

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

Second Day

Tuesday, January 10, 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 (afternoon session only), Vice Chairman Tom Bowman, Commissioner Lawrence Schoen; County Administrator Derek Voss; County Clerk JoLynn Drage; Operations Director Char Nelson; Recording Secretary Sunny Grant; and *Idaho Mountain Express* reporter Kate Wutz.

Chairman McCleary was absent until 1:30 p.m.

Vice-Chairman Tom Bowman called the meeting to order at 9:04 a.m. Bowman presided over the morning session of this meeting. McCleary presided over the afternoon session.

PUBLIC COMMENT

Blaine County Zoning Specialist Nancy Cooley received a complaint from a Golden Eagle resident. His homeowners association is charging homeowners to feed elk. The Golden Eagle Subdivision has a plat note stating property owners shall not feed big game. Fish and Game doesn't support feeding the elk, but feel it would be a highway safety hazard to stop the feeding at this time.

EXECUTIVE SESSION – §67-2345 1(d) INDIGENT - Consideration of records that are exempt from disclosure as provided in Chapter 3, Title 9, Idaho Code.

- **Case #12-01-008**
- **Case #12-01-009**
- **Case #12-01-010**
- **Case #12-01-011**
- **Case #11-08-056**

Present were: Blaine County Welfare Director Wilma Colter and Assistant County Welfare Director Connie Kacalek.

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

OPEN SESSION RESUMED

Schoen moved, seconded by Bowman, to deny Case #12-01-008, based on staff recommendations. Motion carried 2/0.

Schoen moved, seconded by Bowman, to deny Case #12-01-009, based on staff recommendations. Motion carried 2/0.

Schoen moved, seconded by Bowman, to deny Case #12-01-010, based on staff recommendations. Motion carried 2/0.

Schoen moved, seconded by Bowman, to deny Case #12-01-011, based on staff recommendations. Motion carried 2/0.

Schoen moved, seconded by Bowman, to accept notice of cancellation of hearing and final determination of denial on Case #11-08-056. Motion carried 2/0.

DEPARTMENT REPORTS, DISCUSSION and CONSIDERATION

Claims – Schar Boyd

- Deputy Auditor Schar Boyd presented the claims.

Schoen moved to approve unpaid claims dated through January 4, 2012, with additional claims as noted by Clerk's office for autopsy, defibrillator and other miscellaneous general expenses. Motion carried 2/0.

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Dec-2011

FUND 01	AGAINST GENERAL FUND		
Blaine County Employees	Salaries December 1	\$ 249,052.60	
Blaine County Employees	Salaries December 15	\$ 248,902.60	
Blaine County Employees	Salaries December 29	\$ 249,502.76	
Total December FICA		\$ 53,412.04	
Total December Benefits		\$ 167,086.44	
Total December Bills		<u>\$ 238,311.36</u>	
Combined Total December Expense			\$1,206,267.80
FUND 02	AGAINST ROAD & BRIDGE		
Blaine County Employees	Salaries December 1	\$ 25,322.80	
Blaine County Employees	Salaries December 15	\$ 29,656.11	
Blaine County Employees	Salaries December 29	\$ 23,348.81	
Total December FICA		\$ 5,689.58	
Total December Benefits		\$ 17,952.15	
Total December Bills		<u>\$ 346,061.09</u>	
Combined Total December Expense			\$ 448,030.54
FUND 03	AGAINST ELECTION CONSOLIDATION		
Blaine County Employees	Salaries December 1	\$ 1,497.21	
Blaine County Employees	Salaries December 15	\$ 1,033.87	
Blaine County Employees	Salaries December 29	\$ 1,031.81	
Total December FICA		\$ 270.53	
Total December Benefits		\$ 848.82	
Total December Bills		<u>\$ 3,618.43</u>	
Combined Total December Expense			\$ 8,300.67
FUND 06	AGAINST DISTRICT COURT		
Blaine County Employees	Salaries December 1	\$ 1,911.00	
Blaine County Employees	Salaries December 15	\$ 1,911.00	
Blaine County Employees	Salaries December 29	\$ 1,911.00	
Total December FICA		\$ 438.57	
Total December Benefits		\$ 1,122.63	
Total December Bills		<u>\$ 6,242.15</u>	
Combined Total December Expense			\$ 13,536.35
FUND 16	AGAINST CHARITY & INDIGENT		
Blaine County Employees	Salaries December 1	\$ 3,571.20	
Blaine County Employees	Salaries December 15	\$ 3,571.20	
Blaine County Employees	Salaries December 29	\$ 3,571.20	
Total December FICA		\$ 814.30	
Total December Benefits		\$ 2,165.50	
Total December Bills		<u>\$ 23,801.68</u>	
Combined Total December Expense			\$ 37,495.08

