

**OFFICE OF THE BOARD OF COUNTY COMMISSIONERS  
OF BLAINE COUNTY  
REGULAR MEETING OF THE APRIL 2014 SESSION**

**Second Day**

**Tuesday, April 8, 2014**

Pursuant to Statutory Provisions, the Board of Blaine County Commissioners (BCC) met this day at 9:00 a.m. Present were Chairman Lawrence Schoen; Vice-Chairman Jacob Greenberg; Commissioner Angenie McCleary; County Administrator Derek Voss; Clerk JoLynn Drage; Blaine County Chief Deputy Prosecuting Attorney Tim Graves; Senior Deputy DiAnne Shrum.

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

**PUBLIC COMMENT - NONE**

**EXECUTIVE SESSION – §67-2345 1(d) INDIGENT** - Consideration of records that are exempt from disclosure as provided in Chapter 3, Title 9, Idaho Code

Present were: Blaine County Welfare Director Brooke Roberson and Welfare Assistant Amy Rivkin  
**McCleary moved, seconded by Greenberg, to convene in Executive Session pursuant to Idaho Code 67-2345 1(d) to consider indigent medical applications. McCleary (aye), Greenberg (aye), and Schoen (aye). Motion carried unanimously.**

**OPEN SESSION RESUMED**

**McCleary moved, seconded by Greenberg, to approve Medical Indigent Application for Assistance Case # 2013-96, based on staff recommendation with repayment of \$100 per month. Motion carried unanimously.**

**McCleary moved, seconded by Greenberg, to accept notice of cancellation of hearing and final determination of approval for Case # 2013-96. Motion carried unanimously.**

**COUNTY DEPARTMENT REPORTS, DISCUSSION and CONSIDERATION**

**Claims – Schar Boyd**

Deputy Auditor Schar Boyd presented the claims.

**McCleary moved, seconded by Greenberg, to approve claims dated April 7, 2014. Motion carried unanimously.**

ajv032014	Mar-2014		
<b>FUND 01</b>	<b>AGAINST GENERAL FUND</b>		
Blaine County Employees	Salaries March 6	\$ 252,307.37	
Blaine County Employees	Salaries March 20	\$ 249,737.86	
Total March FICA		\$ 36,000.90	
Total March Benefits		\$ 152,278.17	
Total March Bills		\$ 484,090.33	
Combined Total March Expense			\$1,174,414.63
<b>FUND 02</b>	<b>AGAINST ROAD &amp; BRIDGE</b>		
Blaine County Employees	Salaries March 6	\$ 29,386.71	
Blaine County Employees	Salaries March 20	\$ 29,212.45	
Total March FICA		\$ 4,200.86	
Total March Benefits		\$ 17,863.78	
Total March Bills		\$ 56,127.03	
Combined Total March Expense			\$ 136,790.83
<b>FUND 03</b>	<b>AGAINST ELECTION CONSOLIDATION</b>		
Blaine County Employees	Salaries March 6	\$ -	
Blaine County Employees	Salaries March 20	\$ -	
Total March FICA		\$ -	
Total March Benefits		\$ -	
Total March Bills		\$ 86.00	
Combined Total March Expense			\$ 86.00
<b>FUND 04</b>	<b>AGAINST AMBULANCE</b>		
Total March Bills		\$ 176,030.24	\$ 176,030.24
<b>FUND 06</b>	<b>AGAINST DISTRICT COURT</b>		
Blaine County Employees	Salaries March 6	\$ 1,970.26	
Blaine County Employees	Salaries March 20	\$ 1,970.26	
Total March FICA		\$ 301.46	
Total March Benefits		\$ 1,045.04	
Total March Bills		\$ 10,885.91	
Combined Total March Expense			\$ 16,172.93

