

**OFFICE OF THE BOARD OF COUNTY COMMISSIONERS  
OF BLAINE COUNTY  
REGULAR MEETING OF THE APRIL 2022 SESSION**

**First Day**

**Tuesday, April 5, 2022**

Pursuant to Statutory Provisions, the Board of Blaine County Commissioners (BCC) met this day at 9:00 a.m. Present were Chairman Dick Fosbury, Vice-Chair Angenie McCleary, and Commissioner Muffy Davis; Human Resources Generalist Justin Highhouse; Administrative Assistant Morgan DeWitt; and Deputy Clerk-Auditor-Recorder Joana Guerrero. Blaine County Administrator Mandy Pomeroy and County Clerk Stephen McDougall Graham, Chief Deputy Clerk Leslie Londos County Land Use Director Tom Bergin, Blaine County Engineer Jeff Loomis, IT Enterprise Architect Ben Parker, Accounts Payable Clerk Gretchen Stinnett, Land Use Zoning Specialist Nancy Cooley, Blaine County Noxious Weed Head John Cenarrusa, Blaine County Treasure John David Davidson, Administrative Services Support Specialist Kay Draper, Blaine County Senior GIS Analyst Kelly Green, Blaine County Grants, Elections, and County Services Specialist Deidre Dolce, Blaine County Administrative Services Supervisor Stephanie Carlson Idaho Boise State Public Radio News Reporter George Prentice, Mountain Express Michael Shultz was present for part of the morning session

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

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

**PUBLIC COMMENT**

NONE

**TAX CANCELLATION:**

**Waddell, Herbert and Stacey - RPK0984000010 - 3020 Warm Springs Rd. #B, Ketchum, Idaho**

Also, present Deputy Assessor Melissa Fry

**McCleary moved, seconded by Davis, to cancel taxes for RPK0984000010 in the amount of \$5,800.23 due to the status improvement of the property. Motion passed unanimously.**

**COUNTY DEPARTMENT REPORTS**

**GIS - Sam Young**

- **Data Update**

GIS Department is working with The Assessors Department to regularly update system data for public access.

- **Aerial Program**

GIS received the 2021 demo Aerial Program from the Idaho Department of Agriculture. The GIS department is considering applying for funding to purchase a higher resolution, 3D imagery aerial commercial package. They would then be able to request images for specific regions. The Assessors Department and Land Use Department shared that they would benefit from this program as well.

- **Blaine County Senior GIS Analyst Kelly Green**

Kelly Green is working on Wildlife Sightings Program and sharing any incoming information with BLM. She is working on the Fire Mitigation Project. Young shared how pleased he is with Green's work with the BCC.

**Road and Bridge - Steve Thompson**

- **Ohio Gulch Road**

Thompson informed the BCC of the major pavement failure on Croy Creek Road. The damage is around the Mountain Humane Animal Shelter and past Democrat Canyon and is approximately one mile long. The Road and Bridge Department has done chip seal on this road in the past but it has reached its end of life. Croy Creek Road was done approximately 30 years ago and has been repaved every 6 years. Thompson would like for The BCC to advise him on what should be done. Thompson did request estimates on getting it repaved, but ultimately it needs to be reconstructed. County Land Use Director Tom Bergin suggested to chip seal the sections that are in need of repair as a short-term resolution and plan for a reconstruction project for the future. McCleary asked if there was enough space to add a bike lane to the road. Loomis did say that there is a difference between a bike lane and a wide shoulder. A bike lane has different standards that would need to be followed.

McCleary would like to get estimates on the cost to reconstruct and the cost to repairing certain sections. McCleary would then like to work with the Blaine County Clerk to research if there are any grants or funding available for this kind of project. County Clerk Stephen McDougall Graham mentioned that ARPA funds could be used for this project, but to be aware that there are many other requests for ARPA funds as well.

Loomis stated that the county can ask contractors to submit bids that are divided in sections, that way if it is over budget, they can remove certain sections.

