

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

**Second Day**

**Tuesday, June 5, 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

- 12-04-106
- 12-04-109

Present were: Blaine County Indigent Services Manager Brooke Roberson.

**Bowman moved, seconded by Schoen, 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**

**Bowman moved, seconded by Schoen, to deny Case #12-04-106, based on staff recommendations. Motion carried unanimously.**

**Bowman moved, seconded by Schoen, to deny Case #12-04-109, based on staff recommendations. Motion carried unanimously.**

**CONTRACTS, GRANTS AND AGREEMENTS DISCUSSION AND CONSIDERATION**

- **FY2011 Juvenile Accountability Block Grant Program Intent to Use**

Also present: Blaine County Chief Probation Officer Teresa Espedal.

The Probation Department must submit a pre-application "Intent to Use" for the 2011 JABG grant.

**Bowman moved, seconded by Schoen, to approve the FY2011 Juvenile Accountability Block Grant Program Intent To Use Allocation and associated documents. Motion carried unanimously.**

**COUNTY DEPARTMENT REPORTS, DISCUSSION and CONSIDERATION**

**Sheriff's Office – Gene Ramsey**

- 67 inmates in jail, 38 of whom are paid by Idaho Department of Corrections.
- Several vehicle accidents over the weekend.
- Sheriff and Emergency Communications will hear presentation on implementation of a nationwide broadband network this week.

**Clerk's Report – JoLynn Drage**

- In the middle of FY2013 budget preparation.

**Operations Director – Char Nelson**

- Granted Idaho Power permission to trim trees in County rights-of-way that were tangled in power lines.
- Idaho Power will remove large spreading tree in parking lot and alley north of County Judicial Building at no cost to the county. Parking lot needs to be overlaid and eventually replaced. Tree will be replaced when appropriate.
- Blaine Manor requests permission to block off their parking lot on the 4th of July. They will have a band, and sell parking spots and hot dogs during the 4<sup>th</sup> of July Parade. BCC supports the fundraiser.
- At BCC's direction, Nelson billed the resident who installed irrigation pipe in a drainage culvert under Gannett Road. As a result, water flooded over and damaged the road right-of-way. The landowner has mailed a check for the damage; and will apply for a permit to drill under the road and properly install irrigation pipe.
- Nelson met with McKinstry on the Old County Courthouse repairs and retrofit. McKinstry will provide final costs on the three-phase list of things that need to be done as soon as possible.
- McKinstry is working on retrofit for the Recycle Center baler so the whole building doesn't have to be heated.

- Recycle Advisory Committee is ready to make their recommendations on a Blaine County Recycling program and outreach.

**County Administrator – Derek Voss**

- Second of three meetings to educate employees on the BCC’s strategic planning, performance measurements and out-come based budgeting process. Employee meetings may be held on a regular basis to improve dialogue between the BCC, Employee Advisory Council and all employees.
- Cities of Bellevue, Hailey and Sun Valley have been discussing Emergency Communications funding among themselves. The BCC wants them to present their idea at an upcoming BCC meeting.

**BOARD REPORTS, DISCUSSION and CONSIDERATION**

**Magistrates Commission – Schoen**

The Cassia County Magistrate Richard Bollar has been named Magistrate for Minidoka County. The Cassia County position will be advertised.

**Southern Idaho Solid Waste (SISW) District Board meeting – Schoen**

- SISW is reviewing its vehicle policy in light of IRS guidelines.
- SISW is considering a by-laws change to allow proxies for absent board members.
- Photon Technologies made a presentation to SISW, proposing to construct a waste energy facility on the Milner Butte landsite. The facility, on the entry road, would receive all waste. Carbon-based waste would go into a gasifier, converted to electricity and put back out on the grid. It is an exciting project, but there are liability and economic concerns.
- SISW is discussing solid waste disposal agreements and recycling/diversion programs with each of its member counties.
- SISW is working to standardize transfer station facility and land ownership and insurance with member counties.

**City of Jerome Solid Waste Disposal Request for Temporary Use at Ohio Gulch – McCleary**

The City of Jerome Solid Waste Disposal is interested in using the drying bed at Ohio Gulch because it is difficult to access the Milner Butte drying bed during winter months. The BCC will investigate the request.

**Ambulance Contractor Preliminary Budget Meeting – Bowman**

Bowman met with representatives of the local ambulance carriers. It is unlikely the BCC will support any type of levy override. The carriers need to look for a stable revenue source, and should consider raising ambulance fees to cover the actual use of ambulance service.

**County-Owned Property in City of Ketchum – Bowman**

There are four County-owned parcels in the City of Ketchum, one of which is two separate unattached pieces. Ketchum has requested ownership of these parcels be transferred to Ketchum; and will pay for legal work.

**Sun Valley Water and Sewer District – Bowman**

The Sun Valley Water and Sewer District is interested in a County-owned parcel along Elkhorn Road, and potentially other County-owned properties as well. Land Use is preparing a list of the properties with legal descriptions and aerial photos. In return, the SVWSD may be willing to share half of the \$10,000 expense of the Gateway Project engineering study.

**U.S. Geological Survey Water Study – Bowman**

The Sun Valley Water and Sewer District (SVWSD) may be interested in getting involved with the partners in the U.S. Geological Survey water study. The SVWSD is interested in how it affects municipalities in the Upper Snake River Adjudication. The study encompasses a number of governmental and private entities and a lot of wide-reaching information. Schoen is very informed on water issues, and will contact the SVWSD.