<b>FUND 07</b>	<b>AGAINST COUNTY FAIR</b>		
Total March Bills		\$ 361.00	\$ 361.00
<b>FUND 11</b>	<b>AGAINST PUBLIC HEALTH</b>		
Total March Bills		\$ 19,816.17	\$ 19,816.17
<b>FUND 12</b>	<b>AGAINST HISTORICAL SOC. &amp; MUSEUM</b>		
Total March Bills		\$ -	\$ -
<b>FUND 16</b>	<b>AGAINST CHARITY &amp; INDIGENT</b>		
Blaine County Employees	Salaries March 6	\$ 1,844.00	
Blaine County Employees	Salaries March 20	\$ 1,844.00	
Total March FICA		\$ 225.78	
Total March Benefits		\$ 1,246.85	
Total March Bills		\$ 31,197.89	
Combined Total March Expense			\$ 36,358.52
<b>FUND 17</b>	<b>AGAINST JR. COLLEGE TUITION</b>		
Total March Bills		\$ -	\$ -
<b>FUND 19</b>	<b>AGAINST CONSOLIDATED EMERG. COMM.</b>		
Blaine County Employees	Salaries March 6	\$ 21,116.37	
Blaine County Employees	Salaries March 20	\$ 21,431.28	
Total March FICA		\$ 3,210.18	
Total March Benefits		\$ 11,733.05	
Total March Bills		\$ 17,140.85	
Combined Total March Expense			\$ 74,631.73
<b>FUND 20</b>	<b>AGAINST REVALUATION</b>		
Blaine County Employees	Salaries March 6	\$ 10,435.64	
Blaine County Employees	Salaries March 20	\$ 10,435.63	
Total March FICA		\$ 1,385.66	
Total March Benefits		\$ 9,269.09	
Total March Bills		\$ 2,881.35	
Combined Total March Expense			\$ 34,407.37
<b>FUND 22</b>	<b>AGAINST RECYCLE CENTER</b>		
Blaine County Employees	Salaries March 6	\$ 3,771.20	
Blaine County Employees	Salaries March 20	\$ 3,771.20	
Total March FICA		\$ 574.07	
Total March Benefits		\$ 2,051.76	
Total March Bills		\$ 20,113.89	
Combined Total March Expense			\$ 30,282.12
<b>FUND 23</b>	<b>AGAINST SOLID WASTE</b>		
Total March Bills		\$ 358,835.96	\$ 358,835.96
<b>FUND 27</b>	<b>AGAINST NOXIOUS WEEDS</b>		
Blaine County Employees	Salaries March 6	\$ 3,600.67	
Blaine County Employees	Salaries March 20	\$ 3,600.67	
Total March FICA		\$ 482.24	
Total March Benefits		\$ 2,773.22	
Total March Bills		\$ 4,009.18	
Combined Total March Expense			\$ 14,465.98
<b>FUND 30</b>	<b>AGAINST CAPITAL IMPROVEMENT FUND</b>		
Total March Bills		\$ 10,043.36	\$ 10,043.36
<b>FUND 31</b>	<b>AGAINST PSF BOND REDEMPTION</b>		
Total March Bills		\$ -	\$ -
<b>FUND 35</b>	<b>AGAINST NURSING HOME</b>		
Blaine County Employees	Salaries March 6	\$ 1,923.20	
Blaine County Employees	Salaries March 20	\$ 1,923.20	
Total March FICA		\$ 294.26	
Total March Benefits		\$ 1,034.40	
Total March Bills		\$ 1,638.94	
Combined Total March Expense			\$ 6,814.00
<b>FUND 37</b>	<b>AGAINST SNOWMOBILE</b>		
Total March Bills		\$ 188.79	\$ 188.79

<b>FUND 38</b>	<b>AGAINST WATERWAYS</b>		
Blaine County Employees	Salaries March 6	\$	-
Blaine County Employees	Salaries March 20	\$	-
Total March FICA		\$	-
Total March Benefits		\$	-
Total March Bills		\$	307.00
Combined Total March Expense			\$ 307.00
<b>FUND 46</b>	<b>AGAINST E-911 EMERGENCY COMM.</b>		
Blaine County Employees	Salaries March 6	\$	4,641.50
Blaine County Employees	Salaries March 20	\$	4,641.50
Total March FICA		\$	645.48
Total March Benefits		\$	2,943.78
Total March Bills		\$	14,022.95
Combined Total March Expense			\$ 26,895.21
<b>FUND 51</b>	<b>AGAINST LAND WATER &amp; WILDLIFE LEVY</b>		
Total March Bills		\$	13,732.96
			\$ 13,732.96
<b>FUND 81</b>	<b>AGAINST LIABILITY INSURANCE</b>		
Total March Bills		\$	-
			\$ -
<b>TOTAL ALL FUNDS</b>			<b>\$2,130,634.80</b>

**Sheriff's Office** - Gene Ramsey

Ramsey informed the Board that the total jail population is thirty.

