

**OFFICE OF THE BOARD OF COUNTY COMMISSIONERS
OF BLAINE COUNTY
REGULAR MEETING OF THE APRIL 2015 SESSION**

First Day

Tuesday, April 7, 2015

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

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

PUBLIC COMMENT - NONE

Michele Johnson, Hailey citizen and Blaine County employee, asked permission to hold a "MayDay Basket" fund-raiser to support Blaine County Relay for Life on the Old County Courthouse grounds on Thursday, April 30. The BCC supported the fund-raiser.

OPENING OF REQUEST FOR PROPOSALS for Commercial Appraisal of the Former Blaine Manor Property, CONTINUED FROM MARCH 31, 2015

Also present: County Operations Director Char Nelson.

The County received two proposals in compliance with the extended submittal deadline. The County extended the submittal deadline to allow time to answer bidders' questions.

- Bill McCann, Blaine County Appraisal. Fee for a summary report is \$15,000, self-contained report \$22,500; and per hour fee for two individuals. An initial retainer is also requested.
- Alberdi & Co, Inc. Real Estate Services. Appraisal would be completed by May 8, 2015. Alberdi said they will cooperate with Analytic Appraisal, and proposed a fee of \$25,000, based on scope of work.

Staff will review the proposals and report back to the BCC.

BOARD OF EQUALIZATION - I.C. 63-105A (7)

McCleary moved, seconded by Schoen, to convene as the Board of Equalization, pursuant to Idaho Code 67-105A (7). Motion carried unanimously.

There was no business for the Board of Equalization.

McCleary moved, seconded by Schoen, to reconvene as the Board of County Commissioners. Motion carried unanimously.

COUNTY DEPARTMENT REPORTS, Discussion and Consideration

Operations Director - Char Nelson

- Trail Creek remains closed. Road and Bridge Department will save time and money by letting the snow melt naturally this year.
- Road crews are crack sealing and will continue culvert maintenance.
- Nelson will attend an irrigation district meeting in Carey to get County's gravel pit water meter approved.
- Weed Department is sponsoring a public weed identification and treatment workshop this week.
- Department of Agriculture will offer the pesticide exam.
- Weed Department will start spraying road rights-of-way when weather conditions permit.
- Weed Department received over \$15,000 in Cooperative Weed Management Area (CWMA) funding, and was allowed to rollover \$350 from last year.
- Old County Courthouse project architect Steve Trout submitted Wright Brothers weather claims. Trout denied several items and requested additional information on others.
- Courthouse landscaping will be repaired as soon as the County decides whether the concrete pad in the front lawn should be replaced.
- Schoen met Road and Bridge Foreman Greg Peterson at the Carey Gravel Pit to discuss what to do with the balance of land not used for gravel extraction.

County Administrator - Derek Voss

- County resident Michele Johnson requested permission to use part of County property for a Relay for Life fund-raiser. This event does not create any increased liability; the BCC supported the request.

County Projects Update

Also present: Blaine County Land Use Administrator Tom Bergin; Blaine County Planning Assistant Michele Johnson.

- Safe Haven vacated the former Blaine Manor property on March 13, 2015; and will pay rent for January-February and part of March. Safe Haven has agreed to clean up some of the mess left behind on the Blaine Manor property. The Blaine Manor property and confidential documents still

