

**OFFICE OF THE BOARD OF COUNTY COMMISSIONERS  
OF BLAINE COUNTY  
REGULAR MEETING OF THE JANUARY 2011 SESSION**

**Fifth Day**

**Tuesday, January 18, 2011**

Pursuant to Statutory Provisions, the Board of Blaine County Commissioners (BCC) met this day at 10:00 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; *Idaho Mountain Express* reporter Kate Wutz; and Recording Secretary Sunny Grant.

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

**PUBLIC COMMENT - NONE**

**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 # 11-01-019**

**Bowman moved, seconded by Schoen, to go into Executive Session pursuant to §67-2345 1(d) to consider indigent applications. Motion carried unanimously.**

**OPEN SESSION RESUMED**

**Bowman moved, seconded by Schoen, to deny Case #11-01-019, based on staff recommendations. Motion carried unanimously.**

**Bowman moved, seconded by Schoen, to deny Case #11-01-033, based on staff recommendations. Motion carried unanimously.**

**Bowman moved, seconded by Schoen, to accept notice of cancellation of hearing and final determination of denial on Case #09-08-043. Motion carried unanimously.**

**COUNTY DEPARTMENT REPORTS, DISCUSSION and CONSIDERATION**

**Clerk's Report** – JoLynn Drage

- Received an invoice dated July 2, 2009, on January 13, 2011. Statute says no claim shall be paid if not presented to the Board within a year of the date generated. Invoice will be given to Jail Administrator Lt. Jay Davis for clarification.
- McCleary said she had received a detailed invoice on a designated examiner claim that was in question. The detail substantiated the DE's charges as legitimate, and the claim should be paid. The Prosecutor's Office will continue to review the DE process for possible improvement.

**County Administrator** - Blaine County Administrator Derek Voss

- Commended the Blaine County GIS team for their continued efforts to reach out to the public and provide great customer service. GIS recently provided two training sessions for Realtors.

**Operations Director** – Operations Director Char Nelson

- Submitted State Transportation Improvement Program (STIP) grant application to ITD to improve Broadford Road. There is a lot of competition for the grant. If awarded to Blaine County, there would be engineering and design work, and funding wouldn't be received for several years. Plenty of time for public comment at that time. County does not have to accept award if it is granted.
- Blaine County Engineer Jim Koonce and Road and Bridge Manager Tom Duffy examined Adams Gulch bridge that recently received low rating on the bridge report. Anticipate STIP grant funding to replace the bridge in several years, but bridge needs to be repaired in the meantime. Koonce will prepare a plan and the County will apply for a Stream Alteration Permit to work on the bridge this spring.
- Road and Bridge crews were out twice on Monday to clear avalanches out Warm Springs. Road is now clear.
- BE<sup>3</sup>ST Committee met to review the fourth quarter energy usage report on the County's buildings. County employee commuter information and County fuel usage is being tabulated. Energy Report will be presented to the Board in a few weeks.
- Hailey Chamber of Commerce is very interested in using the old Hailey Medical Center as their temporary office. The BCC supported letting the Chamber "rent" the front part of the building for the cost of utilities and improvements. Blaine County Chief Deputy Prosecuting Attorney Tim Graves will prepare a contract.
- Staff is working on finalizing Forest Service Resource Advisory Committee (RAC) grants this week. Three RAC projects are before the BCC today. Two additional Blaine County projects will be submitted to the BCC at their meeting next week.
- Received grant last year to develop a transportation plan to meet community needs and address safety issues. Will coordinate community effort to form advisory board and begin public hearings to set priorities on all roads in the county.

## **BOARD REPORTS AND DISCUSSION** (not intended for public comment)

### **Replacement Airport Issues - Bowman**

Also present Friedman Memorial Airport Manager Rick Baird.

- Friedman Memorial Airport Authority (FMAA) has agreed to participate in a strategic planning workshop once Joint Powers Agreement is signed and two new FMAA members are on board.

