

**OFFICE OF THE BOARD OF COUNTY COMMISSIONERS  
OF BLAINE COUNTY  
REGULAR MEETING OF THE APRIL 2012 SESSION**

**Fourth Day**

**Tuesday, April 10, 2012**

Pursuant to Statutory Provisions, the Board of Blaine County Commissioners (BCC) met this day at 9:00 a.m. Present were Chairman Angenie McCleary, Vice Chairman Tom Bowman, Commissioner Lawrence Schoen; County Administrator Derek Voss; County Clerk JoLynn Drage; and Recording Secretary Sunny Grant.

Chairman McCleary called the meeting to order at 9:01 a.m.

**PUBLIC COMMENT - NONE**

**BOARD REPORT**

**Request from City of Carey – Schoen**

The Carey Economic Revitalization Group (CERG) is building a pavilion behind the Blaine County Fairgrounds. CERG is asking the County to contribute \$1,000 to the cost of a fire hydrant behind the pavilion to provide fire protection to the area, including the County Fairgrounds.

Bowman said Blaine County needed to establish principles to use for decisions like this. The BCC requested additional information.

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

- **Case #12-04-021**
- **Case #12-02-029**
- **Case #12-04-029**

Present were: Blaine County Welfare Director Wilma Colter, and County Welfare Director in training Brooke Roberson

**Schoen moved, seconded by Bowman, to convene in Executive Session pursuant to Idaho Code 67-2345 1(d) to consider indigent medical applications. Schoen (aye), Bowman (aye), and McCleary (aye). Motion carried unanimously.**

**OPEN SESSION RESUMED**

**Schoen moved, seconded by Bowman, to deny Case #12-04-021, based on staff recommendation. Motion carried unanimously.**

**Schoen moved, seconded by Bowman, to approve Case #12-04-029, for insurance costs, based on staff recommendation. The applicant will begin to reimburse the County at \$25 month when the applicant has secured regular employment. Motion carried unanimously.**

**COUNTY DEPARTMENT REPORTS, DISCUSSION and CONSIDERATION**

**Claims – Schar Boyd**

- Deputy Auditor Schar Boyd presented the claims.

There is one new claim from CenturyLink.

**Schoen moved, seconded by Bowman, to approve claims dated April 4, 2012, with additional claim presented by staff. Motion carried unanimously.**

ajv032012	<b>Mar-2012</b>		
<b>FUND 01</b>	<b>AGAINST GENERAL FUND</b>		
Blaine County Employees	Salaries March 8	\$ 249,148.99	
Blaine County Employees	Salaries March 22	\$ 249,567.43	
Total March FICA		\$ 35,863.25	
Total March Benefits		\$ 140,906.69	
Total March Bills		\$ 400,861.00	
Combined Total March Expense			\$1,076,347.36
<b>FUND 02</b>	<b>AGAINST ROAD &amp; BRIDGE</b>		
Blaine County Employees	Salaries March 8	\$ 25,078.10	
Blaine County Employees	Salaries March 22	\$ 24,499.17	
Total March FICA		\$ 3,493.05	
Total March Benefits		\$ 15,225.24	
Total March Bills		\$ 72,539.15	
Combined Total March Expense			\$ 140,834.71