- **East Fork Road**

Fosbury and McCleary alerted Thompson that they have received a few calls on the speeding on East Fork Road. The Department has changed speeding limits on different roads and have performed studies

that concluded that the public doesn't always abide by posted speed limit signs. Enforcement for the public to abide by the new speed limit, and signage, is costly.

- **Buttercup Detour**

Thompson alerted The BCC that they may receive calls regarding the HWY 75 detour on Buttercup Road due to the HWY 75 road construction. There is signage posted to alert the public regarding the detour.

### **Land Use and Building Services - Kristine Hilt**

- **Big Wood River Map Library - Inundation Mapping**

Floodplain Manager Kristine Hilt met with the Army Corps Engineers, Idaho Office of Emergency Management discussed how to improve public awareness regarding Floodplains, Flood Hazard, Flood Reduction and Mitigation within Blaine County. The Big Wood River Inundating Mapping Project is 100% funded and does not require for Blaine County to match or contribute any funds. The project would need to be done by the end of September 2022. Flood Inundation mapping is a great tool to inform public on understanding the effects of flooding in a particular area and the effects it can have on structures. Inundation mapping would show the different depths of water by color, and it will identify minor and major flood terrains. Hilt asked if she should include the levy on The Big Wood River? The Starr Bridge has a levy that goes up-stream and another levy that goes down stream. FEMA does not recognize the up-stream levy but the floodplain map does show the up-stream levy. They requested for the inundation mapping to represent the levies exactly how they exist on the ground. The mapping will be available on the National Weather Service Website, but Hilt is open to suggestions on how to link the map to the Blaine County Website.

### **Waterways - Pat Boyle**

- **Restructure of Waterways Program**

Blaine County Administrator Manager Mandy Pomeroy and Pat Boyle received the liability insurance quotes for two Waterway Department Contractors. The premiums for the liability insurance would be greater than the actual compensation paid to the contractors. Pomeroy, Blaine County Budget Clerk McDougall Graham and Blaine County Civil Attorney Tim Graves developed an alternative. Instead of hiring contractors, the Waterways Department could be supported by a part time employee, non-benefitted, season employee, who would be covered by Blaine county's Worker compensation and liability insurance. Boyle and Pomeroy would like for this to be effective immediately, they would fine tune the contract and budget with the County Clerk. Boyle would be responsible to ensure the employee does not go over the allowed hours. Pomeroy explained that the employee will also be reimbursed for his equipment usage and fuel. There will be one contract for services that would cover the equipment and fuel reimbursement and there would be a budget adjustment to create an A-Budget for this particular salary. Reconstructing the Waterways Program did not require a motion at this time, but The BCC was supportive of the change.

### **Clerk/Recorder - Stephen McDougall Graham**

- **ClearGov**

The County Clerk is working on getting the budget development software set up in time to process FY2023 Budget. McDougall Graham has alerted the other elected officials that the budget process will be different for the upcoming year. The County Clerk and Administrator Pomeroy will also alert all department heads regarding the change in processing their budget for the upcoming year.

- **House Bill 735**

Bill 375 was passed and signed by Idaho Governor Little on March 29<sup>th</sup>, 2022. It was passed on an emergency basis and is effective immediately. House Bill 735 impacts the Indigent Program such as the County Medical Indigent Services and Indigent Public Defense. County Clerk Stephen McDougall Graham is still reviewing the impact that the bill will have on the Clerk's Department. If there are any necessary changes within the department McDougall Graham will alert the BCC. All medical indigent request entered after March 31, 2022 are to be denied, any requests before March 31, 2022 may be reviewed. If any indigent cases were suspended, need to be resolved by 2023. BCC asked if that means FY2023 or the 2023 Tax Year. The County Clerk was unsure. McDougall Graham and Pomeroy are going to attend a webinar that will explain the bill in more detail and report to the BCC.

### **County Administrator - Mandy Pomeroy**

- **Proclamation 2022-02 Public Safety Telecommunications Week**

March 11<sup>th</sup> to March 17<sup>th</sup> is public safety week, Pomeroy added Public Safety Proclamation 2022-03 to April 12, 2022 Agenda for signature and announcement.

