

**OFFICE OF THE BOARD OF COUNTY COMMISSIONERS  
OF BLAINE COUNTY  
REGULAR MEETING OF THE APRIL 2013 SESSION**

**Second Day**

**Tuesday, April 9, 2013**

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 Angenie McCleary, Commissioner Jacob Greenberg; County Administrator Derek Voss; County Clerk JoLynn Drage; Operations Director Char Nelson; Recording Secretary Sunny Grant; and *Idaho Mountain Express* reporter Kate Wutz.

Chairman Schoen called the meeting to order at 9:04 a.m.

**PUBLIC COMMENT - NONE**

**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 3, 2013, as presented. Motion carried unanimously.**

	<b>Mar-2013</b>		
<b>FUND 01</b>	<b>AGAINST GENERAL FUND</b>		
Blaine County Employees	Salaries March 7	\$ 256,630.90	
Blaine County Employees	Salaries March 21	\$ 261,072.68	
Total March FICA		\$ 37,479.21	
Total March Benefits		\$ 144,098.82	
Total March Bills		\$ 309,077.74	
Combined Total March Expense			\$1,008,359.35
<b>FUND 02</b>	<b>AGAINST ROAD &amp; BRIDGE</b>		
Blaine County Employees	Salaries March 7	\$ 25,858.58	
Blaine County Employees	Salaries March 21	\$ 25,399.06	
Total March FICA		\$ 3,953.55	
Total March Benefits		\$ 14,996.39	
Total March Bills		\$ 59,528.06	
Combined Total March Expense			\$ 129,735.64
<b>FUND 03</b>	<b>AGAINST ELECTION CONSOLIDATION</b>		
Blaine County Employees	Salaries March 7	\$ 1,715.43	
Blaine County Employees	Salaries March 21	\$ 1,243.20	
Total March FICA		\$ 224.31	
Total March Benefits		\$ 807.02	
Total March Bills		\$ 364.10	
Combined Total March Expense			\$ 4,354.06
<b>FUND 04</b>	<b>AGAINST AMBULANCE</b>		
Total March Bills		\$ 169,022.69	\$ 169,022.69

<b>FUND 06</b>	<b>AGAINST DISTRICT COURT</b>		
Blaine County Employees	Salaries March 7	\$ 1,950.75	
Blaine County Employees	Salaries March 21	\$ 1,950.75	
Total March FICA		\$ 298.48	
Total March Benefits		\$ 954.04	
Total March Bills		\$ 8,777.35	
Combined Total March Expense			\$ 13,931.37
<b>FUND 07</b>	<b>AGAINST COUNTY FAIR</b>		
Total March Bills		\$ -	\$ -
<b>FUND 11</b>	<b>AGAINST PUBLIC HEALTH</b>		
Total March Bills		\$ 20,051.00	\$ 20,051.00
<b>FUND 12</b>	<b>AGAINST HISTORICAL SOC. &amp; MUSEUM</b>		
Total March Bills		\$ 12,550.00	\$ 12,550.00
<b>FUND 16</b>	<b>AGAINST CHARITY &amp; INDIGENT</b>		
Blaine County Employees	Salaries March 7	\$ 1,803.20	
Blaine County Employees	Salaries March 21	\$ 1,803.20	
Total March FICA		\$ 221.26	
Total March Benefits		\$ 1,133.42	
Total March Bills		\$ 17,536.44	
Combined Total March Expense			\$ 22,497.52
<b>FUND 17</b>	<b>AGAINST JR. COLLEGE TUITION</b>		
Total March Bills		\$ 1,000.00	\$ 1,000.00
<b>FUND 20</b>	<b>AGAINST REVALUATION</b>		
Blaine County Employees	Salaries March 7	\$ 10,679.94	
Blaine County Employees	Salaries March 21	\$ 10,679.93	
Total March FICA		\$ 1,503.15	
Total March Benefits		\$ 7,748.82	
Total March Bills		\$ 340.36	
Combined Total March Expense			\$ 30,952.20
<b>FUND 22</b>	<b>AGAINST RECYCLE CENTER</b>		
Blaine County Employees	Salaries March 7	\$ 5,153.20	
Blaine County Employees	Salaries March 21	\$ 5,496.18	
Total March FICA		\$ 814.72	
Total March Benefits		\$ 2,752.49	
Total March Bills		\$ 10,673.58	
Combined Total March Expense			\$ 24,890.17
<b>FUND 23</b>	<b>AGAINST SOLID WASTE</b>		
Total March Bills		\$ 325,229.58	\$ 325,229.58
<b>FUND 27</b>	<b>AGAINST NOXIOUS WEEDS</b>		
Blaine County Employees	Salaries March 7	\$ 3,425.60	
Blaine County Employees	Salaries March 21	\$ 3,425.60	
Total March FICA		\$ 461.18	
Total March Benefits		\$ 2,502.16	
Total March Bills		\$ 10,264.44	
Combined Total March Expense			\$ 20,078.98
<b>FUND 30</b>	<b>AGAINST CAPITAL IMPROVEMENT FUND</b>		
Total March Bills		\$ 18,851.67	\$ 18,851.67