### **IAC Legislative Committee Meeting - Bowman**

- Discussed setting priorities. Residential improvements never occupied is a Blaine County priority. Realtors and contractors are opposed to a time limit on exemption for new residential construction. Code is clear that exemption has to be applied for annually, but counties have never enforced. Rep. Wendy Jaquet will sponsor a bill once roadblocks can be worked out.
- Board of Equalization appeal process will be revised to prohibit appellant from presenting new information that was not presented at the county level.
- County vs. tribal law enforcement jurisdiction on tribal issues is going to be hot topic in the Legislature.

### **Mental Commitment Process - McCleary**

- Met with Prosecuting Attorney office, Clerk and County Services to better understand processing and consequences of mental health cases that are decided in court. Different judges apparently work differently. County clerks statewide are going to try to get practice standardized.

### **Water District 37/37M Annual Meeting - Schoen**

Attended annual meeting for the Big Wood and Little Wood river basins. Meeting discussions focused on:

- Procedural issues.
- Schoen's proposal to form a committee to explore issues of conjunctive administrative.
- Idaho Department of Water Resources Senior Advisor was present at the meeting. IDWR has agreed to form a groundwater measurement district for the Big Wood Basin, which will be needed for conjunctive administration. Research and education is key to avoiding potential legal battles.

### **Wood River Wolf Project - Schoen**

Met last week to discuss whether Wolf Project non-lethal control of wolves in sheep grazing allotments north of Ketchum should continue for a fourth year. Representatives from Defenders of Wildlife, Ketchum Ranger District, Lava Lake Land and Livestock and the new Regional Forest Supervisor discussed the success of the last three years, and practicalities and expense of keeping field staff present. Livestock companies don't help with field staff, but contribute in other ways.

Defenders needs to jumpstart fundraising and support. No funding request before the County at this time. Schoen will provide additional information regarding the non-lethal program; and draft a letter in support of the Defenders of Wildlife program. BCC will review program and letter at upcoming meeting.

### **Snake River Juvenile Detention Center Joint Powers Advisory Board - McCleary**

Number of Blaine County detainees is down from last year, and about half the number of 2008. About one-third of detainees test positive for drug/alcohol. The Detention Center is working with Twin Falls School District to educate the detainees.

McCleary also attended the following meetings:

- **Sawtooth Vision 20/20**
- **La Alianza Multicultural Center Board Meeting**
- **Ketchum Recreation and Public Purposes Agreement Open House**
- **BE<sup>3</sup>ST Committee Meeting**

## **FOREST SERVICE RESOURCE ADVISORY COMMITTEE (RAC) PROPOSALS**

The BCC reviewed the four applications submitted by the Ketchum Ranger District Supervisor, and acknowledged all four applications should be submitted to the RAC. The BCC will prioritize RAC proposals once all have been received.

## **COUNTY COMMISSIONER PROJECT PRIORITIZATION** - Voss

Also present: Blaine County Land Use and Building Services Director Tom Bergin, Regional Planner Jeff Adams, *Idaho Mountain Express* reporter Kate Wutz; and KECH Radio News Director Sue Bailey.

Voss outlined the process to get from management and leadership to outcome: Management is associated with control. Leadership means letting go. Both are useful techniques to accomplish the outcome. Trust depends on character. Those with character bring results. Results are outcomes.

Voss and the BCC discussed a draft priority list. Programs are long-term and may take years, and encompass more than one project. Projects and their completion are definable.

Some programs and projects for consideration are:

- Capital improvement plan, which is necessary to collect impact fees. Impact fees would help the County deal with its financial priorities.
- Recycling and greenwaste composting, which have high impact and require not so much effort.
- Infrastructure plan.
- Regional planning, which encompasses demographics, economy, transportation, housing, etc.
- County sustainability and/or conservation policy, including an energy policy, the County's 4-day workweek, a community rebate program, and county building retrofits.
- Replacement airport.
- Water quality, water management and wastewater issues, including water reuse and onsite septic systems that meet Health District recommendations.
- Internal and external communications, including website and social media.
- Grant management consolidation.