<b>FUND 03</b>	<b>AGAINST ELECTION CONSOLIDATION</b>		
Blaine County Employees	Salaries March 8	\$ -	
Blaine County Employees	Salaries March 22	\$ -	
Total March FICA		\$ -	
Total March Benefits		\$ -	
Total March Bills		<u>\$ 700.00</u>	
Combined Total March Expense			\$ 700.00
<b>FUND 06</b>	<b>AGAINST DISTRICT COURT</b>		
Blaine County Employees	Salaries March 8	\$ 1,911.00	
Blaine County Employees	Salaries March 22	\$ 1,911.00	
Total March FICA		\$ 292.38	
Total March Benefits		\$ 924.08	
Total March Bills		<u>\$ 4,558.53</u>	
Combined Total March Expense			\$ 9,596.99
<b>FUND 16</b>	<b>AGAINST CHARITY &amp; INDIGENT</b>		
Blaine County Employees	Salaries March 8	\$ 3,274.40	
Blaine County Employees	Salaries March 22	\$ 3,274.40	
Total March FICA		\$ 495.70	
Total March Benefits		\$ 1,732.77	
Total March Bills		<u>\$ 23,270.33</u>	
Combined Total March Expense			\$ 32,047.60
<b>FUND 20</b>	<b>AGAINST REVALUATION</b>		
Blaine County Employees	Salaries March 8	\$ 10,938.56	
Blaine County Employees	Salaries March 22	\$ 11,055.11	
Total March FICA		\$ 1,480.00	
Total March Benefits		\$ 8,161.94	
Total March Bills		<u>\$ 3,301.00</u>	
Combined Total March Expense			\$ 34,936.61
<b>FUND 23</b>	<b>AGAINST SOLID WASTE</b>		
Blaine County Employees	Salaries March 8	\$ 4,160.80	
Blaine County Employees	Salaries March 22	\$ 4,300.80	
Total March FICA		\$ 638.83	
Total March Benefits		\$ 2,544.90	
Total March Bills		<u>\$ 11,842.60</u>	
Combined Total March Expense			\$ 23,487.93
<b>FUND 27</b>	<b>AGAINST NOXIOUS WEEDS</b>		
Blaine County Employees	Salaries March 8	\$ 3,542.40	
Blaine County Employees	Salaries March 22	\$ 3,542.40	
Total March FICA		\$ 495.50	
Total March Benefits		\$ 2,279.05	
Total March Bills		<u>\$ 6,443.61</u>	
Combined Total March Expense			\$ 16,302.96
<b>FUND 04</b>	<b>AGAINST AMBULANCE</b>		
Total March Bills		\$ 166,236.73	\$ 166,236.73
<b>FUND 07</b>	<b>AGAINST COUNTY FAIR</b>		
Total March Bills		\$ -	\$ -
<b>FUND 11</b>	<b>AGAINST PUBLIC HEALTH</b>		
Total March Bills		\$ 20,555.67	\$ 20,555.67
<b>FUND 12</b>	<b>AGAINST HISTORICAL SOC. &amp; MUSEUM</b>		
Total March Bills		\$ -	\$ -
<b>FUND 17</b>	<b>AGAINST JR. COLLEGE TUITION</b>		
Total March Bills		\$ 1,000.00	\$ 1,000.00
<b>FUND 31</b>	<b>AGAINST PSF BOND REDEMPTION</b>		
Total March Bills		\$ -	\$ -
<b>FUND 35</b>	<b>AGAINST NURSING HOME</b>		
Total March Bills		\$ 224,327.53	\$ 224,327.53
<b>FUND 37</b>	<b>AGAINST SNOWMOBILE</b>		
Total March Bills		\$ -	\$ -

<b>FUND 38</b>	<b>AGAINST WATERWAYS</b>		
Blaine County Employees	Salaries March 8	\$	-
Blaine County Employees	Salaries March 22	\$	-
Total March FICA		\$	-
Total March Benefits		\$	-
Total March Bills		\$	<u>1,043.49</u>
Combined Total March Expense			\$ 1,043.49
<b>FUND 46</b>	<b>AGAINST E-911 EMERGENCY COMM</b>		
Blaine County Employees	Salaries March 8	\$	2,990.80
Blaine County Employees	Salaries March 22	\$	4,224.80
Total March FICA		\$	529.27
Total March Benefits		\$	2,060.70
Total March Bills		\$	<u>24,948.58</u>
Combined Total March Expense			\$ 34,754.15
<b>FUND 51</b>	<b>AGAINST LAND WATER &amp; WILDLIFE LEVY</b>		
Total March Bills		\$	7,909.00
			\$ 7,909.00
<b>FUND 81</b>	<b>AGAINST LIABILITY INSURANCE</b>		
Total March Bills		\$	-
			\$ -
	<b>TOTAL ALL FUNDS</b>		<b><u>\$1,790,080.73</u></b>

**Operations Director – Char Nelson**

- Gannett Road recently flooded. After clearing the culverts and drainage, County staff discovered a landowner’s irrigation pipe in the public right-of-way culvert that significantly compromised the public road, and caused damage to the shoulder of the road. The County has asked the ranch manager to remove the irrigation pipe; and would like the landowner to pay for repairs. Voss suggested the County submit a bill to its insurance company, and let them follow normal procedure. The BCC consensus was to ask staff to write a letter to the landowner.
- Upper High 5 Bridge out Muldoon Canyon has been closed by the State for over a year. The County was denied grant funding to replace the bridge. Although in a remote location and infrequently used, several people have asked that the bridge, which is part of a county road, be replaced.