FUND 20	AGAINST REVALUATION		
Blaine County Employees	Salaries December 1	\$ 10,368.35	
Blaine County Employees	Salaries December 15	\$ 11,175.50	
Blaine County Employees	Salaries December 29	\$ 11,055.15	
Total December FICA		\$ 2,300.88	
Total December Benefits		\$ 8,736.88	
Total December Bills		<u>\$ 2,729.90</u>	
Combined Total December Expense			\$ 46,366.66
FUND 23	AGAINST SOLID WASTE		
Blaine County Employees	Salaries December 1	\$ 3,530.80	
Blaine County Employees	Salaries December 15	\$ 4,580.80	
Blaine County Employees	Salaries December 29	\$ 4,020.80	
Total December FICA		\$ 919.65	
Total December Benefits		\$ 2,963.63	
Total December Bills		<u>\$ 7,623.24</u>	
Combined Total December Expense			\$ 23,638.92
FUND 27	AGAINST NOXIOUS WEEDS		
Blaine County Employees	Salaries December 1	\$ 3,681.15	
Blaine County Employees	Salaries December 15	\$ 3,542.40	
Blaine County Employees	Salaries December 29	\$ 3,542.40	
Total December FICA		\$ 777.11	
Total December Benefits		\$ 2,647.11	
Total December Bills		<u>\$ 3,481.54</u>	
Combined Total December Expense			\$ 17,671.71
FUND 04	AGAINST AMBULANCE		
Total December Bills		\$ 165,310.86	\$ 165,310.86
FUND 07	AGAINST COUNTY FAIR		
Total December Bills		\$ -	\$ -
FUND 11	AGAINST PUBLIC HEALTH		
Total December Bills		\$ 20,555.67	\$ 20,555.67
FUND 12	AGAINST HISTORICAL SOC. & MUSEUM		
Total December Bills		\$ -	\$ -
FUND 17	AGAINST JR. COLLEGE TUITION		
Total December Bills		\$ 86,250.00	\$ 86,250.00
FUND 31	AGAINST PSF BOND REDEMPTION		
Total December Bills		\$ -	\$ -
FUND 35	AGAINST NURSING HOME		
Total December Bills		\$ 372,198.50	\$ 372,198.50
FUND 37	AGAINST SNOWMOBILE		
Total December Bills		\$ -	\$ -
FUND 38	AGAINST WATERWAYS		
Blaine County Employees	Salaries December 1	\$ -	

Blaine County Employees	Salaries December 15	\$ -	
Blaine County Employees	Salaries December 29	\$ -	
Total December FICA		\$ -	
Total December Benefits		\$ -	
Total December Bills		<u>\$ 1,099.21</u>	
Combined Total December Expense			\$ 1,099.21

FUND 46	AGAINST E-911 EMERGENCY COMM		
Blaine County Employees	Salaries December 1	\$ 4,372.80	
Blaine County Employees	Salaries December 15	\$ 4,372.80	
Blaine County Employees	Salaries December 29	\$ 4,372.80	
Total December FICA		\$ 949.57	
Total December Benefits		\$ 2,153.14	
Total December Bills		<u>\$ 22,501.20</u>	
Combined Total December Expense			\$ 38,722.31

FUND 51	AGAINST LAND WATER & WILDLIFE LEVY		
Total December Bills		\$ 225,928.00	\$ 225,928.00

FUND 81	AGAINST LIABILITY INSURANCE		
Total December Bills		\$ -	\$ -

TOTAL ALL FUNDS \$2,711,372.28

Clerk's Report – JoLynn Drage

- The court clerk's office employees painted their office during the holiday week.