- **Opioid Settlement**

Pomeroy is going to work with the Blaine County Prosecuting Attorney to create a group to brainstorm on how to use the funds that should be available this April.

- **SUSTAINABILITY DEPARTMENT**

Pomeroy asked the BCC who is going to be the liaison. Davis expressed her interest, and McCleary and Fosbury both agreed that Davis should be BCC liaison.

- **St. Luke's Interfacility Transfer**

St. Luke's Air Blaine Patterson contacted Pomeroy to express that St. Luke's has an interest in having a partnership with Ketchum Fire Department and the Ambulance District to provide interfacility transfers. They would like Ketchum Fire department to take over all of the St. Luke's ground transfers.

St. Luke's is concerned that due to staffing issues the service is becoming problematic. St. Luke's may need to transfer its ground unit to Jerome if they can not find another solution for interfacility transfers. Pomeroy, Ketchum Fire department and St. Luke's Air will have a meeting to discuss details. The

proposal will be presented to the Ambulance District for discussion.

- **Mental Health**

Fosbury wants to meet with Blaine County Human Resources Officer Justin Highhouse and Blaine County Administrator Mandy Pomeroy to find a program for employees who are struggling due to the pandemic and stress related issues.

### **COVID UPDATE**

- **Blaine County COVID-19 Risk Level Plan**

Blaine County is currently at the “minimal risk level” and the hospital’s capacity impact is decreasing. The South-Central Public Health District no longer has a COVID-19 back log, and the current numbers are accurate.

- **Covid-19 Mayor’s Meeting**

Next meeting will be on April 20, 2022

- **Updates**

Fosbury asked if there was a program in Blaine County or offered by the State of Idaho or the South-Central Public Health District that provides mental health assistance. McCleary mentioned that 5b Suicide Alliance is currently offering education and programs in Blaine County. SCPHD participates in the 5b Suicide Alliance, they also provide drug and alcohol class as well as tobacco sensation class.

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

#### **Letter of Support for Wood River Land Trust Grant**

Also present, Wood River Land Trust Lands Program Manager Keri York, Lili Simpson.

Wood River Land Trust Lands Program Manager Keri York on behalf of the WRLT asked the BCC for a letter of support to support for BLM grant application. The grant proposal would aid BLM to acquire land. WRLT supports BLM land acquisition. They are planning on working with BLM to acquire properties to protect wildlife habitats and improve recreational access. The BLM would be able to manage the properties with other federal agencies and restrict the access to those lands. BLM would be able to enforce seasonal restrictions to motorized vehicles from January 1<sup>st</sup> to April 30<sup>th</sup>. Wood River Land Trust, Rocky Mountain Elk Foundation, The Nature Conservancy, Blaine County Recreational District, Idaho Department of Fish and Game and BLM are all working together to create a proposal for the grant. York did mention that they have contacted surrounding land owners regarding the proposal and surrounding land owners have expressed interested in this project.

### **PUBLIC COMMENT**

Lili Simpson Quigley Farms Blaine County Resident

Simpson does not support BLM purchasing additional property in Quigley Canyon, Slaughter House Canyon and Queens Crown. She stated that WRLT has not been completely transparent with the public regarding the future plans for those properties. Simpson is mostly concerned with impact on wildlife and private properties and public access being adjacent to her private property. She is uncomfortable that WRLT using funding for recreational purposes and not being used for the crown jewels of conservation. She is also upset that WRLT has not been entirely transparent to surrounding home owners.

The Blaine County Commissioners are in agreement to draft a letter of support for The Wood River Land Trust to apply for this grant.

### **Local Gem’s Initiative**

- US Senator James E. Risch’s Office

US Senator James E. Risch’s Office informed McCleary that they are spearheading an information campaign throughout the State of Idaho to support local shopping. McCleary is going to connect Blaine County Administrative Supervisor Stephanie Carlson with US Senator James Risch’s Idaho Deputy Chief of Staff Mike Mathews to discuss how Blaine County can support this initiative.