Voss will reconfigure the priority list, and BCC will continue to review and edit it. The BCC needs to analyze project cost in order to accurately prioritize projects.

**BOARD LIAISON ASSIGNMENTS** – BCC

The BCC will address liaison assignments as the priority list is finalized.

**EMPLOYEE/MANAGER HANDBOOK CONSIDERATION** - Voss

Minor updates were made. The document is dynamic, and ongoing revisions will be made as appropriate. The handbook is located on a common drive of the County's server. Department heads and elected officials are responsible for making sure every County employee is familiar with the document, and will address concerns. If manager/employee training is necessary, it will be provided. Every employee is to acknowledge receipt of the handbook.

After considering final slight revisions to the Employee/Manager Handbook during the meeting break, the BCC voted to approve the handbook at the end of the BCC meeting:

**Bowman moved, seconded by Schoen, to adopt policies enumerated in the Employee/Manager Handbook, version dated January 18, 2011. Motion carried unanimously.**

**CONTRACTS AND AGREEMENTS**

- **Snowplow Agreement with Hyndman Creek LLC, Triumph Ranch I LLC, Triumph Ranch II LLC, and Triumph Ranch III LLC ..... Record # \_\_\_\_\_**

**Bowman moved, seconded by Schoen, to approve the Snowplow Agreement with Hyndman Creek LLC, Triumph Ranch I LLC, Triumph Ranch II LLC, and Triumph Ranch III LLC. Motion carried unanimously.**

**APPROVAL OF BOARD MEETING MINUTES**

- **January 10 and 11, 2011 Regular Monday and Tuesday Meetings**

**Schoen moved, seconded by Bowman, to approve the January 10 and 11, 2011 regular BCC meetings, as submitted. Motion carried unanimously.**

**BREAK**

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

- **Croy Creek Ranch Extension**

Also present: Blaine County Land Use and Building Services Director Tom Bergin, Code Compliance Specialist Megan Stelma, Zoning Specialist Nancy Cooley; applicant David Alexander and applicant's representatives Dick Fosbury and Ed Lawson; Nancy Richter; Ray Segale; Vance Hanawalt.

Blaine County Regional Planner Jeff Adams has a conflict of interest with this application, so Bergin led the discussion. Additional written public comment received was before the BCC. The written comment received was not specifically about extension.

The applicant is requesting a four-year extension of all performance deadlines in the Development Agreement and related Findings of Fact, including the deadline for commencement of Phase 1. The developer has done everything required by the Development Agreement and Findings of Fact, including the donation of four community housing units.

Prior to the developer filing the plat approval application, the construction lender was seized by the FDIC and funds for the project were no longer available. At the same time, the economic downturn virtually eliminated the prospect for presales that were underway. The developer hopes to locate a new lender and allow the project to move forward.

**PUBLIC COMMENT**

Neighbors present expressed no problem with granting the extension; but complained about noxious weeds and lack of irrigation. Ray Segale expressed concern about the sale of water rights.

Applicant David Alexander said the irrigation is underground. They tried sheep for natural weed control, but the sheep weren't supervised and they ate the grass and shrubs as well.

Schoen disclosed that he had toured the property with Code Compliance Specialist Megan Stelma.

BCC directed staff to work with the applicant on a revised Development Agreement with a 24-month extension, with the possibility of an extension beyond that.

• **BLM Sale vs. Exchange Density** - Bergin.  
BLM plans to exchange 20 acres of Blue Canyon land north of Ketchum on the east side of the highway for 1,299 acres of property above Bellevue and near Magic Reservoir.

• **Crystal Creek Stream Work Status** - Bergin.  
Received the 2010 monitoring report from environmental consultant Will Miller. Everything functioned as anticipated in the first year, but there will be some problems. Miller expects the future land use emphasis on the property to be conservation and execution of the restoration plan.

**FINDINGS OF FACT**

Also present: Blaine County Land Use and Building Services Director Tom Bergin and Zoning Specialist Nancy Cooley.