<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		\$ 184,654.33	\$ 184,654.33
<b>FUND 37</b>	<b>AGAINST SNOWMOBILE</b>		
Total March Bills		\$ 992.38	\$ 992.38
<b>FUND 38</b>	<b>AGAINST WATERWAYS</b>		
Total March Bills		\$ 483.52	\$ 483.52
<b>FUND 46</b>	<b>AGAINST E-911 EMERGENCY COMM</b>		
Blaine County Employees	Salaries March 7	\$ 4,546.40	
Blaine County Employees	Salaries March 21	\$ 4,546.40	
Total March FICA		\$ 636.22	
Total March Benefits		\$ 2,675.74	
Total March Bills		\$ 28,280.80	
Combined Total March Expense			\$ 40,685.56
<b>FUND 51</b>	<b>AGAINST LAND WATER &amp; WILDLIFE LEVY</b>		
Total March Bills		\$ 6,665.21	\$ 6,665.21
<b>FUND 81</b>	<b>AGAINST LIABILITY INSURANCE</b>		
Total March Bills		\$ -	\$ -
<b>TOTAL ALL FUNDS</b>			<b>\$2,034,985.23</b>

**Sheriff – Gene Ramsey**

- 41 inmates in jail this morning, 16 are Idaho Department of Corrections (IDOC) inmates, and one is from Jerome.
- Sheriff's office is transferring its used vehicles to other County departments, which keeps the Sheriff's fleet and County vehicles more up to date.
- Participated in State Interoperability Executive Council (SIEC) training. SIEC is working to revitalize itself with new goals and objectives.
- Deputy Andrew Schiers graduated from Idaho Peace Officer Standards and Training (POST) first in his class of 39. The County now has five POST graduates who've graduated first in their class.
- Sheriff's office has been sponsoring drug interdiction and FEMA Command System classes at the Public Safety Facility.
- Met with County attorney on the pending lawsuit against Blaine County and the jail.

**Operations Director – Char Nelson**

Also present: Blaine County Engineer Jeff Loomis; Land Use Administrator Tom Bergin; resident Jon Parkinson.

- Landowner Jon Parkinson requests permission to relocate the last mile of Mecham Lane at his expense, for agricultural efficiency. The current roadway is not in good condition. County Operations and the County Engineer visited the site and support the road relocation. The current roadway will not be removed until the new road is inspected by the County Engineer. The road relocation will be memorialized in a formal contract.
- A bidder in last week's Road and Bridge bid opening asked for clarification of a past bid. Staff reviewed the bid process and an inspection and bid process report were delivered to the bidder.
- Earth Day is April 22. The High School Water Club will show the video *Trash* at the high school.
- Recycle program t-shirts designed by students will be made out of recycled products.
- Nelson responded by phone and letter to the resident who didn't want to pay his bill for noxious weed removal.

