

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

Fourth Day

Tuesday, February 24, 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 and Vice-Chairman Angenie McCleary; County Administrator Derek Voss; County Clerk JoLynn Drage; and Recording Secretary Sunny Grant.

Commissioner Schoen was absent from today's meeting.

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

PUBLIC COMMENT - NONE

COUNTY DEPARTMENT REPORTS, DISCUSSION and CONSIDERATION

Claims – Schar Boyd

- Deputy Auditor Schar Boyd presented the claims, including an additional claim for Idaho Power.
- Clerk JoLynn Drage confirmed with the BCC that a USGS bill should be paid out of Contingency.

McCleary moved, seconded by Greenberg, to approve claims dated February 19, 2015 with additional claim for a bill from Idaho Power for \$3,734.21, as presented by staff. Motion carried 2/0.

Operations – Char Nelson

- Road and Bridge crews are grading south County roads and hauling road materials from the Carey pit to the Glendale yard.
- Carpet installation in the District Court room is complete. The County saved about \$6,000 by having staff remove the old carpet.
- Buildings and Grounds crew will install radon mitigation in the Judicial Building basement.

County Administrator – Derek Voss

Hailey Ice encroachment on Blaine Manor property during construction

Also present: County Operations Director Char Nelson; Hailey Ice Co-Vice President Jim Laski and Executive Director Sarah Benson; Hailey Police Chief Jeff Gunter; City of Hailey Interim Community Development Director Lisa Horowitz and Community Development Coordinator Kristine Hilt.

Hailey Ice requests parking space in the Blaine Manor parking lot, and access across the northeast side of Blaine Manor property, once Safe Haven has vacated the Blaine Manor building. The contractor would like to park their construction trailer behind the Blaine Manor building and locate a small Zamboni shed in the back parking lot. The site is very tight and there are safety concerns. Hailey Ice will draw a construction safety plan and cordon off a parking area for remaining tenants of the Blaine Manor building.

Laski requested interior space in the Blaine Manor building to hold weekly morning construction meetings.

Voss was okay with the request providing Hailey Ice makes sure an agreement indemnifies the County from any liability and clearly separates construction from tenants. County Buildings and Grounds Manager Pat Boyle and County Maintenance Tech Dennis Hennefer will do a walk through. The BCC was okay with the temporary arrangement and directed staff to draft an agreement.

Road and Bridge Levy Survey

Jeff Zepowitz of Zepowitz and Associates will send a draft of survey questions to the County for review at the March 3rd BCC meeting.

CONTRACTS, GRANTS AND AGREEMENTS, Discussion and Consideration

- **Financial Services Agreement with Piper Jaffray & Co.** Record #624736

Also present: Blaine County Treasurer John David Davidson; County Operations Director Char Nelson; Piper Jaffray would broker the evaluation and refinancing of the public safety building obligation bond. Total cost for professional services will be about \$60,000, including Piper Jaffray's proposed fee of \$20,000, plus expenses. Long term savings is anticipated to be around \$450,000 after bond refinance expenses. If the refinancing doesn't happen, the County doesn't owe any money.

McCleary moved, seconded by Greenberg, to approve Financial Service Agreement between Blaine County and Piper Jaffray and Co., for an amount up to \$20,000 fees, plus travel and other expenses, for the scope of service outlined in the agreement for the primary purpose of looking at financing the Blaine County Public Safety Facility. Motion carried 2/0.

BOARD of COUNTY COMMISSIONERS REPORTS, Discussion and Consideration

Idaho Forest Restoration Partners Workshop – McCleary

McCleary said the Idaho Forest Restoration Partners' "Scale of Restoration Project to Landscape" workshop was a top-notch conference focused on science with diverse perspectives on restoration and future resiliency. Scientists talked about climate change impacts in Idaho. McCleary presented for the 5B Restoration Coalition. One scientist would like to meet with local Forest Service representatives regarding forest health on Baldy.

The Idaho Department of Lands is looking into aspects of the Farm Bill that could provide funding for some projects; and proposes to create a new non-profit that would be more efficient in requesting money from the state. Forest restoration projects create jobs and have a local economic benefit as well.

Department of Agriculture Undersecretary Robert Bonnie was luncheon keynote speaker. He said there are efforts to restore Secure Rural School (SRS) funding to its former levels; and get fire-related funding out of the Federal Disaster budget and into the Forest Service budget.