**Clerk's Report** – JoLynn Drage – Contingency Request

Drage requested funds from the contingency fund to fix a problem with Computer Arts Server.

Information Technology Manager Clay Landon informed the Commissioners that the County needs to update its data base software. County is currently running 2003 and needs to upgrade to 2013 at a cost of \$2,806.00.

**Greenberg moved, seconded by McCleary, to approve the expenditure of \$2,806.00 from the contingency fund for Information Technology purposes to fix Computer Arts problem. Motion carried unanimously.**

**Operations Director** – Char Nelson

Nelson has received two requests: The Sawtooth Relay Race has requested use of right-of-way on Barlow Road for placement of portable toilets during race. She has also received a request for permission to hold a BMX fund raiser out Croy Road. Applicants will secure a letter of permission from the Bureau of Land Management. Board approved.

**County Administrator** – Derek Voss

Voss and Commissioner Greenberg did a site visit at the New Safe Haven facility being built in Bellevue. Construction is on schedule.

**CONTRACTS, GRANTS AND AGREEMENTS, Discussion and Consideration**

- **Agreement between Blaine County and Croy Canyon Ranch Foundation to Dispose of Real Property, Distribute Sale Proceeds and Conclude Contractual Relationship**

Present: Croy Canyon Ranch Foundation President Anita McCann and Executive Director Kathleen Eder; Croy Canyon Ranch Foundation Board members Carey Dondero and Greg Cappel; Animal Shelter Executive Director JoAnne Dixon.

Chief Deputy Prosecuting Attorney Tim Graves gave a brief history and explained the conditions of the agreement. Blaine County funds were contributed to the Croy Canyon Ranch Foundation. Twenty acres of land were purchased in the Croy Canyon Ranch Subdivision. CCRF has determined that constructing a continuing care facility on the subject property is no longer feasible. CCRF will sell the subject property to the Animal Shelter of the Wood River Valley by June 1, 2014. CCRF will pay off all its outstanding encumbrances on the property plus costs. Remaining distribution of proceeds: Fifty percent shall be distributed to established Blaine County organizations with programs and services benefitting seniors; remaining fifty percent will be distributed to a non-endowed, Philanthropic Gift Fund held and managed by the Idaho Community Foundation for the sole benefit of programs and services benefitting Blaine County seniors.

McCann read a letter into the record thanking the Board.

Commissioner Schoen said everyone involved wanted CCRF to succeed; but CCRF has not complied with the terms of the 2007 Service Agreement. It was the clear intention of all parties to the Service Agreement that in case of fundraising failure, CCRF would turn over land and architectural plans to Blaine County. Schoen said he spoke recently with former County Commissioners Sarah Michael and Tom Bowman and with some former CCRF Board members about this. He expressed frustration that current Board members fail to recognize these simple facts.

**McCleary moved, seconded by Greenberg, to approve the agreement between Blaine County and Croy Canyon Foundation to dispose of real property in Croy Canyon, distribute sale proceeds and conclude the contractual relationship.** Discussion: Both Commissioners Greenberg and Schoen agreed that future contracts or agreements with private entities must be tight with no loop holes. **Schoen opposed. Motion carried 2/0.** ..... Record #617936

JoAnne Dixon expressed her support of the agreement.

- **Agreement between Idaho Department of Parks and Recreation And Blaine County for Recreation Boating Safety Grant**

Present: Grant Administrator Michele Johnson

**Greenberg moved, seconded by McCleary, to approve the agreement between Idaho Department of Parks and Recreation and Blaine County for Recreation Boating Safety Grant money not to exceed \$10,674 for Fiscal Year 2014 and abide by the matching funds. Motion carried unanimously.** ..... Record #617937

- **Independent Contractor Agreement with Jo Murray Public Relations**

The agreement is for provision of professional services to assist the County in editing the draft Comprehensive Plan Update document named "Key Guiding Principles".

**Greenberg moved, seconded by McCleary, to approve the Independent Contractor Agreement between Jo Murray Public Relations and Blaine County thru December 21, 2014, at \$75 per hour, not to exceed a total of \$300. Motion carried unanimously.** ..... Record #618109  
.....Recorded incorrectly as #617935

- **Webb Landscaping Property Services Contracts**

Irrigation services for 206 1<sup>st</sup> Avenue South and 219 1<sup>st</sup> Avenue South.

