

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

**Fifth Day**

**Tuesday, June 19, 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; Recording Secretary Sunny Grant; and *Idaho Mountain Express* reporter Kate Wutz.

Chairman McCleary called the meeting to order at 9:02 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

- **12-04-110, 12-04-111, and 12-05-114**

Present were: Blaine County Welfare Director Brooke Roberson; and Amy Rivkin.

**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), Bowman (aye), and McCleary (aye). Motion carried unanimously.**

**OPEN SESSION RESUMED**

**Schoen moved, seconded by Bowman, to approve Case #12-05-110, with a repayment of \$25 monthly, based on staff recommendation. Motion carried unanimously.**

**Schoen moved, seconded by Bowman, to approve Case #12-05-114, with a repayment of \$25 month, based on staff recommendation. Motion carried unanimously.**

**Schoen moved, seconded by Bowman, to deny Case #12-04-111, based on staff recommendation. Motion carried unanimously.**

**BLAINE COUNTY HOUSING AUTHORITY APPOINTMENT**

- **Rick Davis, Hailey Representative to the Blaine County Housing Authority**

Also present: Blaine County Housing Authority Executive Director David Patrie.

Davis was born and raised in Hailey. In addition to 40 years in the building industry and working for Sun Valley Title, he has served as Hailey Mayor and City Councilman.

**Schoen moved, seconded by Bowman, to approve the appointment of Rick Davis to the Blaine County Housing Authority, to represent the City of Hailey for the remainder of the current Hailey term ending in January 2015. In discussion, Patrie said the City of Hailey approved Rick Davis' appointment by Resolution 2012-39. Motion carried unanimously.**

**COUNTY DEPARTMENT REPORTS, DISCUSSION and CONSIDERATION**

**Clerk's Report** – JoLynn Drage

- Continue to work on budget revenue and expenses.
- Payment in Lieu of Taxes (PILT) federal funding is expected to decline considerably in the future.

**Operations Director** – Char Nelson

- Staff is gathering information on office space management in County buildings.
- Expedition Inspiration Fund for Breast Cancer Research requested recycled newspapers from Blaine County's recycle center as a revenue source. Expedition Inspiration will send a formal request letter to Blaine County, which will be forwarded to the BCC for consideration.
- One resident perennially unhappy with dust on a County road thanked the BCC and Road and Bridge crew for making "the road the best it's ever been".
- McCleary said Trail Creek Road was in very good shape.

**County Administrator** – Derek Voss

- Thanked BCC Commissioners for actively participating in recent employee meetings. Bowman suggested a future employee meeting be a Q&A session with the BCC.
- Employees expressed interest in continuing the employee meetings.
- Voss commended BCC and department heads/elected officials on working within the outcome-based budget process by presenting informative and interesting FY2013 budgets.

**CONSENT CALENDAR**

- **New Beverage License for Senior Connection**
- **Beverage License Renewals: Splash & Dash and The Cellar Pub, Sun Valley Wine Company, Cristina's, The Kneadery, Pioneer Saloon, and DaVinci's.**

- **Resolution 2012-23 General Budget Adjustment** ..... Record #598553

**Schoen moved, seconded by Bowman, to approve the Consent Calendar for June 19, 2012. Motion carried unanimously.**

**MINUTES**

- **June 4, 2012 Special Monday Meeting**
- **June 5, 2012 Regular Tuesday Meeting**

**Schoen moved, seconded by Bowman, to approve the Blaine County Commissioner meeting minutes of June 4 and June 5, 2012 meetings. Motion carried unanimously.**

**SENIOR CARE DISCUSSION WITH BLAINE MANOR BOARD**

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; Blaine Manor Board of Trustees Chairman Marsha Riemann and Board members Linda Haavik and Steve Pauley; Blaine Manor Administrator Gail Goglia and Finance Director Stephanie Jaskowski; Blaine Manor advocates Mary Ann Pauley, Carol Taglio, Ursula Hulbert, Lois Ann Heagle, D.A. Outzs, Sandra J. Christiansen, and Rick Baird; Croy Canyon Ranch Foundation (CCRF) Board President Jeanne Cassell and Executive Director Kathleen Eder; CCRF Campaign Chairman Anita McCann; CCRF advocates Greg Cappel, Patsy Nickum, Jim McLaughlin, and Connie Olsen; Safe Haven CEO Scott Burpee; BRP Board member Roy Prescott; Joan Davies; Al Stevenson; and Peter Candy.