Sun Valley Economic Development Update – Greenberg

SVED's main focus right now is moving forward with their current project list. A committee has formed to look for a location and seed money for the Culinarium project.

Idaho 911 Emergency Communications Commission Next Gen Committee for 911 – Greenberg

Greenberg sits on both the Next Gen Committee and its Finance Committee. The Statewide Interoperability Executive Council (SIEC) is working in parallel with the Idaho 911 Emergency Communications Commission (IECC) which has subcommittees working on interoperability. The two organizations seem to be moving in parallel and will probably converge at some point. IECC's focus is to get calls in to Dispatch and SIEC is concerned with calls from Dispatch to the first responder.

Greenberg said he'd like to see an open forum time in the meetings where county representatives can discuss their individual issues.

Greenberg has been asked to chair the IECC Next Gen Finance Committee. If he is to accept the position, he wants to see the whole emergency communications system clarified and the organizations' mission and vision statements clear and implemented, with governance and funding.

Correspondence

- BCC have received emails regarding the Blaine County 4-day work week and skilled nursing care.
- The BCC may consider proclamations for March 4 Idaho Day and May as Mental Health Month.

Region 5 Behavioral Health – McCleary

The Region 5 Behavioral Health Community Board is working on activities for Mental Health Awareness Month throughout the region, including Blaine County.

PROPOSED SOUTH VALLEY GROUND WATER DISTRICT BOND, Discussion and Consideration

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Land Use Administrator Tom Bergin; County Operations Director Char Nelson; County Clerk JoLynn Drage; County GIS Program Manager Joel Hall; Sheri Thomas; and petitioners Kristy Molyneux, Pepin Corso-Harris and Brett Stevenson.

Idaho Statute 42-5203(i) requires a petition to organize a water district to be accompanied by a bond, to be approved by the county commission, in double the amount of the probable cost to the county and the department of organizing such district, in case organization of the district is unsuccessful.

At their January 20, 2015 meeting, the BCC set a minimal bond amount of \$250 in order to facilitate the petition. After considering expenses for a special election in May, the BCC decided to reconsider a more realistic bond amount at today's meeting. County Clerk JoLynn Drage suggested \$10,000 would cover district organization expenses, including legal publications; election expenses including staff, part-time help and poll workers, preparation of election materials, a separate ballot for the groundwater district and tabulation of ballots.

PUBLIC COMMENT:

- Kristy Molyneux reminded the BCC that successful organization of the ground water district was highly likely since the petitioners already represented the two-thirds majority necessary.
- Joel Hall said the Gannett Homeowners Association had just heard about the newly proposed groundwater district. Blaine County Land Use Administrator Tom Bergin said the proposed district is for irrigation wells and Gannett is a community (residential) well, so residents were probably not notified. Pepin Corso-Harris said all owners of land with ground water rights within district boundaries were contacted more than once.

McCleary moved, seconded by Greenberg, to renew the BCC's prior January 20, 2015 motion to set bond for the South Valley Ground Water District petition at \$250, in order for the BCC to reconsider and potentially modify the amount of bond. Motion carried 2/0.

McCleary moved, seconded by Greenberg, that, since Idaho Statute requires the amount of the bond to accompany the Petition to Organize a Ground Water District to be the double the estimated probable cost to the County and the department organizing such district, the BCC needed to revise the original bond amount of \$250 to a new amount of \$20,000. In discussion, the BCC acknowledged that the petition to organize election will most likely be successful, but the BCC must follow statute. **Motion carried 2/0.**

Petitioners said they had been unable to find anyone to bond them, but would find a source for the \$20,000 "bond" amount.

LAND USE AND BUILDING SERVICES, Discussion and Consideration

- **FEMA Technical Cooperating "Agreement" re: Big Wood Risk Map Update**

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Land Use Administrator Tom Bergin; and County Operations Director Char Nelson.

This is primarily a re-evaluation of the Big Wood River, its floodplain and some tributaries, so it can be incorporated into local jurisdiction floodplain regulations and hazard mitigation plans. Land Use will request FEMA make a few modifications to the study and then present the corrected document to the BCC for approval.