**Greenberg moved, seconded by McCleary, to approve property services contracts with Webb Landscaping for irrigation services. Motion carried unanimously.** .Records #617933 and #617934

**CONSENT CALENDAR**

- **Resolution 2014-16 to Ratify, Accept and Execute Grant of Federal Funds for Friedman Memorial Airport** ..... Record #617938

**McCleary moved, seconded by Greenberg, to approve the consent calendar for Tuesday, April 8, 2014. Motion carried unanimously.**

**REQUEST FOR DECLARATION OF DROUGHT EMERGENCY, Discussion and Consideration**

Schoen drafted a letter to the Governor requesting a declaration of drought emergency.

**Greenberg moved, seconded by McCleary, to approve Schoen's letter to the Governor regarding request for 2014 declaration of drought emergency for Blaine County. Motion carried unanimously.**

**PUBLIC ASSEMBLY PERMIT APPLICATION FOR MASSV MUSIC FESTIVAL – Public Hearing and Consideration**

Present: Decker Rolph; Mike Ensch; Brent Russell; Don Hudson; Karen Stevens, Deborah Robertson; Lorraine Malone; Wood River Fire Chief Bart Lassman; Bev Jaeger, Thelma Cameron, Tina Lewis; Dan and Hope Van der Meulen, Glendale Farm; Jordan Hawkes; Sabrina Dana Plasse; Colette Evans; Penny Thayer; Tom Shanklin; Courtney and Tyson Sebbett; Randy Hall; The Drug Coalition Executive Director Michael David; Erz Wesley; Sarah Busdon; Blaine County Sheriff Gene Ramsey; Code Compliance Specialist Diane Shay; County Senior Planner Kathy Grotto

Notice was given by Grotto. No motion on adequacy of notice was needed, since posting was a courtesy not a requirement on this permit.

Commissioner disclosures: Greenberg made a site visit with Ramsey, Bergin, and Lassman. McCleary received 92 emails (pro and con) prior to applicant filing for permit. She was approached twice by citizens in public. Greenberg had one encounter. Schoen had conversations with Drug Coalition Board, had previously boarded horses at Glendale Ranch and received the emails and letters which were forwarded to other commissioners.

Grotto provided a slide presentation depicting location of proposed event. Bureau of Land Management and State of Idaho are landowners bordering the proposed location.

**McCleary moved, seconded by Schoen, to approve application fee of \$500 for this public assembly license application. If this application is denied, that fee would be refunded. Greenberg – nay. Motion carried 2/1.**

The entrance to the access road is on property owned by another landowner who has not given their permission to use the road. Noncompliance points are: Exceeding the county's ordinance of 3,500 person maximum, site beyond the two-mile maximum from a city that could provide emergency services, incomplete security plan, and too many waivers to the Public Assemblies Ordinance required.

#### **PUBLIC COMMENT**

Public comment was given by: Thelma Cameron, Lorraine Malone, Penny Thayer, Randy Hall, Jordan Hawkes and Beverly Jaeger. Concerns were expressed about wildfire danger, spooked livestock and dangerous road intersection. Drug Coalition Executive Director Michael David discussed ways in which underage drinking could be controlled.

Schoen informed applicant that he did not feel he could support the application in its current form. McCleary said she was unsure she would be able to find compliance.

**McCleary moved, seconded by Greenberg, to continue to a date uncertain. Motion carried unanimously.**

#### **LAND USE and BUILDING SERVICES, Discussion and Consideration**

**Croy Creek Preserve Plat Amendment:** Public Hearing on and consideration of an application by Patsy Nickum to amend Croy Creek Preserve Subdivision by creating a dedicated 60' right-of-way for Penstemon Drive (private) and shift the lot lines between Lots 2 and 3. Penstemon Drive exists as an un-named drive serving Lot 1, Nickum Subdivision. The property is zoned Residential/Agricultural (R-5) with areas of Floodplain, Wetlands and Mountain Overlay District, and is located within Sections 19 and 30, T2N, R18E, B.M., Blaine County.

Present: Galena Engineer Brian Yeager; Megan Stevens; County Senior Planner Kathy Grotto

Notice was given by Grotto.