### **Housing Action Plan**

- Lift Tower Lodge

Blaine County Housing Authority and the City of Ketchum are working together to repair sewage lines and also have electricians working on repairing the electrical wiring. They are working on make the lower units habitable for some displaced McHanville tenants.

- BCHA

Fosbury is meeting with Blaine County Housing Authority Board Chair Sarah Michael and Executive Director of the Twin Falls Housing Authority to discuss the housing crisis and possible solutions.

### **City of Ketchum, BCHA meeting to discuss Ketchum/County coordination structure**

- LOCAL Option Tax

Fosbury and Blaine County Administrator Mandy Pomeroy met with the City of Ketchum Administration, City of Ketchum Mayor, Ketchum Housing Strategist Carissa Connelly and Agnew-Beck Project Manager Seana Doherty they discussed their housing coordination projects. Fosbury expressed his support on what the City of Ketchum is doing for their housing initiatives and supports the ballot initiative to modify the LOCAL Option Tax to generate funding for housing on an annual basis.

- BCHA

The City of Ketchum is proposing to dissolve the BCHA and restructure as a joint power agreement with elected officials from the cities in Blaine County. Fosbury is reluctant to do this, BCHA is currently going

through a transition with new leadership and has been positive and diligent with all requests. Idaho Code states elected or city officials cannot sit on a housing authority unless there is a JPA in place. Fosbury asked The City of Ketchum to produce an example that has been successful where county or city elected officials sit on the housing authority board in Idaho or in the Western United States. The majority of the BCC was supportive in exploring a JPA structure.

### **Wildlife Seasonal Restrictions Meeting**

- Dog Restriction

Fish and Game explained to the group that even though the snow has melted elk and deer are still vulnerable. The group decided to extend the trail closures until April 11, 2022. The City of Hailey issued a press release explaining why the closure was extended.

### **Southern Idaho Solid Waste Board Meeting**

- Transfer Station

Southern Idaho Solid Waste Executive Director Josh Bartlomé gave his resignation at the last board meeting and will be exiting at the end of June 2022. Executive Assistant Nate Francisco shared that he is interested in filling the open position. They plan to fill open positions internally.

- Solid Strategic Plan

Fosbury and Sustainability Manager Lynne Barker met with Nate Francisco and discussed adding more recycling within Blaine County and Twin Falls. The landfill has a life line of 50 years and can be extended by increasing food & green waste recycling.

### **ITD Open House on Ohio Gulch intersection with Highway 75**

- Ohio Gulch Open House

ITD had ITD District Engineer Jessee Barrus and an ITD Boise representative presented a plan for after the overlay at Ohio Gulch intersection for restriping. They mentioned striping new turn lanes for oncoming traffic at the intersection, and adding an acceleration lane to merge from Ohio Gulch Road onto HWY 75. The public suggested adding rumble strip to alert traffic of the turning lane. ITD will do another traffic count in July, 2022. ITD mentioned that part of the master plan would be to install a traffic light and build a separated undercrossing. ITD is going to seek federal funding for this project and they estimate to be able to begin within 1-2 years, with completion by 2025.

### **Idaho Transportation Investment Program District 4 Outreach Workshop in Burley**

- Idaho Transportation Workshop

The Transportation District discussed plans and projects with in their counties. They discussed big projects such as the Snake River Bridge, and the Jerome and Twin Falls Freeway. The Twin Falls Bridge has an estimated life of 50 years but they are concerned with the wear and tear from the heavy semi-trailers may have on the bridge. The repairing of the Twin Falls Bridge would affect Blaine County's Mountain Ride Shuttles and south valley commuters.

### **Colorado Gulch bridge access design team meeting**

- Culvert Design

Fosbury attended a presentation on the different types of culverts designs. There are metal and concrete structures and their max length is around 24ft. The least expensive was the metal culvert and medium cost culvert was the concrete. The design team is leaning towards the concrete structure. Biota will proceed on the stream alteration permit and begin working on the design for construction to start in the fall.