Operations Director – Char Nelson

- Keller Associates has posted notice and notified Beaver Springs homeowners and Homeowners Association that they will be doing design preparation work in the area in anticipation of the new Adams Gulch bridge.
- The West Magic area is a popular year-round recreation area for anglers. Fish and Game is considering purchasing property there for a parking lot. A year-round restroom is also needed.
- Nelson and County Road and Bridge Manager Tom Duffy visited the Lees Gulch area. A resident asked Blaine County to put in a parking lot on the west side of Townsend Gulch Road. Bowman discussed the BLM paying for the parking lot, and is waiting for a response.
- Old County Courthouse is due for a rekeying.

County Administrator – Derek Voss

- Hailey City staff has asked County Land Use Administrator Tom Bergin to attend an upcoming Hailey Council meeting to answer questions on potential Quigley Canyon development.
- County Clerk/Administrator are scheduling mid-year updates with County departments and outside service agencies.
- Working with County HR on policy and procedures for performance management.

CONTRACTS, GRANTS AND AGREEMENTS DISCUSSION AND CONSIDERATION

- **Agreement between Blaine County and University of Idaho budget adjustment**

The original contract with the University of Idaho had an incorrect amount, which was corrected.

Schoen moved, seconded by Bowman, to approve an amendment to the Agreement between Blaine County and the University of Idaho amending the previous amount of \$92,136 to the agreed-to contract amount of \$90,636, and authorize Vice-Chairman to initial this change signifying Blaine County's consent. Motion carried 2/0.

CONSENT CALENDAR

- **Resolution 2012-02 authorizing transfer of funds from the General Fund Unappropriated Reserve to the Ketchum Police Department Trust Account . Record #593731**

Schoen moved, seconded by Bowman, to approve the Consent Calendar of January 10, 2012. Motion carried 2/0.

BOARD REPORTS, DISCUSSION and CONSIDERATION

Region IV Development Association Quarterly meeting – Schoen

The Region IV Development Association annual audit revealed no material deficiencies. Region IV Development had four bookkeepers in the last fiscal year, resulting in multiple bookkeeping methods, but the auditor's management letter indicated no serious concerns.

- The Senior Connection will be seeking a new block grant this year through Region IV.
- The Board reviewed and approved revision to loan policy procedures to make the manual more consistent with state law and federal lending provisions.
- Contract for Independent Auditor will be put out to bid every five years.
- Some employees are currently on furlough to save money. The furloughs will end, but many employees will continue to work fewer hours due to better office efficiency.
- Blaine Manor is talking to Region IV about grant(s) to add an assisted living facility to the Blaine Manor building.

Emergency Communication Commission (ECC) mediation deliberation – Voss

Bowman, Voss, Blaine County Sheriff Gene Ramsey and Blaine County Emergency Communications Director Beth English attended the ECC mediation deliberation. The ECC encouraged input and additional insight from the audience during their deliberations. They want their recommendations to be consistent throughout Idaho.

The ECC's four recommendations were:

1. Local jurisdictions provide written documentation of their policy, including the formula used and how it was developed. Emergency Communications is a consolidated program, and individual jurisdictions cannot be allowed to opt out.
2. Local partners will participate in developing the agreed-upon formula.
3. A timeline to complete the decision-making process prior to beginning of the budget process.
4. The ECC will provide a set of recommended formulas and models, but no specific recommendation for which should be used by local emergency communications partners. The local Board of County Commissioners is the ultimate authority. All calls, emergency and non emergency, have to be answered, so adequate staff has to be provided to answer all calls.

Blaine County employs only 40 responders out of a total 253 responders in the County and its jurisdictions. All jurisdictions need to contribute to the cost of emergency communications.

APPROVAL OF BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

- **December 12, 2011 Special Monday Meeting**
- **December 14, 2011 Special Wednesday public meeting on Recycling Center**
- **December 20, 2011 Regular Tuesday Meeting**
- **December 27, 2011 Regular Tuesday Meeting**
- **January 3, 2012 Regular Tuesday Meeting**

Schoen moved, seconded by Bowman, to approve the minutes of the Blaine County Commissioners meetings of December 12, December 14, December 20, and December 27, 2011, and the meeting of January 3, 2012. Motion carried 2/0.

AIRPORT PROJECT UPDATE AND DISCUSSION

Also present: Friedman Memorial Airport Manager Rick Baird; and Sawtooth Board of Realtors Government Affairs Director Bob Crosby.

The BCC discussed scheduling upcoming FMAA joint meetings with Hailey and North County cities.

The current Blaine County-City of Hailey Joint Powers Agreement was designed more for a replacement airport, and should perhaps be reviewed to clarify leadership, management and decision-making roles, responsibilities and expectations to address air service rather than relocated airport issues.