• **Floodplain Phase II – Model Ordinance Text Amendment**

**Schoen moved, seconded by Bowman, to approve the Findings of Fact, Conclusions of Law and Decision with respect to ordinance amendments to Title 9, Chapter 17, and authorize the chairman to sign. Motion carried unanimously.**

**Schoen moved, seconded by Bowman, to adopt Blaine County Ordinance 2010-13, and to approve the Findings of Fact, Conclusions of Law and Decision. Motion carried unanimously.**

..... Ordinance 2010-13 Record #584331

• **FEMA Phase 1B – Floodplain Overlay and Reclassification of Floodplain Zone**

**Bowman moved, seconded by Schoen, to adopt Blaine County Ordinance 2011-01, and the Findings of Fact, Conclusions of Law and Decision related to that ordinance. Motion carried unanimously.** ..... Ordinance 2011-01 Record #584332

**LIGHT INDUSTRIAL ZONE WORKSHOP**

Also present: Blaine County Land Use and Building Services Director Tom Bergin, Regional Planner Jeff Adams, County Planner Shana Sweitzer, Zoning Specialist Nancy Cooley; and Hailey Community Development Director Beth Robrahn.

This was a first touch look at Light Industrial Zone ordinances, and what Blaine County municipalities are doing. The BCC can determine what it wants to accomplish with its LI, and set policies.

Uses and criteria in LI zones are specific to the community, and are dependent on community needs and concerns. There is frequently more than one LI zone, usually based on location. LI Zones can provide a transition between residential and commercial zones, and provide employment opportunities for the community. Blaine County has land available to provide larger lot sizes than most of its municipalities. Plenty of parking space should be provided.

The BCC should consider whether retail can be an accessory use in the LI. Also, should there be auxiliary services in the LI?

The LU&BS department is doing surveys to get information before writing the ordinance.

Beth Robrahn said Sustain Blaine is also doing a survey of businesses. It is important to coordinate with municipalities and any current or ongoing surveys to determine the county's needs, and what already exists.

The BCC directed staff to return with a detailed outline and more defined language in the ordinance before it was approved by BCC and ready to go to P&Z.

**Bowman moved, seconded by Schoen, to direct staff to initiate amendments to land uses in Light Industrial Zones. Motion carried unanimously.**

**CONSENT CALENDAR**

- **Consolidated Emergency Communications Services Agreement with Carey Rural Fire** ..... Record #584399
- **Resolution 2011-03 Sheriff Budget Adjustment** ..... Record #584318
- **Resolution 2011-04 Probation Budget Adjustment** ..... Record #584319
- **Resolution 2011-05 Building And Grounds Budget Adjustment** ..... Record #584323
- **Resolution 2011-06 General Budget Adjustment** ..... Record #584325
- **Resolution 2011-07 Jail Budget Adjustment** ..... Record #584326
- **Resolution 2011-08 Land Use and Building Services Budget Adjustment** ..... Record #584327
- **Resolution 2011-09 Indigent Budget Adjustment** ..... Record #584328
- **Resolution 2011-10 Weeds Budget Adjustment** ..... Record #584329
- **Resolution 2011-11 Snowmobile Budget Adjustment** ..... Record #584330

Schoen moved, seconded by Bowman, to approve the Consent Calendar of January 18, 2011. Motion carried unanimously.

**PARTICIPATION IN NACo CONFERENCE** - Schoen

Conference registration deadline is January 21. BCC approved expenses for Schoen to attend the National Association of Counties (NACo) Legislative meeting in Washington, D.C. in March.

**EXECUTIVE SESSION**

Schoen moved, seconded by Bowman, to go into Executive Session for Pending Litigation, pursuant to I.C. §67-2345 1(f) to discuss with legal counsel the legal ramifications of and legal options for pending litigation. McCleary (aye), Bowman (aye), and Schoen (aye). Motion carried unanimously.

**ADJOURN**

At the hour of 3:14 p.m., the BCC finding no more business before them adjourned.

Attest: \_\_\_\_\_ Approved \_\_\_\_\_

JoLynn Drage  
County Clerk

Angenie McCleary  
Chairman