### **Correspondence**

- Safe Communities

Fosbury reviewed the proposed resolution on Safe Communities and was going to add it to the agenda. McCleary stated she believes they are leaning towards an ordinance. McCleary is going to consult with Prosecuting Attorney Matt Fredback and County Attorney Tim Graves on how they should proceed.

- Big Wood Water Shed Management

Land, Water and Wildlife Levy Program Coordinator Wendy Pabich attended the meeting. Wood River Land Trust Restoration Specialist Ryan Santo alerted Fosbury that The Wood River Land Trust decided to proceed on the grant request for the Bureau of Reaction on The Watershed Management Grant. They amended the application and removed Blaine County's commitments. Fosbury decided to proceed on the grant request Bureau of Reclamation on the Watershed floodplain educational outreach program for the public.

- Idaho Commission on Hispanic Affairs

Blaine County's Law Enforcement Police Chiefs, out of state civil rights public figures and out of state law enforcement will give presentation on aiding the communication between Law Enforcement and the Hispanic community. It will be held at The Community Campus in Hailey.

- Sawtooth Society

McCleary received a revised request from the Sawtooth Society FY2022, and would like for the proposal consideration to be added to the agenda.

### **FRIEDMAN MEMORIAL AIRPORT AUTHORITY MEETING PREVIEW, Airport Manager Chris Pomeroy**

Friedman Memorial Airport Manager Chris Pomeroy alerted The BCC of the action items on the agenda

for the Airport Authority Meeting.

**CONSENT CALENDAR, ACTION ITEM**

Junior College Certificate of Residency forms

- College of Southern Idaho, Spring 2022:  
Brandon T. Yagla

**McCleary moved, seconded by Davis, to approve the Consent Calendar for April 5, 2022. Motion passed unanimously.**

**BREAK**

**LAND USE and BUILDING SERVICES HEARINGS**

- **201 Poison Creek Road-Plat Amendment: Public hearing and consideration of an application by Kim & Marilyn Nilsen to amend Lot 4, Tews Ranch Subdivision by amending the existing building envelope (5.71 acres) adjacent a creek and wetlands to a (5.21 acre) building envelope located on the bench.**

Land Use Planner Allison Kennedy read public notice.

**McCleary moved, seconded by Davis, that notice was adequate**

**Disclosure: NONE**

No New Material

Also Present; Recording Secretary Sunny Grant, County Land Use Director Tom Bergin, Land Use Planner Allison Kennedy, Civil Deputy Prosecuting Attorney Amanda Greer, Sean Flynn, Kim Nilsen, Erik Nilsen

Applicant Kim & Marilyn Nilsen had representative Sean Flynn make a presentation of the modification of an already existing plat on Poison Creek Road. The proposed location allows the applicant to construct their home and a barn in a more desirable area. The old location was in the flood zone, making it difficult to build on. The applicant said he would not damage the surrounding wetlands in order to construct his residence. Fosbury asked for an amendment requiring the application to add a 20ft public access easement at the cul-de-sac on Poison Creek Road. Poison Creek Road is a private road that the three surrounding home owners maintain, it does however lead to public access. Applicant agreed on the new terms.

**PUBLIC COMMENT**

NONE

**McCleary moved, seconded by Davis, to approve the amended application by Kim and Marilyn Nilsen to amend Lot 4 in Tews Ranch Subdivision by modifying existing building envelope finding that the application complies with applicants' criteria set forth under Title 10 Subdivision and Regulations applicable criteria of Title 9 Zoning Regulations and Zoning with the seven conditions listed in the staff report with the eighth condition providing public access. Motion passed unanimously.**

**LAND USE and BUILDING SERVICES**

- **Resolution 2022-08 and coinciding Quitclaim Deed Lot 1A & 2A of the Picabo Townsite to Blaine County Housing Authority**

Land Use Planner Allison Kennedy read public notice and stated that the state requires a 10-day notice for Blaine County to transfer property to another entity.

**McCleary moved, seconded by Davis, that notice is adequate. Motion passed unanimously.**

Blaine County will transfer the property to The Blaine County Housing Authority, where they will then transfer it to ARCH. ARCH received a grant from the HOME Program to develop this property for affordable housing.