The FMAA has broad County representation, and should be the governing body for the local airport. The airport's leadership is provided by its co-owners. The FMAA provides management, and the airport manager deals with operations. The BCC needs to unify its short- and long-term vision for the airport. The BCC can then partner with airport co-owner City of Hailey to develop a combined set of big picture guiding principles.

PUBLIC COMMENT

Crosby asked if both current air carriers can use the proposed Required Navigation Procedure (RNP). Baird will discuss this with Crosby

ESTABLISH NEW ELECTION PRECINCT BOUNDARIES

Voter precinct boundaries can be adjusted once every 10 years. State guidelines are that precincts should be divided as equally as practicable to provide an optimum number of eligible voters in each precinct. The County Clerk proposed two new precincts in Hailey and one in Bellevue, and elimination of one precinct in the North County. Precinct boundaries have to be drawn on something that is visible on the ground, such as a road, but can be ridgelines in the backcountry.

Schoen moved, seconded by Bowman, to amend current Blaine County voter precincts to a new map to be kept on file in the County Clerk's office. This will increase the number of Blaine County Voter Precincts from 14 to 16. In discussion, the BCC said this will compensate for change in eligible voter population since the last Census, align voter precinct lines with city boundaries to facilitate election consolidation, and help Blaine County meet the Idaho Secretary of State's guidelines for voting. **Motion carried 2/0.**

BREAK

CHAIRMAN ANGENIE MCCLEARY PRESIDED OVER THE AFTERNOON SESSION OF THIS MEETING.

LAND USE AND BUILDING SERVICES HEARINGS

- **Mountain Overlay District Map Amendment Modifications**, continued from December 12, 2011

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves, Land Use Administrator Tom Bergin, Zoning Specialist Nancy Cooley; Martin Flannes representing Sun Valley Credit; Cold Springs Gulch resident Gina Macdonald; Don Nurge; Rotarun administrator Eric Wesley; Len Harlig; Cindy Mann; Linda Haavik representing Gardner-Drashner property; Julie Cord representing Gardner-Drashner property; Bruce Smith; Mike Choat; Mike Pogue representing Michael Rollins; Jim Phillips on behalf of Deer Creek Ranch; Sheila Lierman representing the Blaine County Animal Shelter; Deborah Vignes; Chris Pilaro; Tracy Dunlap representing Michael Engl; Jo Lowe; David Hennessey representing

Quigley Canyon; and Clare Swanger.

This meeting is a further review of proposed MOD map amendments. Cooley said no additional notice was necessary for this hearing. BCC received copies of three new public comments since the last meeting; and the Findings from P&Z's discussion on proposed MOD text amendments.

The BCC discussed the following specific proposed MOD map areas that might be problematic; and accepted public input on each area.

Bergin explained newly-proposed map changes:

- Chocolate Gulch – MOD boundary line is revised. A significant area of the Wood River Estates Subdivision is included in both Scenic Corridor 1 and Mountain Overlay.
- Boundary line on the upper part of Eagle Creek is revised to run along private property boundary.
- Sun Peak Subdivision – new boundary line based on the building envelope established prior to December, 1991.
- Lower Board East – revised boundary line along Forest Service boundary.
- East Fork Rollins and neighbor properties – revised boundary line along the back of the Rollins property.

The BCC supported the first four map changes.

Public Land that is acquired by private ownership

Only 20% of land in Blaine County is privately owned. Most public land is within the MOD. If federal public land is acquired by a private landowner, the land is automatically reclassified and then is subject to further zoning review, based on surrounding zoning. The BCC suggested this language be included in the Code. Graves agreed that public lands should be declared to be within the MOD as of the effective date of this ordinance, and subject to reevaluation if transferred to private ownership.

Lake Creek

The BCC discussed the boundary line that runs along the stream channel, follows topography and the road, and through Lake Creek lots on the north side of the hill.

PUBLIC COMMENT:

It is important that the text and map support each other.

What is the established linear distance used to measure the 25% slope? Bergin said it varied.

How can one tell from the map if an area is visible from the scenic corridor? Bergin said areas that were 15-25% slope would be evaluated for visibility from Highway 75.

Adams Gulch

The proposed boundary line was drawn on the back side of houses that are on slopes. The BCC discussed the need for a site visit before deciding if a buffer is needed above the revised line.

