

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

First Day

Tuesday, December 3, 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, County Administrator Derek Voss; County Clerk JoLynn Drage; Operations Director Char Nelson; Idaho House of Representatives candidate Don Hudson; Recording Secretary Sunny Grant; and *Idaho Mountain Express* reporter Greg Moore.

Commissioner Greenberg was absent from today's meeting.

Chairman Schoen called the meeting to order at 9:14 a.m.

PUBLIC COMMENT - NONE

AMEND AGENDA

McCleary moved, seconded by Schoen, to amend today's December 3, 2013 agenda to remove the 1:30 Appeal of a Mountain Overlay District (MOD) Site Alteration Permit decision. The appellant notified Land Use that he is not in town and does not know his schedule for the next month or two. The appeal will be rescheduled at a later date. Motion carried 2/0.

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 Schoen, to convene in Executive Session, pursuant to Idaho Code 67-2345 1(d) to consider indigent medical applications. McCleary (aye); and Schoen (aye). Motion carried 2/0.

OPEN SESSION RESUMED

McCleary moved, seconded by Schoen, to deny Medical Indigent Applications for Assistance Cases #2013-90, #2013-91, #2013-89, based on staff recommendations. Motion carried 2/0.

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

McCleary moved, seconded by Schoen, to convene as the Board of Equalization, pursuant to Idaho Code 63-105A (7). Motion carried 2/0.

There is no business for the Board of Equalization to discuss today.

McCleary moved, seconded by Schoen, to reconvene as the Board of Blaine County Commissioners. Motion carried 2/0.

COUNTY DEPARTMENT REPORTS, Discussion and Consideration

Operations

- Operations interviewed several excellent candidates for the County's maintenance position. The County made an offer, which was accepted. The new maintenance person will begin soon.
- Gimlet resident Michael Feltman complained to the BCC that the intersection of Gimlet Road at State Highway 75 is unsafe as a result of reconstruction in that area. Schoen and McCleary individually contacted Feltman. Gimlet Road is private and the County has no responsibility for it. The County doesn't have funds or expertise to do this kind of repair work; and would incur significant liability. Schoen suggested Feltman have the Gimlet Homeowners Association contact ITD.

County Administrator – Derek Voss

Also present: Human Resources Generalist Susan Potucek.

- The Air Service Board is coming together as member cities appoint their representatives. The BCC thinks a County Commissioner should serve as their representative. The BCC will make their appointment at a future meeting.
- Blaine County's holiday hours will be 8:00 am to 5:00 pm on Christmas Eve and 8:00 am to 6:00 pm on New Year's Eve. Departments can maintain skeleton crews if that serves the public adequately. Employees who work at least until 2:00 on Christmas Eve and New Year's Eve will be paid a full day.
- Board appointments the BCC needs to make:
 - Fair Board: two appointments, one of which is probably a reappointment.
 - There are two Blaine Manor Board members up for reappointment in January, but the Blaine Manor Board of Trustees will be dissolved the end of January.
 - Blaine County Housing Authority: one reappointment.
 - Land, Water and Wildlife Levy Advisory Board has reappointments.

CONSENT CALENDAR

- **Resolution 2013-59 - authorizing transfer of funds to Ketchum Police Department Trust Account** Record #615130
- **Resolution 2013-60 - authorizing transfer of funds to Consolidated Emergency Communications Fund** Record #615131
- **Resolution 2013-61 - authorizing destruction of 2008 Auditor’s records** Record #615132
- **Idaho Department of Juvenile Corrections Juvenile Justice Annual Financial Report**

McCleary moved, seconded by Schoen, to approve the Consent Calendar for December 3, 2013. Motion carried 2/0.

BOARD REPORTS, Discussion and Consideration

Beaver Creek Fire Recovery Updates – McCleary

Blaine County is on the Natural Resources Conservation Service (NRCS) wait list for Emergency Watershed Protection (EWP) program funding. Funding could happen any time, but may take years. EWP funds would pay for projects on private lands that are near waterways that may be threatened as a result of the Beaver Creek Fire. At this time, the landowners want to wait and see if NRCS EWP funds are appropriated next spring and summer.

Mega-loads travelling through the County – McCleary

Three megaload shipments originating in Oregon are scheduled to travel through Idaho and Blaine County en-route to Canada. The preferred route through Idaho is on State Highway 20 through Blaine County to Carey. ITD is currently doing a bridge analysis, after which the shippers can apply for permits. Local residents are concerned about these shipments.

Schoen will draft a letter to ITD for BCC approval expressing Blaine County’s concerns for public safety and the potential for extensive traffic delays.

