaine County is not “Shovel Ready”. The grant application is due February 28, 2023, the other deadlines are in FY24.
 - Thompson believes Croy Creek Road fits the criteria. Blaine County Engineer Jeff Loomis and Blaine County Road and Bridge Manager Steve Thompson will work on the needed documents for a strong application.
 - McCleary suggested applying in FY24, so that the Transportation Plan and appendix’s can be attached to the application. Davis requested to revisit submitting the RAISE grant application in September 2023.
- **Flying Heart Ranch**
 - Thompson suggested the County contract a contractor for the Flying Heart Ranch parking lot construction. Blaine County and The Flying Heart Ranch were recently in a lawsuit that was very controversial.
- **Winter Trail Ordinance**
 - Motor vehicles are tearing the groomed trails apart. The trails are groomed for snowmobiles, hiking, and skate skiing, not motor vehicles. This snow year more recreators are ignoring the posted signage.
 - Thompson has noticed there have been more snow removal companies pushing snow on county’s Right of Ways.
 - The BCC will work with the County Chief Deputy Prosecuting Attorney Tim Graves on Right of Way and pushing snow issues.

Clerk - Stephen McDougall Graham

- **Local Government Entities Failure to Report Pursuant to I.C 67-1076.**
 - County Clerk Stephen McDougall Graham received a list of Blaine County Districts that have been listed as noncompliant. The board would need to convene and decide what action will be taken for their non-compliance.

- McDougall Graham introduced Transparent Idaho that provides local districts and County financial information. The website links Blaine County's website and other county websites.
- McDougall Graham attended a conference and Judges and County Clerks are working on an initiative to convert the Law Clerk from a County employee to a state employee.

BREAK

County Administrator - Mandy Pomeroy

- The Next Level Leader Training held by Human Resources Generalist Justin Highhouse had a great turn out.
- The Development Impact Fee Advisory Committee is now a functioning committee.
- Blaine County Ambulance District
 - The District Board is considering hiring Woolpert Company, a consulting firm, to assist with the consolidation of the ambulance and fire districts. The Woolpert believes it would take two to three years to complete the consolidation.
- Homeless Shelter
 - The shelter is currently housing 44 individuals. The County and City of Ketchum does not have the capacity to house the homeless.
 - The County approved the Blaine County Charitable Fund a \$100,000 ARPA funds request for homelessness, \$50,000 for hotel rentals and \$50,000 for long term rentals. The BCCF requested the BCC allow them to use more than \$50,000 of the funds intended for rental assistance to be used for long term hotel/motel rentals. The BCC requested that the BCCF provide how much of the \$50,000 intended for rental assistance will be used for hotel rentals. The BCC would like the funds to be used for long-term rentals not temporary or emergency transitional housing.
- Covid-19 Sick Leave Policy Discussion
 - The COVID-19 Sick Leave policy expired December 31, 2022. The County did not renew the policy. The Federal Government's COVID-19 sick leave is set to expire May 11, 2023. The BCC will consider renewing the policy and follow the Federal Government's policy timeline.
 - Blaine County Clerk Stephen McDougall Graham suggested having the Payroll Department provide input on any difficulties they may have experienced with CAI regarding COVID-19 Policy Paid Sick Leave.

BOARD of COUNTY COMMISSIONERS' REPORTS

- **ITD Tomcat Project meeting**
 - ITD intends to improve and redesign Tomcat Hill curves. They are still in the design stage and accepting public comments.
 - McCleary received comments regarding concern that a straighter road encourages driving at higher speeds and killing wildlife.
 - County Road and Bridge Manager Steve Thompson explained that hay truckers' loose bales of hay that attracts wildlife to be on the highway.
 - The BCC did not decide to submit a supporting or opposing letter.