- there are secure. Once the property is cleaned up, staff will evaluate how to proceed with the commercial appraisal. The BCC agreed that the County needs to maximize the value of the property.
- The Hailey Fire Department asked if they could use the former Blaine Manor building as a training facility, but was told there are still tenants in the building.
 - Schoen and Nelson facilitated getting a Safe Haven tenant his favorite recliner from the former Blaine Manor building to his new room at Safe Haven.
 - Greenberg said St. Luke's Community Health will provide mental health services to Safe Haven. He will keep in touch with Safe Haven to be sure level of service meets County expectations.
 - St. Luke's has taken the lead on addressing mental health issues in Blaine County, including the designated examiner process.
 - Emergency Communications is a complex planning issue that involves equipment and funding. The Statewide Interoperability Executive Council (SIEC) and Idaho 911 Emergency Communications Commission (IECC) are going to merge, and a subcommittee will be the go-to organization for the State Legislature. District Interoperability Governance Boards (DIGBs) will be restarted for each district, and are expected to push all counties to contribute to the 25¢ grant fund.
 - McCleary and two others will go to Washington, DC to promote national monument status for the Boulder White Clouds. Trip is sponsored by The Wilderness Society and Idaho Conservation League (ICL).
 - Schoen informed Greenberg and McCleary that he would individually support SNRA+ legislation for the Boulder-White Clouds.
 - The BCC requested a countywide water conservation strategy be put on a future agenda for discussion.
 - The Idaho Legislature has not yet proposed a bill to provide transportation funding. Voss informed the public opinion survey company that the County can't move forward with a survey regarding a levy until the Legislature has ended session.
 - Old County Courthouse roof project is almost closed. The County is waiting for a weather claim from the contractor, Wright Brothers.
 - Greenberg researched a dedicated United Oil fuel depot. Blaine County uses about 75,000 gallons of vehicle fuel a year. A fuel depot would save the County about \$9,000 annually, but would cost a minimum of about \$250,000, without land. The City of Hailey is interested in a partnership to see if the depot could be beneficial to Hailey and the County.
 - A five-year capital plan will be developed once the former Blaine Manor closes out.
 - Voss is drafting a countywide organizational review that will incorporate an energy savings review.
 - Voss and Public Information Officer Bronwyn Nickel are drafting an annual budget report format that will be meaningful to citizens. McCleary offered to assist in the project.
 - Staff continue to improve the County website.
 - Staff continue to devise a Blaine County communications plan.
 - The Employee/Manager Handbook update will be ready soon.
 - The County wants to dispose of some small miscellaneous Elkhorn properties, but staff needs to do additional research to determine owner of title.
 - Greenberg will work with Blaine County public defenders prior to upcoming budget discussions.
 - Land Use will review the solar application process in an upcoming BCC meeting.

CONTRACTS, GRANTS AND AGREEMENTS, Discussion and Consideration

• ITD Local Professional Services Agreement

Record #626007

Also present: County Operations Director Char Nelson.

This grant will fund a safety audit on Gannett Road. The engineering firm will compile technical information from the sheriff, emergency service personnel, Road and Bridge staff and the county engineer for presentation to the BCC in a public hearing with public input.

Schoen moved, seconded by McCleary, to approve the ITD Local Professional Services Agreement for provision of a road safety audit of Gannett Road by Kittelson & Associates and Idaho Transportation Department, for an amount not to exceed \$34,000. Motion carried unanimously.

CONSENT CALENDAR

• Beverage License Transfer for Power House

Schoen moved, seconded by McCleary, to approve the Consent Calendar of April 7, 2015, as read into the record. Motion carried unanimously.

RIGHT-OF-WAY MANAGEMENT PLAN, Discussion and Consideration

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County GIS Program Manager Joel Hall; County Assessor Valdi Pace and Chief Deputy Assessor Martha Heuston; County Land Use Administrator Tom Bergin; County Code Compliance Specialist Diane Shay; County Operations Director Char Nelson; and Hulen Meadows resident Barbara Browning.

The Management Plan will use BCC's Guiding Principles to provide a framework to incorporate years of Blaine County right-of-way information and policies into the County's Comprehensive Plan, currently being updated, and the 2013 Blaine County Transportation Plan. The proposed Blaine County Right-of-Way Management Plan applies to all roadways and roadside areas under the jurisdiction of Blaine County. It is hoped the Management Plan will make Blaine County policies clearer to the public and

other local agencies; and provide direction to field staff, such as Road and Bridge, who interact with the public over roadway management issues.

The proposed Right-of-Way Management Plan addresses access and encroachment management. Schoen suggested the Plan address roadways within subdivisions; and the BCC's authority to abandon or realign roadways. Graves said details of right-of-way encroachment and enforcement are spelled out in Idaho Code. Blaine County has added provisions for working with property owners to achieve voluntary compliance for efficiency.

The Right-of-Way Management Plan includes access management to allow landowners to access their property through the right of way. Schoen suggested the Plan include a statement on County policy on roadways within subdivisions; and the BCC's authority to abandon roadways, relocate easements and adjust the location of rights-of-way. Graves said details of right-of-way encroachment and enforcement are spelled out in Idaho Code. Blaine County has added provisions for working with property owners and voluntary compliance in an effort to get compliance with County policy as efficiently as possible.

PUBLIC COMMENT:

- Hulen Meadows Barbara Browning thanked the BCC for addressing County rights-of-way.

BOARD of COUNTY COMMISSIONERS REPORTS, Discussion and Consideration

Airport Tour – Greenberg

Airport renovation is moving quickly. The new terminal should be complete by the end of May.

EMV (Europay-MasterCard-Visa) Credit Card Processing – Greenberg

Access Idaho will provide Blaine County with terminals for face-to-face transactions. There will be no change in phone transactions.