The issue of skilled nursing care is an emotional one. The BCC has to balance community needs with fiscal accountability without personal feelings or resentment, and may have to challenge conventional wisdom. All discussion is in public and subject to criticism.

Today’s discussion is focused on potential business models and key variables. The BCC requested Blaine Manor Board members be present to participate in the discussion; with the understanding that Blaine Manor can also be part of the preferred solution.

Board members reiterated that the ultimate mission is to maintain caring, compassionate skilled nursing within Blaine County for all ages and socioeconomic groups. Board members expressed willingness to assist the BCC in making a wise decision, even if it doesn’t include Blaine Manor. In the meantime, Blaine Manor staff are proud of their excellent care and open to review by an outside agency.

The Blaine Manor Board reviewed and revised its former proposal submitted at the February 14, 2012 BCC meeting. The new plan suggests a profit is possible, based on occupancy and Medicaid variables. Blaine Manor has applied for grants, and has some private funding, but an override levy would be required to cover the operating deficit during construction.

At least two organizations have offered to review Blaine Manor management. An interim step might be for Blaine Manor to apply for “distressed facility” status.

The community owes great appreciation to CCRF for 12 years of effort, but the future of skilled nursing in Blaine county may not include the Croy Canyon Ranch facility. Schoen and Bowman are hesitant to seriously consider a \$29 million bond, which is required by CCRF’s current proposal. Bowman’s preference is to keep Blaine Manor open until the County is no longer liable for its operating loss. The Blaine Manor property would then be disposed of as an asset. The County should also get the CCRF property back for potential use by a skilled nursing care facility.

McCleary’s focus is on quality skilled nursing care that is sustainable for the long term. She is not convinced that any of the respondents to the Request for Information (RFI) can provide quality care without some kind of subsidy; or that they can improve Blaine Manor’s efficiency or operational losses.

**PUBLIC COMMENT:**

Safe Haven would be interested in purchasing Blaine Manor’s license, but it isn’t necessary. Safe Haven typically takes on troubled properties and revives them. Safe Haven isn’t interested in a hostile takeover or any kind of conflict.

Alan Stevenson encouraged Commissioners to make quality care more important than efficiency or reducing costs. Stevenson said the BCC should be careful to retain a fallback option.

The BCC agreed that they will probably have to consider a levy to run Blaine Manor during the next couple years. Schoen and Bowman did not favor a permanent levy or County bond. McCleary did not dismiss the possibility of a bond.

**BLAINE COUNTY COURTHOUSE ENGINEERING REPORT DISCUSSION AND CONSIDERATION**

Also present: McKinstry engineer Tyson McFall and Program Manager Jeff Fulcher.

The potential for earthquakes cause increasing life-safety concern in the Old Blaine County Courthouse. Operations personnel and McKinstry inspected the OCC, and found serious problems:

- Dormer structure on the east side of the building is not structurally sound. Snowshed from the main Courthouse roof falls on top of the structure, which is not built to support the weight of the falling or packed snow. Snowshed off the main roof or structure could slide onto cars or people in the alley behind the Courthouse.
- The Courthouse main roof, installed in 1960, is not attached to the walls of the building. The roof needs to retain the snow, and be attached and reinforced to support the snow weight.
- The floor is not attached to the walls of the Courthouse building

The County wants to maintain the historic integrity of the building, but make it safe for employees and the public. McKinstry Project Manager Jeff Fulcher outlined the work to be done and cost. The BCC agreed that these are essential repairs to the Courthouse. The County should fund removal of the dormer structure and main roof and floor retrofit immediately.