ROAD AND BRIDGE LEVY DISCUSSION

- The County is considering a Road and Bridge Levy that the entire County would vote on. Pomeroy questioned if the levy would be permanent or for two years? What ballot will the levy be added to, the May Election or the November Election?
- The City of Hailey and Ketchum requested the County not to include the Road and Bridge Levy in the May 2023 Election. The City of Ketchum and Hailey are attempting to split their Lot Tax so that 50% of the tax could be used for housing and the other 50% for Air. The City of Hailey will also have the Wastewater Treatment Bond on the ballot for Hailey residents. Having all those questions on the ballot will be overwhelming for voters.
- Budget Analyst Ozzie Gripenrog explained the different levy options, how much monies the different levies would produce, how much property taxes would increase, and what the funds could be used for.
- McCleary is supportive of having a Levy on the November 2023 ballot or even the May 2024 ballot. McCleary would like to have the Transportation Plan finalized to use for the levy campaign.
- The previous proposed Road and Bridge Levy failed, County Road and Bridge Manager Steve Thompson believes there is a strong chance for the levy to be approved.
- County Clerk Stephen McDougall Graham advised the BCC that adding the levy to the May 2024 Election would allow for the levy to be included in the FY2025 budget.

BREAK

LAND USE and BUILDING SERVICES HEARINGS

Present: County Land Use and Building Services Deputy Director Kathy Grotto; Blaine County Deputy Prosecuting Attorney Amanda Greer; County Engineer Jeff Loomis, Opal Engineering Samantha Stahlnecker; Sawtooth Environmental Consulting Trent Stumph Lee Ritzau.

- **Deer Creek Subdivision - Short Plat. Public hearing and consideration of an application by Lee Ritzau for a Short Plat Subdivision consisting of two lots, at 49.67 acres and 59.70 acres in size. The property is located at 17926 US Highway 20.**

County Land Use and Building Services Deputy Director Kathy Grotto read public notice.

No disclosures.

No new materials.

McCleary moved, seconded by Davis, that notice for this hearing is adequate. Motion passed 2/0.

Opal Engineering Samantha Stahlnecker presented to the Board. The applicant would like to subdivide his property into two lots.

Public Comment –

- Dane Rodger would like for the ground not to be subdivided. He does not want to see ranchers lose their land or water rights to create subdivisions. He questioned who would be responsible for the water pump and demand fee.
- 2nd Commenter is the neighbor across the street, he is concerned with his senior water rights being affected. He questioned if this would increase or decrease property taxes or property values in the area.

Stahlnecker stated the building envelope is not in the wetlands, and that the neighbors water rights will not be affected.

- County Deputy Prosecuting Attorney Amanda Greer disclosed that the Commissioners role regarding water rights is limited, and water rights are regulated by the state.
- County Engineer Jeff Loomis requested for the plat to refer to the access easement showing the existing road. The proposed lot 2 does not have domestic well water rights.
- Grotto suggested adding plat notes, the board added additional conditions and plat notes for approval.

McCleary moved, seconded by Davis, to approve this short plat subdivision application by Lee Ritzau to subdivide 109.37 acres into two lots, to be called Deep Creek Subdivision, finding the application complies with the applicable criteria set forth under Title 10, Subdivision Regulations and applicable criteria of Title 9, Zoning Regulations, subject to the conditions of approval. Motion passed 2/0.

- **126 Hyndman View Drive - Plat Amendment. Public hearing and consideration of an application by Jennifer Hoey-Smith and Cory Wesslund Smith, to amend Lot 28, Block 2, Hyndman Peak Subdivision by eliminating the platted building envelope.**

Present: County Land Use and Building Services Deputy Director Kathy Grotto; Zoning Specialist I Rachel Martin; Jennifer Hoey-Smith; Applicant Representative Benchmark Associates David Petrie; Bjerkes Legal Representative Jimi Laski; Lisa and David Bjerkes.

Zoning Specialist I Rachel Martin read public notice.

McCleary moved, seconded by Davis, that notice for this hearing is adequate. Motion passed 2/0.

Disclosures – NONE

No New Materials.

Benchmark Associates David Petrie presented for the applicants. They are requesting to vacate the building envelope to build a main house. There is currently a barn with accessory dwelling unit (ADU) above. The septic system is in the building envelope.