**WOOD RIVER COMMUNITY ENERGY PROJECT LEASE DISCUSSION AND CONSIDERATION**

Also present: Site Based Energy owner Paul Conrad, Sustain Blaine Executive Director Harry Griffith.

Site Based Energy wants to install a solar-powered community project on a ¾-acre parcel of County land next to the Glendale Road and Bridge shop.

The proposed community project is a public-private partnership with the County, with Sustain Blaine as its non-profit host. Idaho Power and the Public Utilities Commission have become less supportive of independent energy projects.

The BCC discussed a permissible lease. The lease couldn’t preclude other uses in the future; and would include language on decommission for any future owner.

Questions and options to consider:

- Other potential uses for the property, and revenue generated by those uses.
- The proposed use doesn't conflict with any current or future uses.
- Tax revenue generated if the property were on the tax rolls.
- Revenue from sale or lease of the land.
- How the use fits into the County’s updated Comprehensive Plan.
- Revenue from the project would help fund Sustain Blaine, a non-governmental agency, which supports economic diversity.
- Site maintenance, location on property, a bond or surety
- There are no reflective panels and/or other impacts on neighbors.

The project would contract with Idaho Power and stipulate that Idaho Power cannot change terms. The project design would be based on technology and economics, and would be subject to the Blaine County Solar Ordinance.

Harry Griffith added some public benefits:

- Project would support county and city green building ordinances.
- The public location would be ideal for residents who can’t afford or don’t have the capability of providing their own solar facility.
- Good option for the community to pursue incentive-based utility rates, utility and state-level incentive rebates, state sales tax exemptions, etc.

Schoen will work with Conrad to draft a letter of support for the project. The letter should make a statement to Idaho Power, the Public Utilities Commission, and the Legislature. If the project doesn't go forward, the County is under no obligation.

### **AIRPORT PROJECT UPDATE AND DISCUSSION**

Also present: Friedman Memorial Airport Manager Rick Baird.

The BCC discussed the upcoming FAA Safety Management System (SMS) investigation at Friedman Airport. The initial SMS process at Friedman will study air traffic control.

### **BLAINE COUNTY SCHOOL DISTRICT UPDATE AND DISCUSSION**

Also present: Blaine County School District Superintendent Lonnie Barber, CFO Mike Chatterton, Communications Director Heather Crocker; School District Board Vice-President Don Nurge, School District Board member Kathryn Graves; Blaine County Assessor Valdi Pace, County Chief Deputy Treasurer Gail Peterson, and Senior Deputy Treasurer Chanté Dunn.

The Blaine County School District is reaching out to the community at different public venues, and to local government officials.

Three years ago, community residents wrote a School District Strategic Plan, based on the School District's goal of educating the whole child. The School District wants to develop lifelong, self-directed learners who are financially, economically, and art literate, as well as environmentally aware and physically fit.

The School District is committed to the professional development of its teachers, including the integration of technology into training.

The School District Board is putting a lot of emphasis on getting every student into at least one Advanced Placement class. Many students are receiving concurrent credits—college credits for high school classes. The School District tries to get every student to fill out at least one college application. The students also need strong guidance and college counseling.

The BCC commended the School District for being responsive to their students. Kids need advocates if they are to meet potential.

The Blaine County School district is remodeling and retrofitting buildings with energy efficient HVAC and security systems, using Department of Energy grants and mostly local contractors.

County taxpayers are asking where the School District is spending their tax money and how it's helping their children. The School District mailed a copy of *Dollars and Sense* brochure to every boxholder, and will mail it again.

### **BLAINE COUNTY VETERANS TRIBUTE PROJECT DISCUSSION & CONSIDERATION**

Also present: Veterans Tribute Project Committee members Curtis Kemp, Rick Baird, and Mark Johnstone.

The Veterans Tribute Public Arts Project committee has been meeting since April 2011. The monument is proposed for the northwest corner of the Old County Courthouse grounds. The monument plaza is intended to be a community asset to honor past and present veterans, including those who never saw combat, and to inspire the call to service for future generations.

The Request for Qualifications envisions an artist-architect collaboration. Responses are limited to Idaho residents.

The BCC conceptually approved the proposed location and the draft Request for Quotations.