The BCC must have a clearly-understood scope of work before the project begins; and the project manager must deliver clearly-understood project reports and billings throughout the project. The construction cost must include engineering design, expense of temporarily relocating offices during retrofit, and estimated cost for radon and asbestos detection. The BCC's FY2013 budget includes \$200,000 for OCC retrofit. Any work done outside the Scope of Work will not be undertaken without a Change Order, which must be signed by both parties. The next step is the construction and bid process.

The BCC directed staff to move forward with the life-safety part of the Courthouse retrofit. Funding is included in the FY2012 budget.

## **BREAK**

### **LAND USE AND BUILDING SERVICES HEARINGS**

- **Stream Alteration Permit Application:** Continuation of a public hearing held February 21, 2012 in 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, Blaine County Senior Planner Kathy Grotto, Code Compliance Specialist Megan Stelma, applicant Jim Cannavino and representatives Brian Yeager, Kim Johnson and attorney Jim Laski; and neighbor Kent McAtee.

Stelma read notice.

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

This is a continuation to discuss culverts which the applicant said existed prior to the original project application. Land Use staff requested photographs of the culverts, but have not received them. They did receive three public comments referring to the existing culverts. The culverts have adequate aprons on both ends of the riprap and splash pads. Schoen wanted verification that the culverts were constructed and revegetated correctly.

Cannavino and McAtee have agreed that Cannavino will replace problematic areas of riprap with appropriate riprap where advisable.

Applicant's attorney Laski requested the wetlands condition be removed. The wetlands "lawn" is pasture grass, part of which is mowed. The culverts aren't in the wetlands area. Stelma said a trail wasn't a permitted use in wetlands. Yeager said the trail as it exists today is not in the National Wetlands Inventory. The wetlands area hasn't been clearly defined, so staff suggested a wetlands delineation study. The area can be mowed for fire safety, but no improvements will be made to the trail within the existing National Wetlands Inventory.

Yeager requested approval of the Stream Alteration Permit for the previously-constructed culverts; and approval of riprap on the two lower culverts conditioned on McAtee's approval of the final treatments.

#### **PUBLIC COMMENT:**

Kent McAtee, downstream neighbor, said the trail wasn't supposed to be in the sediment buffer zone. Laski said the 107-foot buffer zone is an easement. The applicant will move the trail to the neighbor's satisfaction.

The applicant didn't apply for a stream alteration permit before doing the work, but the BCC agreed to accept the applicant's statements.

The BCC discussed conditions of approval, including a performance bond.

**Schoen moved, seconded by Bowman, to approve the James Cannavino Stream Alteration Permit on Bullion Creek for the installation of four culverts, with stipulations outlined in the hearings, based upon Findings that the application complies with Standards of Evaluation of**

**Blaine County regulations. Motion carried unanimously.**

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

- **Plat Extension by Jack and Sharon Parker**

This item has been postponed due to scheduling conflict.

## **FINDINGS OF FACT**

- **Zinc Spur**

Also present: Blaine County Senior Planner Kathy Grotto.

**Schoen moved, seconded by Bowman, to approve Rod Rinker plat amendment Lot 1A Block 1 Zinc Spur Unit 4 Subdivision Findings of Fact, Conclusions of Law and Decision. Motion carried unanimously.**

- **Jewel of the Crown**

Also present: Blaine County Senior Planner Kathy Grotto; Applicant Dana Hofstetter; Victor Hofstetter; and Clark Turven,

The BCC clarified conditions of approval. Schoen said one portion of the irrigated field should be "cultivated" field.