**Greenberg moved, seconded by McCleary, that notice was adequate. Motion carried unanimously.**

#### **PUBLIC COMMENT – NONE**

**Greenberg moved, seconded by McCleary, to approve with conditions the application by Patsy Nickum for amendment to Croy Creek Preserve Subdivision providing the proposed amendment does not affect building envelopes and complies with the applicable criteria set forth under Title 10, Chapters 4 and 5, Subdivision regulations and applicable regulations of Title 9 subject to conditions. Motion carried unanimously.**

#### **HIGHWAY 75 IMPROVEMENTS FROM THE BRIDGE NORTH TO ELKHORN ROAD**

Present: Idaho Transportation Department Mike Scott and Project Manager Steve Hunter; Public Involvement Lead for KMP Planning Mike Pepper; Zoning Specialist Nancy Cooley; Grant Administrator Grant Administrator Michele Johnson; County Senior Planner Kathy Grotto

Mike Pepper of KMP Planning gave a presentation representing the Idaho Transportation Department's reconstruction of the Big Wood River Bridge to Elkhorn Road project slated for construction in 2016.

The project will replace and widen the Big Wood River Bridge, reconstruct Idaho 75 north of the bridge to transition into the existing four-lane roadway configuration and retain the existing center turn lane and signal at Elkhorn Road.

Design process will include coordination with local governments, area residents and affected stakeholders.

#### **LAND, WATER and WILDLIFE LEVY PROGRAM**

**Molyneux Family Legacy Project conservation easements – with partners, The Nature Conservancy (TNC) and Wood River Land Trust (WRLT):** A public hearing on and consideration of the Full Application for conceptual approval for the project from the Land, Water and Wildlife Levy for \$990,570 (30.8% of the total \$3,219,540 estimated total cost) to be matched with \$1,749,240 from NRCS Farm and Ranch Protection Program and Wetlands Reserve Program grants funds (54.3% of the total estimated cost) and \$479,730 in landowner contributions (14.9% of the total estimated cost) for six perpetual conservation easements totaling 1,956 acres owned by Molyneux family members: A.W. and Maxine, John and Kristy, William (Billy), and Clarence (Chip) and Katherine (Kathy). Two of the conservation easements totaling 603 acres will be held, monitored and enforced by WRLT. Four of the conservation easements totaling 1,353 acres will be held, monitored and enforced by TNC. The Board-appointed Levy Advisory Board completed its positive recommendation on December 5, 2013.

Present: Land, Water and Wildlife Program Coordinator Clare Swanger; Clarence (Chip), Kathy, A.W. (Bill), Maxine, Joe, Nina Orvik, John, and Kristy, Molyneux; Ken Worthington; Jeannine Gregoire; Dayna Gross; Ken York; Caroline Clawson; John McGonigal; Wood River Land Trust Senior Conservation Coordinator Keri York; Nature Conservancy Manager Dayna Gross

Presentation was given by Land, Water and Wildlife Program Coordinator Clare Swanger; Wood River Land Trust Senior Conservation Coordinator Keri York; and Nature Conservancy Manager Dayna Gross

**PUBLIC COMMENT**

Jeannine Gregoire spoke in favor of the easements.

**PUBLIC COMMENT CLOSED**

Commissioner McCleary stated that a member of the public had approached her questioning whether there would be any public access with these easements. There will not be.

**Greenberg moved, seconded by McCleary to give conceptual approval to Molyneux Family Legacy Project.** Discussion: Currently asking \$992,250 be paid out of the Land, Water and Wildlife Levy versus the original request of \$ 990,150. Price could go up or down depending on appraisal. Board is directing all stakeholders to move forward with due diligence portion of the application process. **Motion carried unanimously.**

**EXECUTIVE SESSION – Idaho Code §67-2345 1(b) Personnel and 1(f) Potential Litigation**

**Greenberg moved, seconded by McCleary, to go into Executive Session, pursuant to Idaho Code 67-2345 1 (b) Personnel and 67-2345 1(f), Potential Litigation regarding the Molyneux Gravel Pit Lease. McCleary (aye), Greenberg (aye) and Schoen (aye). Motion carried unanimously.**

**ADJOURN**

At the hour of 4:30 p.m., the BCC finding no more business before them adjourned.

Attest: \_\_\_\_\_ Approved \_\_\_\_\_  
JoLynn Drage  
County Clerk  
Lawrence Schoen  
Chairman