OLD COUNTY COURTHOUSE CONSTRUCTION UPDATE, Discussion and Consideration

Also present: Old Blaine County Courthouse renovation project architect Steve Trout, Kreizenbeck Constructors Courthouse Project Manager Graham Estep; and Tom Andrews with Wright Brothers Construction.

Update

- The Hailey Building Official has approved the Certificate of Occupancy.
- Final walk through is today.
- Construction scaffolding and fence are down.
- Kreizenbeck has received estimates to repair landscaping.

Change Orders

- Change Order 003-T for Thornton Mechanical – \$1,015 reduction for removal of an attic exhaust fan and duct work.
- Change order 006-D for Doherty Electric – \$3,332 increase for outdoor sensors and remote indicators. There was some confusion about who would do this work when the bid was submitted and it was not included in their estimate. Kreizenbeck supports this change order with Doherty Electric. Trout said Doherty didn't realize they had to supply some parts for installation of Warmzone heating mats.

McCleary moved, seconded by Greenberg, to approve Change Order 006-D for Doherty Electric for \$3,332 for Architect's Supplemental Instruction #12-3 to mount outdoor sensor and remote indicators and install interlock between transformers and sensors. Motion carried 2/0.

McCleary moved, seconded by Greenberg, to approve Change Order 003-T for Thornton Heating and Cooling, for a \$1,015 credit for a reduction per Work Changes Proposal Request #25, to remove Attic Exhaust Fan EF-2 duct work, electrical connection and roof membrane penetration from the work. 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 Indigent Services Director Brooke Baird and Assistant Amy Rivkin.

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

OPEN SESSION RESUMED

McCleary moved, seconded by Greenberg, to approve Medical Indigent Application for Assistance Case #2014-25, based on staff recommendation, with a \$25 month reimbursement. Motion carried 2/0.

BREAK

LAND USE and BUILDING SERVICES HEARINGS

- **Title 9, Ch. 21, Mountain Overlay District, § 9-21-4 and 5 Text Amendment:** Public hearing on and consideration of a county-initiated text amendment to Title 9, Ch. 21, Sections 4 and 5 addressing site alterations that are necessary to prevent significant damage to property in the aftermath of wildfire or other natural, damaging circumstances. The amendments were recommended for approval by the Planning & Zoning Commission on January 29, 2015.

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Land Use Administrator Tom Bergin; County Code Compliance Specialist Diane Shay; and *Idaho Mountain Express* reporter Greg Moore.

Shay read posted notice.

McCleary moved, seconded by Greenberg, that notice was adequate. Motion carried 2/0.

These text amendments were initiated by the BCC when they had to deny a Mountain Overlay District (MOD) site alteration permit because the application did not meet current MOD site alteration standards due to severe scarring and trenching that occurred as a result of the Beaver Creek fire. The text amendments were recommended by the Planning and Zoning Commission on January 29, 2015.

Land Use staff considered all BCC suggestions. Major text amendments approved by P&Z included:

- Firebreaks were changed from a categorical exclusion to an exemption. In an active wildfire event, a fire captain is not going to take time to apply for a CatEx to build a firebreak.
- Moved firebreak language to where exclusions are now.
- Eliminated the word general exclusions because exclusions are quite specific.
- Added or natural circumstances and provided a definition. These site alterations can only occur if an engineer certifies that there is a substantial threat to permanent structures.
- Required "severe scarring" to be minimized and mitigated.
- P&Z added "and rehabilitation" language.
- ... ~~landscaping and revegetation occurring immediately~~ was replaced with in a timely manner.
- Graves requested additional language to require the licensed engineer certify that the site alterations are designed to remedy a substantial threat of significant damage to permanent structures.

Land Use has four outstanding emergency permits that are scheduled to submit permanent plans by July 15, 2015. These text amendments to the MOD should facilitate permanent plan applications to rehabilitate their properties. The County already has ordinances that deal with MOD site alterations and MOD emergency site alterations. This text amendment protects public health and safety, and allows protective site alterations, including the potential of some scarring if necessary to protect property, while maintaining the integrity of the Mountain Overlay District.

McCleary moved, seconded by Greenberg, to approve the County-initiated amendment to Title 9 Chapter 21 §4 and 5 addressing site alterations necessary to prevent significant damage to property in the aftermath of wildfire or other natural damaging circumstances, as modified in today's hearing with additional language presented by County Attorney Tim Graves, finding that the proposed amendment and minor change are in accordance with the County's Comprehensive Plan and will not result in demonstrable adverse impact of County delivery of services or potable water. Motion carried 2/0.