St. Luke’s Community Health Needs Assessment – McCleary

Non-profit hospitals must demonstrate to the IRS how they act as a non-profit service in their communities. St. Luke’s Wood River will present its Community Health Needs Assessment and Implementation Plan showing how they meet Blaine County’s health needs.

Blaine Manor Board – McCleary

The Blaine Manor Board of Trustees reported that Blaine Manor had 102,737 resident days from 2001 to 2013. The 12-year average census was 21.79 residents, 4% Medicare, 69% Medicaid, and 27% self-pay.

Blaine Manor’s independent auditor will present Blaine Manor’s final audit to the BCC in January, 2014. Blaine Manor expects to have cash remaining at the end of January that will come back to Blaine County.

Music and Art Showcase Sun Valley (MASSV) – McCleary

MASSV submitted an application to hold a concert in Blaine County and proposed revisions to Blaine County Code. The County Administrator will work with Land Use and the County Attorney on the application and potential text amendment.

Southern Idaho Solid Waste District – Schoen

The regular Board Meeting approved the audit.

Cooperative Weed Management Agency (CWMA) – Schoen

CWMA stakeholders discussed the past season’s projects. The CWMA is very successful in targeting limited resources to address noxious weed management issues in Blaine County’s cities and remote rural areas.

Blaine County Drug Coalition Regular Board Meeting – Schoen

The Drug Coalition is expanding its outreach program in the community. The Blaine County School District is supporting anti-drug programs and testing. The Idaho Drug Free Youth (iDFY) Coordinator Stephanie Miller attends school presentations and iDFY programs are increasingly popular with students at the Middle and High schools.

Decision on Jolliffe Application for Reconsideration of DeChevrieux MOD-ESAP – McCleary

A letter regarding the decision on the Jolliffe application was sent to McCleary and Greenberg, but was not sent to Chairman Schoen. McCleary shared the letter with Schoen prior to discussion of the decision in today’s meeting.

APPROVAL OF BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

- **June 5, 2013 Special Road and Bridge Funding Meeting**
- **July 2, 2013 Regular Meeting**
- **November 19, 2013 Regular Meeting**
- **November 26, 2013 Regular (short) Meeting**

McCleary moved, seconded by Schoen, to approve the meeting minutes of the Board of Blaine County Commissioners for June 5, 2013, July 2, 2013, November 19, 2013 and November 26, 2013, as amended. Motion carried 2/0.

BOARD PROJECTS PRIORITIZATION AND MANAGEMENT, Discussion

Also present: Blaine County Land Use Administrator Tom Bergin.

The BCC discussed the Fall Update of the Board of County Commissioners Projects and Priorities Fiscal Year 2014. The BCC made a few suggestions and revisions, and felt it was a good working list. Voss will track the list. The BCC will review the BCC Project Report on the first agenda of each month to evaluate and update projects and priorities.

Additional discussions:

- Blaine County Vehicle Fleet Management.
- Potential fuel depot could be budgeted under capital improvement.
- Project management of Elkhorn lift property
- A Commissioner should be involved in most or all projects. Schoen will be added to Onsite Wastewater, Transferable Development Rights program, and South Gateway.
- Blaine County Investment policy is an ongoing project.

AIRPORT PROJECTS, Updates and Discussion

Also present: Friedman Memorial Airport Manager Rick Baird; and KMVT-TV reporter Rachel Holt.

The Friedman Memorial Airport Authority (FMAA) will address these topics at tonight's meeting:

- Runway Safety Area Project. All five Modifications of Standards have been signed by the FAA. The FAA has basically approved the entire project. Runway Safety Area Project 1 is mostly on hold for the winter, as planned, and will be continued next spring.
- FMAA approval of Runway Safety Area Project 2 scope of work. The contract will be before the FMAA in January, bid out in March. The airport will be closed in April and May 2014.
- Fly Sun Valley Alliance presentation on the 1% Local Option Tax, Joint Powers Agreement and formation of the Air Service Board.
- Fly Sun Valley Alliance report on their airport survey, and new possibilities on new service into Friedman.
- Progress in completing ramp up of the Environmental Impact Study by Landrum & Brown; preserving portions of the study.
- Update on property at north end of the airport being considered for acquisition to make the runway as close to standard as possible.
- Independent decision recently made by airport co-sponsor Hailey regarding airport expansion.