**McCleary moved, seconded by Davis, to approve Blaine County Resolution 2022-08 as amended; A Resolution of The Board of County Commissioners of Blaine County Idaho providing additional conditions upon the transfer of a certain property to another political subdivision pursuant of Idaho Code Section 31-808 Paragraph 9 and the approved plat for Lot 1A & 2A Block 10 in the Picabo Townsite finding that this transfer to The Blaine County Housing Authority in is in the public interest of affordable housing and authorizing the chair to execute the quit claim deed for the transfer of this property. Motion passed unanimously.**

- **Resolution 2022-09 and coinciding Quitclaim Deed of Lot 3, Block 3, Waterford Park Subdivision in the City of Carey to Blaine County Housing Authority** Click platted lot in

Land Use Planner Allison Kennedy read public notice and stated that the state requires a 10-day notice for Blaine County to transfer property to another entity.

McCleary moved, seconded by Davis, that notice is adequate. Motion passed unanimously.

Davis moved, seconded by McCleary, to approve Blaine County Resolution 2022-09. A Resolution of The Board of County Commissioners of Blaine County Pursuant to Idaho Code Section 31-808 Paragraph 9 declaring the transfers of certain property to another political subdivision is in the public interest for affordable housing Waterford Park Subdivision Lot 3 Block 3 in Carey Idaho and allow the Chairman to sign the quit claim deed. Motion passed unanimously.

- Findings of Fact: Loving Creek Ranch (18433 US Hwy 20) - Stream Alteration Permit

McCleary moved, seconded by Davis, to approve the Finding of Facts Conclusion of Law and Decision regarding an application of Ward Woods for The Loving Creek Ranch for a steam alteration permit for removal of silt within Loving Creek. Motion passed unanimously.

- Findings of Fact: Loving Creek/Barnard (18450 US Hwy 20) - Stream Alteration Permit

McCleary moved, seconded by Davis, to approve the Finding of Facts Conclusion of Law and Decision regarding an application for a stream alteration permit within Loving Creek. Motion passed unanimously.

**EXECUTIVE SESSION - Idaho Code §74-206 (1)(a) – Consideration of applicant for the Planning and Zoning Commission.**

Davis moved, seconded by McCleary, to go into Executive Session, pursuant to Idaho Code 74-206 (1)(a) for consideration of an applicant for the Planning and Zoning Commission. Davis (aye), McCleary (aye) and Fosbury (aye). Motion carried unanimously.

**LAND USE and BUILDING SERVICES**

- Appointment of Planning and Zoning Commissioner

McCleary moved, seconded by Davis to appoint Ted Stout to The Planning and Zoning Commission to fulfill the remainder Racheal Martins terms which will expire January, 2025. Motion passed unanimously.

**APPEAL DECISION - CAMERON VARIANCE**

McCleary moved, seconded by Davis, to approve the amended decision and order regarding the appeal of the decision of the Blaine County Hearing Examiner regarding a variance to construct a residence located at 432 Warm Springs Road Lot 44 Block 2 of Boards Lower Ranch of Blaine County Idaho. Motion passed unanimously.

**BREAK**

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

- November 2, 2021 Regular Meeting

McCleary moved, seconded by Davis, to approve the Meeting Minutes of The Board of Blaine County Commissioner for Tuesday November 2, 2021 as amended. Motion passed Davis abstained.

- February 22, 2022 Regular Meeting

McCleary moved, seconded by Davis, to approve the Meeting Minutes of The Board of Blaine County Commissioner for Tuesday February 22, 2022 as amended. Motion passed unanimously.

- March 1, 2022 Regular Meeting

McCleary moved, seconded by Davis, to approve the Meeting Minutes of The Board of Blaine County Commissioner for Tuesday March 1, 2022 as amended. Motion passed unanimously.

**ADJOURN**

At the hour of 4:30 p.m., with no more business before them, the County Commissioners adjourned.

Attest: \_\_\_\_\_ Approved \_\_\_\_\_  
 Stephen McDougall Graham Dick Fosbury  
 County Clerk Chairman