**Schoen moved, seconded by Bowman, to approve the Findings of Fact, Conclusions of Law and Decision on Rod Rinker's application to create a single lot plat, Lot 1 Block 1 Jewel of the Crown Subdivision, as amended. Motion carried unanimously.**

- **Mobile Home Text Amendments**

**Schoen moved, seconded by Bowman, to approve the Findings of Fact, Conclusions of Law and Decision in the application of Blaine County to revise Titles 9 and 10 of Blaine County Code, as reflected in Ordinance 2012-05, Mobile Homes Text Amendments. Motion passed unanimously.**

## **EMERGENCY COMMUNICATIONS FY 2013 CONTRACT AND FUNDING ALLOCATION DISCUSSION AND CONSIDERATION**

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; Emergency Communications Director Robin Stellers; Communications GIS Analyst Chris Corwin; Sheriff Gene Ramsey; Disaster Services Coordinator Chuck Turner; Ketchum Fire Chief Mike Elle; Board of Fire Commissioners for the Wood River Fire District Chairman James Frehling; WRFPD Commissioner Jay Bailed; Wood River Fire Protection District Chief Bart Lassman and Assistant Chief Jeff Nevins; Carey Fire Chief Richard Kimball; Bellevue Development Services Director Craig Eckles; Bellevue resident Rick Allington; Hailey City Councilwoman Carol Brown; Hailey Police Chief Jeff Gunter; and Ketchum Mayor Randy Hall.

The County has received Consolidated Communications payments from all partners but the City of Sun Valley. The BCC directed staff to send a letter to the Mayor of Sun Valley requesting payment.

The lack of agreement and cooperation among partners to the Emergency Communications Agreement has been an ongoing problem for years. Idaho Statutes are vague, and do little to resolve conflicts. The Idaho E911 Emergency Communications Commission (IECC) held a mediation hearing at the request of Hailey and Sun Valley. The IECC recommended Blaine County form a users group that can provide meaningful input; have a rational system that can be explained; and that all users must contribute to the system. The Emergency Communications Partners Advisory Committee (PAC) has argued allocation methodology for three years, and their recommended allocation methodology based on parcel data is a logical solution. The BCC is resolute that all jurisdictions participate in a unified countywide system.

The BCC must make a decision with serious life-and-death consequences for its citizens. Voss recommended the BCC approve the parcel data model, as presented, subject to any changes made to the Emergency Communications FY2012 budget. The BCC agreed that the parcel data model is reasonably fair to all partners. GIS made minor modifications to the map and data. The partners' FY2013 allocations are based on their ratio of the overall operating budget as stated in the FY2013 Contract for Services.

Blaine County's emergency communications service agreement contains a termination clause. He recommended the clause be removed in its entirety, because each entity operates on an annual budget, and it would be very difficult to make fiscal changes in mid-term.

Consolidated dispatch was created under Idaho Code 31-4807. Any non-participation puts the County's citizens at risk. Residents throughout the entire county need to rely on the countywide system and funding. Any non-participation jeopardizes the entire system.

Voss recommended the BCC summarily reject the cities' proposal to bifurcate emergency and non-emergency communications. The BCC has received a letter from Blaine County Emergency Communications Director Robin Stellers that outlines the operational challenges and risks such

bifurcation would cause. Voss said such suggestion is counter to the safety of the County's citizens. The BCC concurred.

**PUBLIC COMMENT:**

- Hailey City Councilwoman Carol Brown thanked the County for their consideration.
- Ketchum Fire Chief Mike Elle related a recent incident where one dispatcher helped keep someone alive while the other notified emergency service personnel.
- Ketchum Mayor Randy Hall said Blaine County is a very mobile community, and all residents rely on consistent high-quality service throughout the county.

**ADJOURN**

At the hour of 3:27 p.m., the BCC finding no more business before them adjourned.

Attest: \_\_\_\_\_ Approved \_\_\_\_\_  
JoLynn Drage Angenie McCleary  
County Clerk Chairman