Public Comment –

- Bjerkes Legal Representative Jimi Laski argued that moving or enlarging the platted building

envelope will interfere with his client's view corridors. The septic system is currently in the building envelope, the applicant purchased the property knowing that. Laski suggested the applicant move the septic system and build in their building envelope. He asked for the board to not enlarge or move the building envelope.

McCleary moved, seconded by Davis, to continue this hearing to March 7, 2023. Motion passed 2/0.

LAND USE and BUILDING SERVICES

Present; Blaine County Code Compliance Specialist Kristine Hilt

- **P&Z Discussion: Holiday Lighting Discussion and Potential Text Amendment**

McCleary moved, seconded by Davis, to initiate text amendments to the Holiday Lighting within the Light Ordinance Title 9 Zoning Regulations Chapter 29 Outdoor Lighting. Motion passed 2/0.

- **P&Z Discussion: Gravel Mining Discussion and Potential Text Amendment**

McCleary moved, seconded by Davis, to initiate text amendments to modify the Mining and Heavy Industrial Uses. Motion passed 2/0.

- **Building Services: Building Permit fee refund request/Permit #2021-203 for \$876.00 (Nauman)**

McCleary moved, seconded by Davis, to approve the refund for request for Permit #2021-203 for \$876 to James Nauman. Motion passed 2/0.

LAND, WATER & WILDLIFE PROGRAM

- **Appointment of members to the Levy Advisory Board**

Public Comment –

- Levy Advisory Board Chair Jim Philips would like the BCC to consider all the applicants even if they are not Blaine County residents. He would like the LAB Board to have diversity. The appointed member should have knowledge and be committed and present at board meetings and site visits.

BOARD of COUNTY COMMISSIONERS' REPORTS

- Correspondence
 - The BCC will email a thank you letter to Idaho Fish and Game Commissioner Dean Cameron.
 - The Idaho County Clerks are working on joint resolution opposing the Lava Ridge Project.
 - The CRA Statewide EMS Task Force Fund was introduced.

APPROVAL OF BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

- September 20, 2022, Regular Meeting

McCleary moved, seconded by Davis, to approve the Blaine County Commissioner Meeting Minutes for September 20, 2022, as amended. Motion passed 2/0.

- September 26, 2022, Special Meeting

McCleary moved, seconded by Davis, to approve the Blaine County Commissioner Meeting Minutes for September 26, 2022. Motion passed 2/0.

- October 4, 2022, Regular Meeting

McCleary moved, seconded by Davis, to approve the Blaine County Commissioner Meeting Minutes of October 4, 2023, as amended. Motion passed 2/0.

- October 11, 2022, Regular Meeting

McCleary moved, seconded by Davis, to approve the Blaine County Commissioner Meeting Minutes of October 11, 2022, as amended. Motion passed 2/0.

EXECUTIVE SESSION - Idaho Code Sections 74-206(1)(a) and (b) - Evaluation, Dismissal or Disciplining of Employees or Public Officers and Idaho Code 74-206 (1)(a) - Interview of applicants for the Land, Water

and Wildlife Program Levy Advisory Board.

McCleary moved, seconded by Davis, to go into Executive Session, pursuant to Idaho Code 74-206 (1)(a) and (1)(b) for Evaluation, Dismissal or Disciplining of Employees or Public Officers and Idaho Code 74-206 (1)(a) - Interview of applicants for the Land, Water and Wildlife Program Levy Advisory Board. Davis (aye), McCleary (aye) and Fosbury (absent). Motion passed 2/0.

BCC resumed open session at 5:04

Davis moved, seconded by McCleary, to appoint Jim Karkut, Sarah Laurie, and Emily Rodrigue to the Levy Advisory Board for a three-year term ending in 2026. Motion passed 2/0.

ADJOURN

At the hour of 5:08 p.m., with no more business before them, the County Commissioners adjourned.

Attest: _____ Approved _____
Stephen McDougall Graham Muffy Davis
County Clerk Chair