

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

Fourth Day

Tuesday, February 21, 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; Operations Director Char Nelson; Mickey Garcia; and Recording Secretary Sunny Grant.

Chairman McCleary called the meeting to order at 9:02 a.m.

PUBLIC COMMENT

COUNTY DEPARTMENT REPORTS, DISCUSSION and CONSIDERATION

Clerk's Report – JoLynn Drage

- Elections personnel will attend training for the upcoming primary election.

County Administrator – Derek Voss

- Met with County and Ketchum planning staff and Sun Valley Water and Sewer Treatment personnel to discuss infrastructure for South Gateway. Ketchum is going to have an engineering study done for their master planning process, and asked the County to split the \$10,000 cost. The \$5,000 is not in the County's 2012 budget, but the study would be useful for planning the South Gateway. The Meadows may be willing to provide sewer services. BCC directed Voss to include the City of Sun Valley in future meetings.
- Continuing development of a performance management solution in alignment with the County's Strategic Plan and Outcome-Based Budget. Universal terminology is important to make the plan consistent and understandable for future county administrations. The Strategic Plan should be ready to incorporate into the FY2013 budget planning.
- The Blaine County Ambulance District no longer receives interfacility transfer requests from St. Luke's Wood River Medical Center. The lack of revenue is affecting the Ambulance District's FY2012 budget.
- As part of the FY2012 budget, the BCC authorized pay increases for County officials, deferred until the BCC could evaluate mid-year finances. The Budget Officer will present a budget overview next week.
- The BCC will review the Idaho E911 Commission's recommendations for county-wide emergency communications plans, prior to the upcoming Partners Advisory Committee (PAC) meeting.

Operations Director – Char Nelson

- Entrix Engineering will begin the Deer Creek Bridge and bank protection project.
- Reviewed the FEMA grant reporting process with Bureau of Homeland Security.
- County staff met regarding Lees Gulch and decided there is public access across that area.
- McBride Building (County Extension and Weed Department offices) had a leak, resulting in dry rot in the bathroom. The building tested negative for asbestos, but positive for common household mold in a small area. Building repair will take 4-5 days and cost about \$8,000.
- County staff will attend an upcoming Mountain States Transmission Intertie (MSTI) project meeting. MSTI is providing a survey form for the BCC to fill out.
- The Environmental Resource Center's Energy Task Force released its Wood River Valley Regional Energy Action Plan draft. The Task Force would like to have a BCC or staff member on their committee. The BCC wants to review the energy plan before moving forward.

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 Wilma Colter and Assistant County Welfare Director Connie Kacalek.

- **Case #12-02-017**
- **Case #12-02-018**

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

OPEN SESSION RESUMED

Schoen moved, seconded by McCleary, to deny Case #12-02-017, based on staff recommendations. Motion carried 2/0.

Schoen moved, seconded by McCleary, to deny Case #12-02-018, based on staff recommendations. Motion carried 2/0.

AIRPORT PROJECT DISCUSSION AND CONSIDERATION

• Airport Project Guiding Principles and Strategic Plan

Also present: Friedman Memorial Airport (FMA) Manager Rick Baird; Wood River Economic Partnership President Doug Brown.

The BCC agreed that it is extremely important to have a clear Airport Project Strategic Plan. The Strategic Plan is a directive to the FMAA, but must be user-friendly for the entire community. It should be clear that a replacement airport is not inevitable, but that decision-making will take place in the context of planning for a replacement airport. A replacement airport could be a regional airport and not necessarily located in Blaine County. The BCC agreed to remove language referring “to acquire minimal land only if necessary”.

The BCC agreed:

- this Strategic Plan is a realistic planning document that needs to be finalized and implemented.
- a replacement airport is 20-30 years away. The BCC has to be realistic about timeframes.
- to continue to define and adopt operational practices that ensure a long term positive cash flow.
- to explore and pursue regional partnerships for long-term success. Several jurisdictions in south central Idaho realize the need for a regional airport.
- there is the possibility of a private entity financing some or all of a replacement airport as profit-making venture.

PUBLIC COMMENT :

Citizens thanked the BCC for their continued effort in short and long-term planning for air transportation in Blaine County, and the economic impact it has on the entire community.