**Clerk's Report – JoLynn Drage**

- Re-presented the current salary structure that does not include all elected officials and would allow a chief deputy to be paid a higher salary than an elected official. County Commissioners were not included in the salary structure due to the complexity of their position and difficulty in placing them in the grade levels chart. McCleary felt all elected officials including Commissioners should be treated equally. Greenberg felt departments and positions, including elected officials, should be consistent across the chart. Topic will be discussed again at a future meeting.

**County Administrator – Derek Voss**

Also present: Blaine County GIS Program Manager Joel Hall.

- Working with IT to develop IT connections in the Annex temporary locations during the Courthouse structural retrofit.
- The Regional Transportation Committee received updates by Sustain Blaine and the Blaine County Recreation District on trail usage counts done last year. Cities of Ketchum and Sun Valley may request additional County GIS support, which would affect the County's GIS department resources. The BCC will hear a full presentation at an upcoming BCC meeting.

**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 Indigent Services Manager Brooke Roberson and Indigent Services Assistant Amy Rivkin.

**McCleary moved, seconded by Schoen, to convene in Executive Session pursuant to Idaho Code 67-2345 1(d) to consider indigent medical applications. McCleary (aye), and Schoen (aye). Greenberg recused himself from executive session due to potential conflict of interest. Motion carried 2/0.**

**OPEN SESSION RESUMED**

**McCleary moved, seconded by Greenberg, to deny Application for Assistance in Cases #2013-36, 2013-38, and 2013-30, based on staff recommendations. Greenberg abstained due to potential conflict of interest. Motion carried 2/0.**

**CONTRACTS, GRANTS AND AGREEMENTS DISCUSSION AND CONSIDERATION**

- **2012 State Homeland Security Grant Program** ..... Record # \_\_\_\_\_

Also present: Blaine County Grant Administrator Michele Johnson; Disaster Services Coordinator Chuck Turner.

**McCleary moved, seconded by Greenberg, to accept the award of 2012 State Homeland Security Grant EMW2012SS00136 funds of \$30,796.13 and agree to the terms of grant assurances and certifications and Memorandum of Understanding. Motion carried unanimously.**

- **Idaho Department of Agriculture Award of 2013 Federal and State General Fund Cost Share Funds Cooperative Weed Management Area (CWMA)** .....Record # \_\_\_\_\_

Also present: Blaine County Grant Administrator Michele Johnson; Weed Department Manager John Cenarrusa; Weeds Department Outreach Coordinator Bronwyn Nickel.

**Greenberg moved, seconded by McCleary, to accept federal (\$6,027) and state (\$17,430) General Fund Cost Share Funds for the Cooperative Weed Management Area (CWMA), and accept the Disbursement Agreement. Motion carried unanimously.**

- **Blaine County Design-Build Agreement**

This standardized Design-Build Guarantee Maximum Price Agreement for the Courthouse structural

retrofit project has been reviewed by the County Administrator, County Attorney and County Operations Director. This agreement would be County's sole contract with the general contractor to be chosen in an RFQ process. Bonding would be for the full value of the agreement, plus any approved modifications.

There would be a separate contract with the engineering firm responsible for building engineering and follow-up inspections.

- **Memorandum of Understanding with The Nature Conservancy for Evaluation of Silver Creek Macroinvertebrate Populations**

Also present: Blaine County Land Use Administrator Tom Bergin; and County Grant Administrator Michele Johnson.

Bergin said one provision of the agreement was mistakenly omitted. The contract will be on next week's agenda.

### **CONSENT CALENDAR**

- **Transfer Beverage License to Albertsons #130**

**McCleary moved, seconded by Greenberg, to approve the Consent Calendar for April 9, 2013. Motion carried unanimously.**

### **BOARD REPORTS, DISCUSSION and CONSIDERATION**

#### **Craters of the Moon National Monument and Preserve Environmental Impact Statement Cooperating Agency – Schoen**

Blaine County should apply to be a cooperating agency in the BLM's Craters Monument and Preserve Management Plan. This allows the County to partner with BLM and the Forest Service in the planning process. Public meetings will be held.

