

**OFFICE OF THE BOARD OF COUNTY COMMISSIONERS
OF BLAINE COUNTY
REGULAR MEETING OF THE JANUARY 2024 SESSION**

Second Day

Tuesday, January 9, 2024

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 Commissioner Lindsay Mollineaux; Administrative Assistant Morgan Baird; Land Use and Building Services Manager Rachel Martin; HR Generalist Justin Highhouse; Chief Deputy Prosecuting Attorney Tim Graves; Road & Bridge Manager Steve Thompson; Deputy Clerk-Auditor-Recorder Mary Goitiandia; County Clerk Stephen McDougall Graham was present for part of 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:

Lili Simpson expressed concern about the administrative guidelines for seasonal closures aimed at protecting wintering wildlife. On December 27 she and her family observed paragliders near the Hennessy property, causing disruptions to wildlife. Simpson criticized the current guidelines, stating that contacting authorities like the city or sheriff has proven ineffective. She urged consideration of these issues and expressed hope for a more effective approach to wildlife conservation.

Commissioner McCleary clarified the date of this incident and let Simpson know she would pass the information along.

CONSENT CALENDAR

- Annual Road and Street Financial Report
- Junior College Certificate of Residency forms
College of Southern Idaho: Ketchum Wilt.
- Claims for January 2, 2024.

McCleary moved, seconded by Mollineaux, to approve the Consent Calendar for Tuesday, January 9, 2024. Motion passed unanimously.

CONTRACTS, GRANTS AND AGREEMENTS

• Quigley Non-Motorized Recreational Trail-Blaine County Security Agreement

A security agreement for revegetation and weed mitigation, associated with construction for a non-motorized trail within the Mountain Overlay District in Quigley Canyon.

McCleary moved, seconded by Mollineaux, seconded by Mollineaux, to approve the security agreement between Blaine County and the Blaine County Recreation District in the amount of \$1500 for the revegetation and weed mitigation associated with construction of a non-motorized recreational trail within the Mountain Overlay District in Quigley Canyon. Motion passed unanimously.

COUNTY DEPARTMENT REPORTS

• Facilities – Pat Boyle

• Approval to Purchase Replacement Parts for Electric Charging Station

Facilities Manager Patrick Boyle provided the Board with an update on the status of the anticipated

invoice for replacement parts for the electric charging station. Boyle completed the required paperwork and sent photos via email to obtain a signable quote or invoice for the replacement parts. Seeking direction from the Board on how to proceed, Boyle and the Board engaged in discussion about costs. The Board agreed to approve the use of Contingency funds to cover the replacement parts and prevent any further delay.

Mollineaux moved, seconded by McCleary, to authorize the use of funds from Contingency for the purchase of replacement parts for the electric charging station in an amount not to exceed \$6000, contingent upon receiving an invoice from Charge Point. Motion passed unanimously.

• Human Resources – Justin Highhouse

• Code Compliance Specialist I/II Position Analysis

HR Generalist Justin Highhouse gave an overview of the new Code Compliance Specialist I/II role, including an overview of the role's position within company grades, a breakdown of job knowledge, responsibility, impact ratings and a comparison to similar pay grade roles within the County.

Land Use and Building Services Manager Rachel Martin explained how the role was streamlined by eliminating the floodplain manager aspect and prioritizing focus on code compliance. She explained that planners in the department will be educated on floodplain matters and a future Planner III position could potentially take on the duties of the previous floodplain manager role.

Commissioner McCleary shared her support for having a full time Code Compliance Officer and emphasized how important the role is for the County. She expressed interest in making sure the floodplain duties aren't diminished in importance. McCleary addressed communication and customer service concerns and asked Highhouse if the difficulties of working with the public were taken into consideration while creating the job description.

Highhouse detailed the impact of communication and customer service and elaborated on the exposure to disagreeable conditions.

Commissioner McCleary addressed education and outreach on code compliance and asked if it could be emphasized in the job description.

Commissioner Mollineaux shared support for the requested changes and echoed McCleary's concerns.

Commissioner Davis expressed her support for the changes made to the job description and commended the solution to incorporate floodplain duties into the planner positions.

McCleary moved, seconded by Mollineaux, to approve Code Compliance Specialist I/II in the Land Use and Building Services contingent upon adding education and outreach to the job description effective immediately. Motion passed unanimously.

• Clerk – Stephen McDougall Graham

County Clerk Stephen McDougall Graham reported on the elections conference he attended with Election Supervisor Hayleigh Simpson. He shared the conference covered various election-related topics, including trends, technologies, signature verification and ballot design. McDougall Graham highlighted upcoming legislative concerns, such as strengthening electioneering statutes and streamlining election timelines.