Craters of the Moon Name Change Update – Greenberg

The Idaho State Legislature has tabled the proposed name change. Butte County will use the delay for public education and to allay concerns that national park status would negatively affect power lines scheduled to go through Craters of the Moon. The BCC has a copy of Butte County's resolution and may schedule a joint meeting in the City of Carey to facilitate public process.

Blaine County Public Safety Facility Refinance Update – Schoen

- Thursday, April 9 is due diligence teleconference call to review preliminary official statement and other documents.
- Tuesday, April 14, at their regular meeting, the BCC will approve making the ratings call, which commits the County to paying a substantial fee to the ratings agency. The ratings agency will compile County information to form a credit opinion. The rating call itself does not have to be a public meeting.
- Wednesday, April 15, is the "rating call" teleconference with the ratings agency. The bond rating will affect the interest rate payable.

Other

McCleary and Greenberg - BLM is communicating with homeowners and stakeholders in the Rotarun and Rodeo Drive area prior to doing 5B Restoration trail work. BLM will request an encroachment permit to erect parking signs. The BCC supports the encroachment permit.

BUDGET DISCUSSION WORKSHOP

Also present: Blaine County Budget Officer/County Clerk JoLynn Drage; Chief Deputy Clerk Leslie Londos; County Treasurer John David Davidson; County GIS Program Manager Joel Hall; County Assessor Valdi Pace and Chief Deputy Assessor Martha Heuston; County Land Use Administrator Tom Bergin; County Sheriff Gene Ramsey; County Operations Director Char Nelson; and County Commissioners' Assistant Jenny Lovell.

Voss met with staff to set a FY2016 budget process timeline and framework. Department heads asked the BCC to decide at the beginning of the budget process if the BCC plans to take the 3% property tax increase and new construction, so departments can prioritize items in their budget requests. Each department's "cost of doing business" should come first, before considering additional budget requests.

Budget Officer Drage suggested the BCC be more realistic in responding to all budget requests, even though they want to hear all requests before making final decisions. Last year, the BCC waited until the end of the process to ask departments to cut an additional 10% of their budget.

The BCC will hear presentations of outside non-profit public agencies and County departments in May and June.

EXECUTIVE SESSION - Idaho Code 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 Indigent Services Director Brooke Baird.

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

OPEN SESSION RESUMED

Schoen moved, seconded by McCleary, to accept Notices of Cancellation of Hearing and Final Determination of Denial in Applications for Assistance #Cases #2014-55 and #2014-67. Motion carried unanimously.

Schoen moved, seconded by McCleary, to approve Case #2015-06 Medical Indigent Application for Assistance, with a \$25 monthly reimbursement, to be re-evaluated in 12 months. Motion carried unanimously.

Schoen moved, seconded by McCleary, to deny Medical Indigent Application for Assistance, Case #2015-13, based on staff recommendation. Motion carried unanimously.

Schoen moved, seconded by McCleary, to deny Medical Indigent Application for Assistance, Case #2015-15, based on staff recommendation. Motion carried unanimously.

Schoen moved, seconded by McCleary, to suspend Medical Indigent Application for Assistance, Case #2015-17, based on staff recommendation. Motion carried unanimously.

BREAK

LAND USE and BUILDING SERVICES HEARINGS

- **Amendments to Comprehensive Plan Introduction, Community Profile, and Transportation Sections** CONTINUED FROM FEBRUARY 10 AND FEBRUARY 24, 2015. Public hearing and consideration of proposed amendments to Title 8, Ch. 1, Comprehensive Plan. These sections were prepared by a stakeholder committee, Land Use staff and consultant, and Comprehensive Plan Update Steering Committee. The Introduction includes Vision, Terms & Definitions, Key Guiding Principles, and History. The Community Profile includes Population, Employment, and County Build-out, and would replace Section 11, Population, of the current Plan. Chapter 1, Transportation, would replace Section 15, Road System, of the current Plan. The Planning and Zoning Commission recommended approval of the proposed Introduction/Community Profile on January 8, 2015, and the Transportation chapter on January 29, 2015.

Also present: Blaine County Land Use Administrator Tom Bergin; Comprehensive Plan consultant Lisa Horowitz; Comprehensive Plan Steering Committee member Len Harlig; Lili Simpson; Tom Hickey; Charley Johnson; Jim and Evelyn Phillips; Carol Waller; Joseph Ryan; Mountain Rides Executive Director Jason Miller; and *Idaho Mountain Express* reporter Greg Moore.

Grotto read notice.