Cold Springs Bench

PUBLIC COMMENT:

Does the removal of this area from the MOD have a connection to the South Gateway project? Why remove this area from the MOD? Please erect story poles. Is there a need for a Housing Overlay District in this area? A structure on the east end of the canyon at the top of the bench would have a significant impact. What role does the "500 width rule" play in closing off the canyon?

The BCC was asked to review the definition of "hillside," to be sure that the outcome matches what the County is trying to protect.

Representatives of the Gardner-Drashner property claim it was not in the MOD until the line was drawn

in 2007. Avalanche/wildlife/wetlands and other environmental controls are covered by various overlays. This Recreation Development (RD) land under the Community Housing Overlay District is accessible and developable. It is near Blaine County population and employment centers, and appropriate for housing and recreation. The area was clearly designated for high density.

One citizen expressed particular concern about this proposed change, citing "islands of flatter land between and including the applicable lower slopes". When the MOD process was begun in 1991, this parcel of land was deliberately placed in the MOD. Nothing has changed in the last 20 years relative to why the land was put in the MOD, including emergency access, water/sewer and erosion.

Bergin said the 500 width rule was originally applied to connect isolates in the front of the canyon, but not applied to the revised map. They used a 100-ft. elevation above the valley floor to include or exclude an area, but this was not part of the mapping analysis.

The BCC discussed the Cold Springs bench area. Bowman supported the amendment because he didn't think the area had hillside characteristics and any application for development on the bench would be carefully evaluated. Schoen said he could go either way. There could be canyon situations where non-actual hillside land could become developable with a master plan and rezone. Criteria for site alteration in the MOD doesn't necessarily align with the type of development the County envisioned for this area under the CH-PUD. McCleary felt it was a significant area and did not support its removal from the MOD at this time

East Fork

As a result of prior discussion, the boundary line was slightly changed out the canyon to Triumph. Areas visible from a reference road and below are included in the MOD. Areas below reference roads are excluded from the MOD.

Flannes, representing the new owner of the DeNovo Independence property, has proposed alternate revisions to Land Use staff. The property has mining residue; and part of it is adjacent to Forest Service. The property is in remediation, paid for by limited development, which will preserve some of its environmental aspects as a public benefit. It is now zoned LR.

Harlig questioned the Rollins property being removed from the MOD. Bowman said the property was originally not in the MOD, and related its history. There is a current application. Graves explained the County's legal situation with Rollins. There are a number of similar county properties. Mike Pogue, representing Rollins, thanked the County for considering amendments to the MOD map. Bruce Smith felt the Rollins house did not comply with the MOD. The BCC agreed to do a site visit. Lowe said the final MOD map and text should reflect the total spirit of the mountain overlay.

Animal Shelter

P&Z suggested a "public benefit" rule for areas potentially in the MOD where a public facility exists. The BCC said the gulch did not have hillside characteristics, and meets the public benefit exclusion.

Eric Wesley said this was federal land that is now reverting to private ownership and is currently going through the zoning process. Bruce Smith said it is easier to revise the MOD boundary than request a rezone after land transfer.

Jim Phillips, on behalf of Deer Creek Ranch, said the area outlined in the proposal was all below 25% and should be removed from the MOD.

Quigley Canyon

The County and City of Hailey have concurrent active applications for the mid-part of the canyon. The County application process is awaiting review by the City of Hailey.

Dave Hennessey said parts of the canyon are truly flat.

Engl Property

Bergin said he would review the Engl property across from the Meadows. Some of it is flat and out of the Scenic Corridor and can be excluded.

Schoen moved, seconded by Bowman, to continue this hearing of amendments to the Mountain Overlay District map to January 24, 2012, at 1:30 p.m. Motion carried unanimously.

LAND USE AND BUILDING SERVICES DISCUSSION AND CONSIDERATION

• Decision on the Life Church Appeal

Schoen moved, seconded by Bowman, to approve the Findings of Fact, Conclusions of Law and Decision on the Life Church appeal, which reflect the decision of this Board on that appeal. Motion carried unanimously.

ADJOURN

At the hour of 4:02 p.m., the BCC finding no more business before them adjourned.

Attest: _____ Approved _____
JoLynn Drage Tom Bowman
County Clerk Vice-Chairman

Approved _____
Angenie McCleary
Chairman