SENIOR CONNECTION BLOCK GRANT PUBLIC HEARING

- **Resolution 2012-04 authorizing submission of an application for an Idaho Community Development Block Grant to partially finance renovations to the Blaine County Seniors’ Council, Inc. facility**

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves, Operations Director Char Nelson, County Grant Administrator Michele Johnson; Blaine County Senior Connection Board President Pete Cantor and Executive Director Kim Coonis, Senior Connection Board member Dale Ewersen; Region IV Senior Community Development Planner Jeff McCurdy; Blaine Manor Administrator Gail Goglia; Blaine Manor Board member Linda Haavik; Mary McGonigal; Kathy Lynn; Dale Ewerson; Pete and Linda Van Der Meulen; and *Idaho Mountain Express* reporter Kate Wutz.

The proposed community development block grant, through the Department of Commerce, is for facility improvements to the Senior Center. Grants can only be awarded to cities and counties, but funds can be sub-granted to improve health/safety for a low income group such as seniors.

Local architect Jolyon Sawrey explained the Senior Center kitchen remodel. The remodel will bring the kitchen into ADA compliance, and make it safer, more energy efficient and functional. When complete, the Senior Center will be better able to provide a community meeting place.

PUBLIC COMMENT:

Mickey Garcia strongly encouraged the grant application. The Senior Center is not only a well-used meeting place, but feeds many people through its Meals on Wheels program.

Bowman moved, seconded by Schoen, to approve Resolution 2012-04, authorizing the chairman to sign and submit an application for an Idaho Community Development Block Grant to partially finance renovations to the Blaine County Seniors Council, Inc., facility located in Hailey, Idaho. Motion carried unanimously. Record #595002

Bowman moved, seconded by Schoen, to appoint Region IV as grant administrator for the Idaho Community Development Block Grant referred to in Resolution 2012-04 if the Seniors Council’s grant application is successful. Motion carried unanimously.

SENIOR CARE DISCUSSION - continued

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; Croy Canyon Ranch Foundation (CCRF) Executive Director Kathleen Eder, CCRF Board President Jeanne Cassell and Board members Jed Gray and Greg Cappel, Campaign Cabinet Chairman Anita McCann and members Lyman Drake and Anita Jeffreys; Croy Canyon Ranch representatives Kent McAtee, Kim Johnson, Geoff Moore, Anne Jeffery; Blaine Manor Board member Stephen Pauley, M.D.; Safe Haven CEO Scott Burpee; Al Stevenson; Gina Macdonald; Jan Mason; Blaine Manor Administrator Gail Goglia and Finance Director Stephanie Jaskowski; Blaine Manor representatives Linda Van Der Meulen, Margaret

Gartner; Vonnie Rasmussen; Ursula Hulbert; Dennis Hennefer; and *Idaho Mountain Express* reporter Kate Wutz.

Senior care in Blaine County involves a number of individuals and different agencies that are interrelated and interdependent on each other. Skilled nursing is an important part of the continuum of health care for people of all ages.

Possible and potential considerations for senior care and skilled nursing care:

- Blaine Manor currently provides skilled nursing care for all ages.
 - Blaine Manor could continue to operate with some level of taxpayer support.
 - Blaine Manor could expand to offer assisted living to bring in additional revenue.
 - Closing Blaine Manor if the County no longer has the financial resources, but there are many implications and possible unintended consequences.
- Public-private partnership:
 - Croy Canyon Ranch proposes independent living, assisted living and skilled nursing care.
 - New or existing facility on County-owned property and operated under a service contract.
- Privatization by a non-government entity, profit or non-profit. There are companies that specialize in brokering and operating skilled nursing care facilities.
- The BCC could create a Hospital Board, or “county hospital.” The Hospital Board would manage the hospital and be given taxing authority, subject to approval by the BCC.
- Citizens could, by petition, initiate creation of a Hospital District. The petition would ask the BCC to define the boundaries and purpose of a district. If the ballot passes, the BCC then approves the District’s budget and adds it to the property tax bill.