### **BREAK**

### **LAND USE AND BUILDING SERVICES HEARINGS**

- **Mountain Overlay District Map Amendment Refinements**, continued (renoticed) A public hearing on and consideration of: AN AMENDMENT TO BLAINE COUNTY CODE, **TITLE 9, ZONING REGULATIONS; CHAPTER 21, MOUNTAIN OVERLAY DISTRICT** PROPOSING: TO MORE ACCURATELY DEFINE AND REFINE THE MOUNTAIN OVERLAY DISTRICT BY AMENDING THE MOUNTAIN OVERLAY DISTRICT MAP, INCLUDING THE BUFFER AND SCENIC CORRIDOR 1 AS SUBSECTIONS; STATING FINDINGS AND REASONS FOR THE ORDINANCE and providing a severability clause and an effective date. On November 10, 2011 the Planning & Zoning Commission recommended MOD map refinements based on common Themes.

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves, County Land Use Administrator Tom Bergin, County Senior Planner Kathy Grotto, Zoning Specialist Nancy Cooley; Linda Haavik representing several landowners; Terry Hogue representing Michael Engl; Sheila Liermann representing the Animal Shelter; Bruce Smith; Peter Candy; Len Harlig; Lili Simpson; Jan Mason; and Paul Kenny.

Cooley gave the posting notice.

**Bowman moved, seconded by Schoen, that notice was adequate. Motion carried unanimously.**

In previous meetings, the BCC reviewed all proposed map modifications; and agreed or reached consensus on most. Bergin reviewed the previous preliminary decisions.

**PUBLIC COMMENT:**

Linda Haavik asked the BCC to consider the entire Zell property; and asked for clarification of Spring Canyon Development in Democrat Gulch. Haavik also asked for additional consideration of the Gardner-Drashner property, which is in the Urban Influence Boundary and Master Plan CH-PUD Overlay.

Citizens cautioned that all hillside development restrictions are removed from an area that is taken out of the MOD. The MOD includes language on water quality; and narrow drainages are important watersheds.

Issues and areas still pending decision: Proposed road alignment and motocross track in the Ohio Gulch area, Democrat Gulch, Stalker Creek, the Zell property, and canyons that narrow and widen.

The BCC directed staff to make the changes that the BCC agreed to, and draft a proposed ordinance that includes the revised MOD.

**LAND WATER AND WILDLIFE LEVY ADVISORY BOARD**

**• Transfer of Development Rights (TDR) discussion**

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves, Land Use Administrator Tom Bergin, County Senior Planner Kathy Grotto; Blaine County Land, Water and Wildlife Levy Advisory Board (LAB) consultant Clare Swanger, LAB members Ben Sinnamon and Lili Simpson; Wood River Land Trust Stewardship Coordinator Keri York; and *Idaho Mountain Express* reporter Matt Furber.

Transfer of development rights (TDRs) are an important component of the 2025 Plan. The Land, Water and Wildlife Program enabling resolution allows TDRs, but consideration of TDRs has raised questions:

- Permanent conservation is what the LWW levy is about. Does removing development rights from a property equate to its permanent conservation?

TDRs put a deed restriction on the property in perpetuity and remove development potential from the land. Schoen absolutely supports TDRs. The County should use public funds to achieve maximum conservation values within the context of what is achievable in each individual circumstance. The TDR program in Blaine County is hampered by the lack of a market on the receiving end.

- No sales of TDRs have occurred in Blaine County, so there is no market data. Would the County consider purchasing a TDR without a third party appraisal?

Schoen said the TDR program was intended to restrict properties as fallow or as productive agriculture, in perpetuity. Appraisers determine the difference between the value of a property with a development right and without a development right. Swanger said The Nature Conservancy could not find an appraiser willing to do an appraisal.

- If and when the County acquires TDRs with LWW funds, and transfers or sells the TDRs, will the proceeds go to the LWW program, County general funds or somewhere else?

Graves outlined potential legal concerns. The BCC has to avoid having any financial stake in the outcome of a TDR decision.

LAB members Ben Sinnamon and Lili Simpson supported the TDR program as an effective conservation tool between a willing buyer and willing seller, both of which are private parties.

**ADJOURN**

At the hour of 4:50 p.m., the BCC finding no more business before them adjourned.

Attest: \_\_\_\_\_ Approved \_\_\_\_\_  
 JoLynn Drage Angenie McCleary  
 County Clerk Chairman