#### **US Geological Survey/Idaho Department of Water Resources Ground Water Model – Schoen**

The recent meeting was a good presentation of the different issues. A Technical Advisory Committee has been formed to assist in development of the model.

#### **Sun Valley City Council Meeting – Greenberg**

Sun Valley's temporary Public Safety Administrator Walt Femling presented a new dispatch funding matrix model to the Sun Valley Council. Council postponed their vote on the current resolution to sign an agreement with SIRCOMM. Greenberg conveyed the BCC's views on Femling's proposal.

Greenberg sent Sun Valley Councilmembers an outline of a different billing model that would give all Blaine County Emergency Communications members a discount, but there was no discussion of this proposal.

#### **Consolidated Emergency Communications – Greenberg**

Greenberg and County Emergency Communications Director Robin Stellers developed a preliminary spreadsheet forecast on 700MHz future and funding.

#### **ITD District Coordinating Council Meeting – McCleary**

The ITD District Coordinating Council (DCC) recommends allocation of federal funding for public transportation entities in Idaho. This year the DCC decided to recommend that Idaho transit entities receive funding based on population, not ridership or other performance measures. Blaine County's Mountain Rides shares funding with Twin Falls Trans IV, which has considerably larger population, and will likely get most of the money even though their transit system is less used and less efficient. Funding is down considerably this year and Mountain Rides is looking at a significant funding cutback for all routes, including the Hailey circulator.

### **Region IV Behavioral Health Community Board Meeting – McCleary**

The Region IV Mental Health Board has renamed itself the Region IV Behavioral Health Community Board to indicate its readiness for the State to merge regional mental health boards with regional substance abuse boards. However, the legislation that would require this merger did not pass in this year's legislative session. The failure of that legislation was a lengthy discussion at the meeting.

### **Blaine Manor Board Meeting – McCleary**

The Board has concerns about how the transition process to Safe Haven will happen. Voss and Greenberg will coordinate and facilitate transition meetings in the future.

### **Wildlife Crossing Committee – McCleary**

The Wildlife Crossing subcommittee of the Regional Transportation Committee is forming, and will be discussing means to try to reduce vehicle-wildlife collisions. The Land, Water and Wildlife Levy Advisory Board would like their coordinator Clare Swanger to be involved on the committee.

The BCC supported giving the committee a page on the Blaine County website.

## **BLAINE COUNTY RECREATION DISTRICT TRAIL SYSTEM IMPROVEMENT LEVY PRESENTATION**

Also present: Blaine County Engineer Greg Loomis; Blaine County Recreation District (BCRD) Executive Director Jim Keating, Director of Marketing and Development Kris Stoffer; Trails Director Eric Rector; BCRD Board members Mark Mary and Megan Stevenson; and Alan Stevenson.

The BCRD manages the Wood River Trails. The "bikepath" is a vital part of the community, and sees over 300,000 user days a year. Much of the trail has cracks, potholes, and root intrusion. The BCRD Board of Directors passed a resolution calling for a special two-year \$3.5 million bond levy election on May 21, 2013 that would fund resurfacing the entire trail over two years. The levy would require a simple majority and cost property owners about \$21 per \$100,000 taxable valuation.

## **CHAMPIONS OF THE WOOD RIVER TRAILS**

Also present: Dick Fosbury, Vice President of the Champions of the Wood River Trails.

The Champions formed to "champion" the initiative of the BCRD to pass a two-year bond levy to resurface the entire Wood River Trail system. Taking care of infrastructure is always a challenge, but the trail must be restored to a safe condition as soon as possible.