BREAK

LAND USE AND BUILDING SERVICES HEARINGS

- **Appeal of a Mountain Overlay District (MOD) Site Alteration Permit decision, CANCELLED**

LAND USE AND BUILDING SERVICES, Discussion and Consideration

- **Decision on Jolliffe Application for Reconsideration of DeChevrieux Mountain Overlay District Emergency Site Alteration Permit**

Also present: Steve Woods, representing appellant Ron Jolliffe; Brian Yeager, and Blaine County Disaster Services Coordinator Chuck Turner.

The BCC agreed the Decision is an accurate reflection of their decision.

Commissioners McCleary and Greenberg received a letter regarding the BCC's decision. McCleary forwarded the letter to Chairman Schoen so he would have it before the BCC considered the Decision at today's meeting. McCleary also gave copies of the letter to County Administrator Voss and County Attorney Graves.

Graves explained that the BCC is reviewing and approving the written document of the decision they made in a public meeting several weeks ago. He cautioned the BCC against considering additional information or public comment. He said they could make a motion to reopen the hearing if they felt additional information was especially compelling.

Schoen said he had replied to the letter and the allegations therein, with copies to the BCC.

Schoen made one minor revision to the Decision.

McCleary moved, seconded by Schoen, to approve the Decision on Reconsideration of application of Ron Jolliffe and Colleen Runyen concerning an Emergency Site Alteration Permit issued on September 16, 2013 at Lot 12A, Greenhorn Gulch Subdivision, Blaine County, Idaho, subject to revision. Motion carried 2/0.

• Mountain Overlay District Emergency Site Alteration Permitting Workshop

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves, County Land Use Administrator Tom Bergin, County Senior Planner Kathy Grotto, Code Compliance Specialist Diane Shay, and County Disaster Services Coordinator Chuck Turner.

Emergency Ordinance 2013-02 expires in mid-March, 2014. The BCC will schedule a workshop to consider whether or not the emergency ordinance should be permanently incorporated into Blaine County Code. If the BCC decides the emergency ordinance provision should be permanent, it will go to the Blaine County Planning & Zoning Commission for their review. The P&Z's recommended ordinance will then be submitted to the BCC in February.

• Comprehensive Plan, Steering Committee Update

Also present: Blaine County Senior Planner Kathy Grotto.

The Comprehensive Plan Steering Committee wants to engage the public in the update. The draft Plan will be available at the library and other locations. The BCC suggested Blaine County Public Information Officer Bronwyn Nickel be included in the outreach, especially to encourage input on the County's social media sites.

The BCC had mixed reactions to a potential logo and name for the Comprehensive Plan process.

LAND, WATER AND WILDLIFE LEVY

• Memorialize Decision on Conceptual Application, Weston/Molyneux Ranch Project

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Land Use Administrator Tom Bergin; and Blaine County Land, Water and Wildlife Levy Advisory Board Coordinator Clare Swanger.

Land, Water and Wildlife (LWW) applications are basically funding requests and not land use decisions, so they have not had Findings of Fact confirming BCC's decision. The BCC's decision on the Weston/Molyneux Ranch encouraged the LAB to work with the applicants to present a new application for funding. Graves advised that all LWW projects, both approvals and denials, be treated similarly. The BCC asked Land Use and the LAB to memorialize in writing their decision on this application.

• Resolution 2013-62 - authorizing partial funding, US Forest Service lands post-fire reseeding Record #615322

McCleary moved, seconded by Schoen, to approve Resolution 2013-62 authorizing partial funding for burn area reseeding on U.S. Forest Service Land. In discussion, the amount is up to \$49,000 to be disbursed from the Land, Water and Wildlife levy fund. **Motion carried 2/0.**

McCleary reported the reseeding is complete.

• Rock Creek Application notice, display ad, and evening meeting

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

Rock Creek Ranch's request for \$1.1 million in Land, Water and Wildlife funding will be before the BCC in a couple months. Rock Creek Ranch is a large property that is heavily used by the public, and the financial request is quite large. Land Use suggested the BCC have an evening public meeting.

EXECUTIVE SESSION – Idaho Code 67-2345 1(b), 1(c), and 1(f)

McCleary moved, seconded by Schoen, to go into Executive Session, pursuant to Idaho Code 67-2345 1(c) and 1(f) regarding Croy Canyon Ranch Foundation, to conduct deliberations regarding an interest in real property which is not owned by a public agency and to discuss with legal counsel the legal ramifications of and legal options for pending litigation; and, pursuant to Idaho Code 67-2345 1(f) regarding Bodner vs. Blaine County, to discuss with legal counsel the legal ramifications of and legal options for pending litigation; and, pursuant to Idaho Code §67-2345 1(b), to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent. McCleary (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 Lawrence Schoen
County Clerk Chairman