APPROVAL OF BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

- **January 20, 2015 Regular Meeting Minutes**

McCleary moved, seconded by Greenberg, to approve Board of County Commissioners meeting minutes of January 20, 2015, as amended. Motion carried 2/0.

MOUNTAIN RIDES UPDATE

Also present: Mountain Rides Executive Director Jason Miller; and *Idaho Mountain Express* reporter Greg Moore.

2014 Mountain Rides milestones and strategic successes:

- Ridership (north and Valley route transit buses and vanpool) of 520,236 broke a half million for the first time in the Wood River Valley, which is notable since current service levels were slightly down.
- New Night Owl Service on north valley routes until 2:15 a.m. Monday-Saturday, paid for by Ketchum and Sun Valley, worked well and will be reviewed for efficiency before next winter. The Mountain Rides Board will also look at providing night-time Hailey service.
- Much of the ridership growth is on County-supported routes. The Valley bus totals about 200,000 and vanpool about 50,000. The Hailey route is another 35,000 riders.
- There were zero at-fault accidents in 2014. Mountain Rides runs about 800,000 miles in service. Mountain Rides invests in training and new and improved safety curriculums.
- Mountain Rides maintained service on the Valley route in spite of flat funding.
- ITD has a new public transportation division that is expected to be more responsive. It is hoped that future ITD funding will favor existing providers, especially those increasing ridership.
- Mountain Rides' hourly costs are stable, ranging from \$75-\$85/hour. Other resort providers range from \$70-\$115/hour.
- Construction projects: The South Valley facility/hub is approved by the City of Bellevue and will go out to bid next month. Ketchum hub bids close this week. The bus stop on East Fork will be improved with a pathway to the Wood River Trail and parking lot.
- The County, cities and local non-profits supported the Bicycle Pedestrian Master Plan throughout the County. Implementation will be discussed at an upcoming Blaine County Transportation Committee meeting.
- Mountain Rides has an improved brand and new graphics.

Mountain Rides' 2015 Strategic Plan and Business Plan include a salary survey, discussion on the portion of Local Option Tax that goes to public transportation, service to the airport and Galena Lodge, and focus on building partnerships and meeting the needs of partners. Bus service to the airport would be less expensive and less convenient, and not directly compete with taxi and limo services.

LAND USE and BUILDING SERVICES HEARINGS

- **Comprehensive Plan - Transportation.** Public hearing and consideration of proposed amendments to Title 8, Ch. 1, Comprehensive Plan. Chapter 1, Transportation, would replace Section 15, Road System, of the current Plan. The draft chapter was prepared with input from a stakeholder committee and the Comprehensive Plan Update Steering Committee, and was recommended for approval by the Planning & Zoning Commission on January 29, 2015.

Also present: Blaine County Land Use Administrator Tom Bergin; County Engineer Jeff Loomis; Blaine County Comprehensive Plan consultant Lisa Horowitz; and *Idaho Mountain Express* reporter Greg Moore.

Bergin read notice.

McCleary moved, seconded by Greenberg, that notice was adequate. Motion carried 2/0.

The Transportation Chapter of the updated County Comprehensive Plan has been reviewed several times by the Comprehensive Plan Steering Committee and the County's Planning and Zoning Commission. The Transportation Chapter explores future transportation trends, public transportation, aviation/air service and non-motorized bicycle/pedestrian connectivity. Each chapter presents the County's past at a glance and desired outcomes of the future.

The BCC suggested some minor revisions and additions.

EXECUTIVE SESSION

McCleary moved, seconded by Greenberg, to go into Executive session, pursuant to I.C. 67-2345 1(f), to discuss potential litigation of the Safe Haven Transition and Lease Agreement. Roll call: McCleary (aye), and Greenberg (aye). Motion carried 2/0.

OPEN SESSION RESUMED

Commissioners Greenberg and McCleary directed the County Clerk to send an invoice to Safe Haven for the months of December, January and February, according to the contract, for rent due of \$10,000/month, for a total of \$30,000.

ADJOURN

At the hour of 4:57 p.m., with no more business before them, McCleary moved to adjourn, seconded by Greenberg. Motion passed 2/0.

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