He touched on the Idaho Secretary of State's Office plans to present proposals, including a new voter registration form for better readability, and a campaign finance platform. McDougall Graham also mentioned discussions about removing the personal ID affidavit, and a new campaign finance platform. He shared the Secretary of State's Office has put out a memorandum in relation to the upcoming party

caucuses that would help with future press releases.

Commissioner McCleary asked about any concerns with the November election. McDougall Graham shared expectations of a highly charged and divisive election season and emphasized voter education in order to bolster trust in local elections.

Commissioner Mollineaux expressed her appreciation for the efforts taken by McDougall Graham and Simpson in preparations to run elections smoothly.

Commissioner McCleary inquired about voter information being provided in Spanish. McDougall Graham touched on efforts by the Secretary of State's Office creating a Spanish language version for the voter registration form. He mentioned Blaine County does not yet meet the threshold requirement and Commissioner Davis asked if proactive measures could be taken. McDougall Graham said he would continue to push for Spanish voter forms from the Secretary of State's Office and Mollineaux suggested a letter of support from the Board.

BREAK

BOARD of COUNTY COMMISSIONERS' REPORTS

• South Central Public Health District Strategic Planning Meeting

Commissioner McCleary shared she has been collaborating with a subcommittee of the South-Central Public Health District's board on their strategic plan. The draft of the plan is expected to be presented later in January. She mentioned that once the board approves the draft, she will pass along insights to aid in generating ideas for the County's own strategic plan.

• Highway 75 Meeting

Commissioner McCleary updated on discussions with city representatives regarding Highway 75, emphasizing the need for a common vision, mass transit planning, and incentives for bus usage. She highlighted concerns about aesthetics, wildlife, and public education, and spoke of scheduling a meeting with Idaho Transportation Department in February for coordinated efforts. McCleary acknowledged a letter on wildlife corridor funding, expressing willingness to follow up and explore solutions for overpasses or fencing challenges on HWY 75.

• Central Idaho Coordinated Community Response Team

Commissioner Davis provided an update on the Central Idaho Coordinated Community Response Team, a grant funded initiative. She shared the team is comprised of leaders from various organizations and is working on a comprehensive response plan for domestic violence or abuse situations. Davis emphasized the focus has been on building relationships and identifying the appropriate steps and connections needed to support victims, with a draft plan in progress.

• Sun Valley Air Service Board

Commissioner Davis updated on the Sun Valley Air Service Board's conservative approach due to lower Local Option Tax funds in the last quarter. She shared funding decisions for the Chamber and Sun Valley Marketing Alliance were deferred pending tourism developments. Davis stated funds were allocated for marketing initiatives, considering expectations of increased seat capacity and potential adjustments in minimum revenue guarantees. She shared concerns about tourism and visitation, emphasizing a cautious approach given the uncertainty.

• Magistrates Commission

Commissioner Davis provided an update on the Magistrates Commission meeting in Lincoln County, where they reviewed seven applicants for the Magistrate Judge position. Two standout applicants were identified, and Davis mentioned a determination should be made soon.

• **Sun Valley Economic Development**

Commissioner Davis updated on the Sun Valley Economic Development Annual Board retreat and discussions on strategic planning for next year. She shared focus has been on goals and preliminary efforts on succession planning for the executive director as Harry Griffith intends to transition out of that role. Davis also shared the Annual Economic Profile with the Board.

• **Correspondence – Commissioner Davis**

Commissioner Davis mentioned an email regarding the 5B Restoration Coalition. Commissioner McCleary detailed the different projects the coalition has worked on and shared her intentions for continued involvement as well as including County Disaster Services Coordinator Chris Corwin.

• **Other – Commissioner Mollineaux**

Commissioner Mollineaux inquired about the representative for the National Forest Foundation and suggested bringing them in to advocate for funding on projects in the County. Commissioner McCleary expressed interest in following up with the representative.

• **Correspondence – Commissioners Davis & McCleary**

Commissioners Davis and McCleary touched on the City of Ketchum’s special meeting on their Fire Rescue Joint Powers Agreement. The Board discussed who could attend the meeting to make a statement about the additional funding ask and the County’s own consolidation efforts. Davis and McCleary decided to attend the meeting and would issue a quorum notice.

• **Correspondence – Commissioner Davis**

Commissioner Davis alerted the Board to the Community Engagement Session for Mental Well Being in Blaine County meetings from January 18 to February 15. Commissioner McCleary shared her interest in attending and the Board discussed coordinating attendance.

• **Other – Commissioner Mollineaux**

Commissioner Mollineaux touched on the annual University of Idaho Liaison Strategy Advisory Meeting and her intention to attend.

APPROVAL OF BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

- November 28, 2023, Regular Meeting

McCleary moved, seconded by Mollineaux, to approve the Regular Meeting Minutes of the Board of County Commissioners for Tuesday, November 28, 2023, as amended. Motion passed unanimously.