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

Introduction and Community Profile

Grotto reviewed minor edits made to the Introduction and Community Profile sections, as suggested by the BCC and Comp Plan editor Jo Murray. Additional changes can be made to any part of the draft Plan as the Comprehensive Plan process continues. Schoen requested the two introductory chapters include more photos and references to the area's indigenous people.

Len Harlig cautioned the BCC against weakening Land Use policies on hills and mountains. The BCC agreed that protection of these areas is important, but realized post Beaver Creek fire that natural events could cause unforeseen public safety issues.

Grotto reviewed latest revisions made to Chapter 1 Transportation:

Chapter 1 Transportation

BCC comments and questions:

- Acknowledge the dual path to improve Friedman Airport and plan for a regional airport in the future.
- Does this section focus more on multimodal patterns and the Community Bicycle-Pedestrian Master Plan and not enough on vehicular transportation? Is the primary goal in the Comp Plan to reduce single-occupancy vehicles on major roadways; or to provide safe and efficient vehicular traffic?
- Acknowledge that rural roads should be maintained for use by farm-related heavy equipment to support a rural agricultural economy.

PUBLIC COMMENT:

- Joseph Ryan asked that roads be painted and maintained for everyone's safety.
- Several citizens said the Community Bicycle-Pedestrian Master Plan, an appendix of the Transportation chapter, includes a trail map with a trail that trespasses on their private property and/or infringes on their privacy. McCleary emphasized that all proposed projects in the Bike/Ped Plan are conceptual and need approval and funding.

- Lili Simpson asked that the bike/pedestrian trail signs include a pedestrian as well as a bike.
- Mountain Rides Executive Director Jason Miller thanked the Comp Plan Steering Committee for including all transportation modes. It is important to encourage multimodal alternatives to support investments in safe and efficient interconnectivity.
- Simpson didn't think the Master Plan meetings were adequately noticed. Miller said the Master Plan was a small budget high level look at bike/ped needs in the community, including providing missing connections. The Master Plan Committee tried to use every resource they had, including a survey, to invite public input on the plan. Comp Plan consultant Lisa Horowitz said it's difficult to get people to show up for planning meetings like this. Schoen said plans like the Bicycle/Pedestrian Plan and the Transportation Plan are developed with good intentions, but do not have the same status in the law as a county comprehensive plan. County legal counsel and Land Use staff will consider the issue of how they are to be incorporated into the Comprehensive Plan.

Schoen moved, seconded by McCleary, to approve Blaine County Resolution 2015-08, a resolution amending Blaine County Comprehensive Plan by adopting the Introduction and Community Profile sections replacing existing sections, as slightly amended today. Motion carried unanimously.

Incomplete Resolution 2015-08 incorrectly recorded as #625761

Corrected Resolution 2015-15 Record #

Schoen moved, seconded by McCleary, to continue discussion of Blaine County Comprehensive Plan Transportation section to Tuesday, April 21, 2015, at 2:30 pm. Motion carried unanimously.

LAND USE and BUILDING SERVICES, Discussion and Consideration

• **Comprehensive Plan Steering Committee Membership**

The Steering Committee wants to be more involved upfront. A couple members of the Steering Committee will work directly with the teams as they continue to draft the Comprehensive Plan. The BCC would prefer a seven-member Steering Committee.

APPROVAL OF BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

- January 13, 2015 Special Meeting Minutes
- January 27, 2015, March 17, 2015, and March 24, 2015 Regular Meeting Minutes

Schoen moved, seconded by McCleary, to approve minutes for January 13, 2015 Special Meeting; and January 27, March 17, and March 24, 2015 Regular Meeting Minutes, as amended. Motion carried unanimously.

EXECUTIVE SESSION - Idaho Code 67-2345 1(f) Potential Litigation – Appeal Engl Decision to Supreme Court

Schoen moved, seconded by McCleary, to go into Executive Session, pursuant to Idaho Code 67-2345 1(f) Potential Litigation, to discuss with legal counsel the legal ramifications of and legal options for potential litigation. Roll call: Schoen (aye); McCleary (aye); and Greenberg (aye). Motion carried unanimously.

RESUME OPEN SESSION

Schoen moved, seconded by McCleary, to authorize the County attorney to file Notice of Appeal to the Idaho Supreme Court in the Matter of Engl vs. Blaine County. Motion carried unanimously.

ADJOURN

At the hour of 4:58 p.m., with no more business before them, McCleary moved to adjourn, seconded by Greenberg. Motion passed unanimously.

Attest: _____ Approved _____
 JoLynn Drage Jacob Greenberg
 County Clerk Chairman