PUBLIC COMMENT:

CCRF has a comprehensive plan for a non-profit public-private partnership to provide skilled nursing care, assisted and independent living. CCRF expects to take all Medicaid patients. CCRF has an experienced developer-consultant, dedicated community Board, widespread donor support, and a beautiful site. CCRF’s consultant is currently reviewing their business plan to be sure it is relevant and up-to-date. A recent survey in Blaine County showed that young and old strongly support local senior and skilled nursing care.

Mickey Garcia said the County should not consider another temporary or permanent levy to subsidize senior care. The Senior Connection provides a lot of help to seniors and skilled nursing patients, and the BCC should do more to help them.

Safe Haven’s CEO Scott Burpee said Blaine Manor is delivering top-rated quality care. The Blaine Manor building is structurally sound. The question is whether Blaine Manor has room available. There must be enough skilled nursing resources available in the community to provide a continuum of care to seniors and others needing skilled nursing care. An assisted living facility can make a profit with a minimum of one-third private residents. If the facility is designed and built correctly, the other two-thirds residents can be state hospital admissions, homeless, mental, Medicaid, or anyone else.

Dr. Stephen Pauley said Medicaid is what drives finances. Blaine Manor has been over 50% Medicaid for the past decade. Blaine Manor could make a profit with the addition of assisted living rooms, and no Medicaid. Pauley suggested any private entity making a proposal should be required to provide for 60% Medicaid patients, in perpetuity. Medicaid numbers are going to increase, at the same time that Medicaid budgets are being cut, locally and nationally.

Al Stevenson, former administrator of several hospitals in Idaho, including St. Luke’s Wood River Medical Center, said the community had a responsibility to provide for this country’s “greatest generation”. He encouraged the BCC to give a public non-profit partnership highest consideration.

Schoen and Bowman agreed that high-quality skilled nursing care must be available in Blaine County. They would prefer to see an option that would eliminate the County’s financial subsidy. McCleary is concerned that privatization or public-private partnership would diminish the award-winning care currently provided by Blaine Manor. The BCC agreed to explore other potential options at this time. They did not want to include a May ballot for another levy to support Blaine Manor.

BREAK

LAND USE AND BUILDING SERVICES HEARINGS

- **Stream Alteration Permit Application:** Public hearing on and consideration of a stream alteration permit application by James Cannavino on Bullion Creek for work done without an approved permit. The work included installment of four culverts, fill and disturbance within the riparian setback of Bullion Creek. The project site is Lot 5A Bullion Creek Subdivision #2, also known as 105 Bullion Gulch Road, approximately 4.3 miles west of the City of Hailey, T2N, R17E, Section 25 BM, Blaine County.

Also present: Blaine County Land Use Administrator Tom Bergin, Code Compliance Specialist Megan Stelma; applicant’s representatives Brian Yeager and Kim Johnson; and neighbor Kent McAtee.

Stelma gave the posting notice.

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

Staff was notified of some apparent stream alteration activity without a permit on the Cannavino property. Staff advised the landowner of the permit application process. In response to a neighbor's concern about the trail location on the southern portion of the property, staff suggested a survey be done to show the path is outside the easement and wetlands; or, if the trail is within the easement or wetlands, it should be removed and revegetated.

Brian Yeager said the applicant doesn't know if the path is located within the easement or wetlands. The applicant says the easement is non-exclusive and a legal issue. If the path is within the easement, it should be worked out between the landowners. The county engineer's site visit did not support the trail being in the wetlands. The wetlands area is not well defined, and the National Wetlands Inventory (NWI) line does not appear to be accurate. The trail is probably not in the 25ft setback.

A plat note prohibits construction in the streambed. According to the owner, the culverts were there prior to the improvements and were referenced in the SAP application. Bergin has no recollection of seeing #1 and 2 culverts when it was originally platted; and the trail was not obviously visible.

PUBLIC COMMENT:

Adjoining neighbor McAtee said there were no original culverts on the easement. It's an unstable area, and has caused some contention between neighbors.

The BCC discussed several issues, including the culverts that may have been put in without engineer expertise and could cause flood damage to downstream properties. The culverts could be a code violation. The applicant's representative will discuss the issues with the landowner.

Bowman moved, seconded by Schoen, to continue to a date uncertain the application for Stream Alteration Permit for James Cannavino on Bullion Creek for work done without an approved permit. Motion carried unanimously.