## **SKILLED NURSING CARE TRANSITION PLANNING RESOLUTION 2013-11...Record# \_\_\_\_\_**

### **Giving direction to planning for transition of skilled nursing from Blaine Manor to Safe Haven**

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; Blaine Manor Administrator Gail Goglia, Finance Director Stephanie Jaskowski, Director of Nursing Margaret Gartner, and transition representative Linda Haavik; Marsha Riemann; Safe Haven CEO Scott Burpee; Tom Rhinevault; Alan Stevenson; Stella Gray; Ron Moore; Ursula Hulbert; Croy Canyon Ranch Foundation Executive Director Kathleen Eder, CCRF Campaign Chairman Anita McCann, and CCRF Board member Greg Cappel; Carol Taglio; Dale Ewersen; Steve Pauley; and Patty Tobin.

A Skilled Nursing Request for Information was issued in early May 2012 that elicited three proposals. In February 2013, the BCC decided by majority vote to accept a proposal from Safe Haven Health Care. Safe Haven offered to take over operation of the Blaine Manor facility on October 1, 2013 as part of their revised RFI response. The BCC subsequently made the decision to not pursue a levy to continue funding the operation of Blaine Manor.

The BCC considers a resolution that is a general statement of principles relating to their prior decision to transition Blaine Manor to Safe Haven. The Resolution will clearly indicate that Commissioner

McCleary did not support the Commission's decision to choose Safe Haven.

The resolution states that Safe Haven shall assume operations of Blaine Manor on or before October 1, 2013. Details of the transition and Safe Haven's obligations in the operation of Blaine Manor will be the substance of a binding service agreement with Safe Haven and will describe in detail how the Blaine Manor facilities license will be transferred to Safe Haven.

Safe Haven's Bell Mountain facility in Bellevue now has site plan approval from the City of Bellevue. Blueprints are complete. Construction costs are being finalized and the timeline is on schedule. The USDA and bank are in the final process of approving financing.

#### PUBLIC COMMENT:

Donna Alfs collected 586 signatures on a petition "requesting the extension of the levy on Blaine Manor through the public process". The petition asks that the public be allowed to vote on extending the Blaine Manor levy. Many members of the public in attendance at the meeting supported the petition.

The BCC held public hearings for over a year to debate all issues related to senior/skilled nursing care options available. The BCC issued Requests for Information in early 2012, and held several meetings to review and discuss the proposals. The BCC selected Safe Haven's proposal. This resolution will direct the transition of Blaine Manor and its patients and transfer of Blaine Manor's facilities license to Safe Haven.

The deadline for a special levy ballot for the May 21 special election was March 29. A special levy ballot on the November 2013 election, if approved, would not provide funds to Blaine Manor until 2015. Blaine County cannot afford to subsidize Blaine Manor for that one-year interim.

Commissioner Greenberg said senior care is a major issue in Blaine County. He strongly encouraged individuals to attend meetings and participate in the process, but few showed up. The BCC and County Administrator, at his request, visited different nursing care facilities in the state and invited an expert in the field of skilled nursing care to speak at a BCC meeting.

Graves said citizens do not at this late date have a legal option to reverse the BCC's decision. Citizens could petition to create a hospital district which, arguably, could involve a skilled nursing facility. Citizens could also petition to put a question on the ballot of whether there should be a bond election to raise funds to construct a new county hospital that would be a nursing home, which would require a two-thirds vote. Reversing the current BCC decision would take at least a year.

**Greenberg moved, seconded by McCleary, to approve Resolution 2013-11 regarding the transition of skilled nursing care from Blaine Manor to Safe Haven, as amended to reflect changes by the BCC.** In discussion, McCleary said she will sign the resolution, with the understanding that it memorializes the majority of the BCC's decision. Since the majority of the BCC is not willing to reconsider its decision, she supports moving forward, provided the resolution clearly indicates that Commissioners Schoen and Greenberg voted for the decision and Commissioner McCleary did not. Further, Commissioner McCleary supported the resolution because it states important principles that should be included in the service agreement. Commissioner Schoen said this was an emotional topic. It was a difficult and complicated decision in the face of conflicting opinions. **Motion carried unanimously.**

## **AIRPORT PROJECT UPDATE AND DISCUSSION**

Also present: Friedman Memorial Airport Manager Rick Baird; and T-O Engineers Vice President Dave Mitchell.