- November 29, 2023, Special Meeting

McCleary moved, seconded by Mollineaux, to approve the Special Meeting Minutes of the Board of County Commissioners for Wednesday, November 29, 2023. Motion passed 2/0. Davis abstained.

- December 12, 2023, Regular Meeting

McCleary moved, seconded by Mollineaux, to approve the Regular Meeting Minutes for the Board of County Commissioners for Tuesday, December 12, 2023, as amended. Motion passed unanimously.

- December 21, 2023, Special Meeting

McCleary moved, seconded by Mollineaux, to approve the Special Meeting Minutes of the Board of County Commissioners for Thursday, December 21, 2023. Motion passed 2/0. Davis abstained.

OPEN MEETING LAW PRESENTATION

Chief Deputy Prosecuting Attorney Tim Graves discussed open meeting law emphasizing the principle that government business must be conducted in the open, allowing public attendance. He defined a meeting as the convening of a governing body to make decisions or deliberate on any matter. Graves suggested that informal discussions, unrelated to pending matters, can occur outside meetings, but funding-related or decision-making discussions must be in open sessions. He warned against email meetings, where board members discuss issues via email, and recommended avoiding "reply-all" unless for simple acknowledgments. Graves addressed the possibility of board reports as emails, suggesting they be discussed in open sessions and made publicly accessible.

Graves touched on quorums and recommended taking a cautious approach to avoid open meeting law violations. He mentioned that matters related to scheduling, general policy and personnel management not involving deliberation or decisions, may not require a meeting. Graves explained the flexibility in hyperlinking documents related to agenda items, stating it's not a requirement but can be done as a courtesy. He emphasized the public's right to request such documents.

County Clerk Stephen McDougall Graham sought clarification on whether documents associated with agenda items must be made available to the public before the meeting. Graves responded stating it's not a requirement in the code, but the public can request access.

Graves discussed the topic of providing notice and amending agendas, emphasizing the freedom to amend agendas more than 48 hours before a regular meeting and 24 hours before a special meeting.

Administrative Assistant Morgan Baird added to the discussion, noting that yearly notices are posted online stating the Commissioners' meetings are held every Tuesday.

Commissioner Mollineaux sought clarification regarding the requirement to state the emergency and provide a good faith explanation for agenda amendments. She asked if this requirement only applied when making amendments in the middle of a meeting and not for amendments made at the beginning of a meeting.

Graves explained that when amending the agenda, it isn't necessary to state an emergency unless it genuinely is one. He suggested putting on record the reason for amending, especially when it is a last-minute request. Graves noted that while the code required a good faith explanation for emergencies, it wasn't specified for non-emergency amendments. He discussed the process for emergency situations, where immediate action was needed, and mentioned the ability to declare emergency ordinances.

Graves discussed executive sessions, noting that the recent change in Idaho Code includes provisions protecting cybersecurity contracts and discussions in executive sessions. He suggested stating in the motion that it involves exempt records and mentioning the specific code section. Graves clarified the limited reasons for going into executive sessions, with examples like cybersecurity and personnel matters, emphasizing that he doesn't have to be present unless it involves communication about litigation. He mentioned the cure provision for violations, allowing the Board to rectify a violation and make it go through a public disclosure process.

Commissioner McCleary asked about the notice period for a quorum, and Graves recommended treating it like a special meeting, suggesting that notice should be provided 24 hours before the quorum.

The Board shared their gratitude for the presentation.

WINN’S COMPOSTING UPDATE

Thomas Winn Weaver representing Winn’s Compost presented his composting and recycling operations update. He explained his company has affiliations with various organizations and delved into the details of his operations. Weaver expressed a desire for additional green waste materials and explained his company produces topsoil, compost, and various mixes. He stated his company operates on a larger scale than the County and has positioned itself as a more cost-effective option.

Weaver explained how the company tackled economic challenges stemming from heightened fees and fuel prices. He outlined plans for expansion, introducing electric equipment for sustainability and venturing into aggregate recycling, encompassing concrete, asphalt, and glass. Despite experiencing high demand for their products, the company encountered shortages in food waste compost and various mixes. Weaver expressed a readiness to collaborate, extending an invitation to the Board and Sustainability Manager Andrew Mentzer, for facility tours and underscored the importance of being involved in ongoing discussions and updates. Weaver covered Winn’s Compost’s accomplishments, hurdles and future plans in composting and recycling operations.

Commissioner Mollineaux commended Weaver for his sustainability efforts and expressed interest in the numbers Weaver presented to the Board on his sales. The rest of the Board shared Mollineaux’s interest and praised Weaver for his sustainability initiatives.

ADJOURN

At the hour of 12:22 p.m., with no more business before them, the County Commissioners adjourned.

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