- **MOUNTAIN OVERLAY DISTRICT MAP REFINEMENTS**, cont. from February 14, 2012
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 refinements based on common Themes and continued the textual portion of the original proposal to December 8.

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves, Land Use Administrator Tom Bergin, Zoning Specialist Nancy Cooley, and Blaine County Building Official Bill Dyer; Deborah Vignes; Linda Haavik; Gardner/Drashner property representative Julie Cord; Paul Kenny; Garth McClure; Michael Rollins; Mike Pogue; Peter Lobb; Crystal Thurston; Animal Shelter representatives Sheila Liermann and Bruce Smith; Quigley Creek representative Dave Hennessy; Deer Creek Ranch representative Jim Phillips; William Hughes; and Janet Meyer.

Cooley said no new notice was required for this hearing. Cooley read the names of people who had submitted public comments since the last hearing.

The intent of the ordinance is to regulate hillside slope development. The BCC discussed site visit visual assessment of slope grades vs. software determination. Bowman supported visual site inspection of basic geological features; Schoen was more comfortable with digital precision. A landowner can document a slope within the buffer on his property and request administrative review.

The BCC reviewed adjusted map amendments and some of the properties they affected:

- East Fork Road, all the way to Triumph.
- Ohio Gulch Recreation Area – The mapping software apparently incorrectly identified a couple of isolates in the area, even though the area is considerably wider than 500 feet. Blaine County has 140 acres of BLM Recreation and Public Purposes Act land, some of which is flat and intended for recreational purposes, parking, and a future demolition pit. Overriding public purpose in the MOD needs to be clearly defined, and then established for this area. There may need to be a Site Alteration Permit for the road to the transfer station.
- Indian Creek – a high plateau was excluded from the MOD. This is definitely a hillside slope, but probably not 25% grade. The hillside ordinance doesn't appear to have 25% criteria except in the buffer zones.

PUBLIC COMMENT:

Garth McClure, representing Wells Fargo Bank, current owner of Spring Canyon Ranch in Democratic Gulch, submitted topo mapping showing the location of 25% slopes, and requested MOD changes where appropriate.

Linda Haavik asked for reconsideration for Sam Zell's property in the River Woods area north of Ketchum. Zell's property may qualify for exclusion from the MOD if MOD guidelines include eliminating lines through residences and/or as the result of a road cut.

Bill Hughes said the MOD should be uniform methodology, consistently applied. Residences, existing or under construction, that are caught in the MOD should not be used as a frame of reference. Hughes requested a tighter definition of where the line-plus-buffer originates from, and whether it goes upslope or downslope.

Bowman moved, seconded by Schoen, to continue the Mountain Overlay District Map Amendments to February 28, 2012. Motion carried unanimously.

EXTENSION QUARTERLY REPORT – Extension Educator Lauren Hunter

Also present: Blaine County Extension Educator Lauren Hunter, Administrative Assistant Sarah Busdon and 4-H Coordinator Kathi Kimball.

Extension employees are University of Idaho employees, but receive much of their funding from Blaine County. The Extension Office operates within Blaine County culture and outcome-based budget guidelines, and works with advisory boards to identify and evaluate community needs.

Kimball presented a quick summary of 4-H projects:

- Leaders are being recruited and members are enrolling.
- Hope to host the District Wildlife Day Camp.
- Partnering with the Blaine County Drug Free Coalition, Juvenile Probation and PAL programs.

The BCC asked the Extension to provide performance measurements in the future to show their goals, research, 4-H programs, and measurable results and impacts.

EXECUTIVE SESSION

Bowman moved, seconded by Schoen, to go into Executive Session, pursuant to Idaho Code §67-2345 1(a), to consider hiring a public officer, employee, staff member or individual agent, and to evaluate the respective qualities of individuals to fill the vacancy or need; and, pursuant to Idaho Code §67-2345 1(f), to discuss with legal counsel the legal ramifications of and legal options for pending litigation. Bowman (aye), Schoen (aye), and McCleary (aye). Motion carried unanimously.

ADJOURN

At the hour of 3:33 p.m., the BCC finding no more business before them adjourned.

Attest: _____ Approved _____
JoLynn Drage Angenie McCleary
County Clerk Chairman