### **Friedman Memorial Airport Authority (FMAA) Meeting Preparation**

It is likely the FAA will cease to fund the Friedman Memorial Airport control tower in about 30 days. The FMAA needs to provide guidance to airport staff on whether it plans to keep the tower open; and let the community know how they will deal with the proposed closure. The FAA will allow the tower to remain in the federal program for 30 days while the FMAA works out details of keeping it open, as long as the FMAA covers the cost. FMAA owns the tower and most of the equipment in it. The five air traffic controllers have been given termination papers. The FMAA will have to discuss funding for keeping the tower open.

T-O Engineers will try to convince the FAA that all the modifications to operational standards submitted to meet airport safety standards compliance have merit.

## **LAND, WATER AND WILDLIFE LEVY ADVISORY BOARD PROGRAM MATERIALS UPDATE AND CONSIDERATION, CONTINUED**

Also present: Blaine County Land, Water and Wildlife Levy Advisory Board Coordinator Clare Swanger.

The BCC made revisions and corrections on the pre-application and full application.

The BCC agreed that they wanted the LAB to be able to initiate projects. Statements to this effect should be incorporated into the Program Guide, and the rest of the draft Considerations for Initiating Projects document can be eliminated.

One of the six requirements of a LWW project is matching funds, in-kind or cash. Projects have typically provided 25-50% match. The LAB suggested County-initiated projects not require a match. Schoen said local match has been a fundamental precept of the program; and components of the program should be consistent. The BCC agreed that the LAB's job is to use LWW funds carefully and conservatively, but the LAB should not reject a very deserving project just because it has no matching funds. The BCC suggested the language be revised to state that matching funds or other leverage funds shall be strongly encouraged and may be required.

The LAB will revisit their hesitation to transfer County LWW funds directly to an individual or for-profit entity. Funds have always gone to a non-profit to purchase a conservation easement or do the necessary preparation and maintenance work. The landowner may be responsible to meet compliance requirements and enforce the terms of grant funds, but the LAB, Blaine County and staff don't currently have resources to work directly with the applicant.

The BCC directed that Blaine County be removed from the partner list and remove the provision that the funds can't be granted directly to the landowner.

The BCC will revisit LWW program documents in a future meeting.

## **LAND USE AND BUILDING SERVICES DISCUSSIONS AND CONSIDERATION**

### **• P&Z Discussion: Magic Reservoir Letter of Map Revision (LOMR) Approval**

Also present: Blaine County Land Use Administrator Tom Bergin; engineer Brian Yeager.

FEMA raised flood insurance premiums for residences around Magic Reservoir due to a revised floodplain elevation map. Landowners engaged Brian Yeager and County Engineer Jim Koonce to re-evaluate FEMA's decision. FEMA agreed to approve the LOMR. Land use will incorporate the new FEMA map into their floodplain maps.

- Findings to be signed: ITD-Big Wood Bridge Floodplain Conditional Use Permit  
McCleary moved, seconded by Greenberg, to approve the Findings of Fact, Conclusions of Law and Decision on the application of the Idaho Transportation Department for a Floodplain Conditional Use Permit to replace the Big Wood River bridge located over the Big Wood River to allow for four lanes of traffic. Schoen abstained, since he was not present at the meeting. Motion carried 2/0.

**EXECUTIVE SESSION – §67-2345 1(f) PENDING LITIGATION and 1(j) Risk Management**

At 3:19 p.m., McCleary moved, seconded by Greenberg, to go into Executive Session for Pending Litigation, pursuant to Idaho Code §67-2345 1(f), to discuss with legal counsel the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated; and for §67-2345 1(j), to discuss the adjustment of a pending claim or prevention of a claim imminently likely to be filed with the County’s risk manager. Greenberg (aye), McCleary (aye), and Schoen (aye). Motion carried unanimously.

**OPEN SESSION RESUMED**

**ADJOURN**

At the hour of 4:19 p.m., the BCC finding no more business before them adjourned.

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