**Carey Pavilion – Schoen**

Although the BCC would like to participate in this project benefitting the Carey community and the Blaine County Fairgrounds, the consensus was that Blaine County couldn’t financially contribute to an amenity on city-owned property.

**SKILLED NURSING CARE REQUEST FOR INFORMATION DISCUSSION**

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves, Operations Director Char Nelson; Blaine Manor Board Chairman Marsha Riemann; Blaine Manor Administrator Gail Goglia and Finance Director Stephanie Jaskowski, Blaine Manor representatives Lois Jean Heagle, D.A. Outzs, Sandra Christiansen, Carol Taglio, Nick Miller, Ursula Hulbert; Croy Canyon Ranch Foundation (CCRF) Board President Jeanne Cassell and CCRF Board member Patsy Nickum; CCRF Executive Director Kathleen Eder and Campaign Chairman Anita McCann; CCRF representatives Anne Jeffery; St. Luke’s Director of Community Relations Tanya Keim; The Senior Connection Board member Dale Ewerson;

BRP Health Management Services CFO Rob Deloach; Peter Candy; and *Idaho Mountain Express* reporter Kate Wutz.

The Request for Information was sent to 44 potential companies. The RFI was intended to gather information for all potential solutions, preferred and unlikely. The RFI was clear that a response to the RFI was not a prerequisite to a later response to a Blaine County senior care/skilled nursing care RFP or RFQ. Three responses to the RFI were received, from Croy Canyon Ranch Foundation, TanaBell, and Safe Haven, plus a letter from Blaine Manor.

The RFI proposals will be posted to the County's website and available to the public. None of the proposals identified any proprietary information.

**Croy Canyon Ranch Foundation** provided a clear proposal of its multi-faceted facility, built and operated as a non-profit, but requiring significant public support from a \$29 million bond. The BCC asked CCRF to provide clearer information on who would actually own and operate the CCRF facility.

Several representatives of Croy Canyon Ranch Foundation supported their proposal as presented.

**TanaBell Health Services, Inc.** currently has facilities in Caldwell and Pocatello, Idaho. They propose short-term management of Blaine Manor, during which they and the BCC will develop a better understanding of what is needed and important to both. Their long-term proposal is a relationship with a County-owned facility, followed by long-term solution. TanaBell thinks they can make Blaine Manor break even by absorbing the administrative function into their larger operation.

The County has received several questions from independent contractors looking for more information on the potential sale and/or management of Blaine Manor. They have shown interest in transitioning Blaine Manor to a private facility.

**Safe Haven Health Care's** proposal, consistent with what they've indicated to date, includes skilled nursing in addition to all other senior care services, including in-home care. Safe Haven is for profit, and requests no public funding or resources. Safe Haven's CEO Scott Burpee has been transparent in keeping the BCC informed of his plans to purchase and build a facility that will address all levels of skilled nursing/senior care needs.

Four different private entities have claimed they can operate a for profit private senior/skilled nursing care facility, so there must be some validity to it. All have said they fully realize a certain percentage of their beds will be Medicaid-funded.

Blaine Manor asked the BCC to consider an advisory committee on senior care. The BCC said they are ultimately responsible for Blaine Manor. All three elected Commissioners must participate in making long-term decisions that affect the entire community; and all discussions and deliberations must be public meetings.

Topics for further discussion:

- Blaine Manor's license, and what would happen to the license if Blaine Manor is sold.
- Blaine Manor asserted it is a County Hospital Board. Blaine County Attorney Tim Graves issued his legal opinion that Blaine Manor was never created as a County Hospital Board, according to Idaho Code's statutory requirements, and did not have statutory powers or legal status as a hospital board.

**PUBLIC COMMENT:**

Graves said there are four main options:

- Purely private facility.
- Service agreement option – this option would probably involve a Request for Proposals or Request for Qualifications.
- Create a County Hospital Board.
- Create a County Hospital District, a separate entity with taxing powers to run separate facility.

## **BLAINE COUNTY DEPARTMENTS FY2013 BUDGET PRESENTATIONS**

**Emergency Communications** – Robin Stellers

Also present: Blaine County Chief Deputy County Clerk Leslie Londos; County GIS analyst Chris Corwin; Sheriff Gene Ramsey; and County Human Resources Generalist Susan Potucek; Hailey Police Chief Jeff Gunter; and *Idaho Mountain Express* reporter Kate Wutz.

Emergency Communications (E-911/Dispatch) processes emergency and non-emergency calls for service and related emergency responder activity for all law enforcement, fire, and EMS services within the County. The Center provides emergency medical dispatch; and maintains records/recordings of all calls for service, maintains and operates the Everbridge emergency notification system; is responsible for 700MHz radio systems management; enters and oversees all warrants, civil protection orders, no contact orders, and concealed weapons permits.

The department's primary focus for FY2013 is training and leadership. Strategic objectives, outcomes and deliverables are:

- Clarify and better define department and dispatch policy and procedures.
- Provide sound leadership opportunities for supervisors, who will in turn provide sound leadership for staff. Create successful supervisors and trainers who can train emergency communications personnel from other jurisdictions.
- Provide clear expectations for staff.
- Well-trained staff who are more comfortable in their jobs and with their system can focus on superior customer service, in line with the County's shared values of trust, integrity and excellence.
- Policies and procedures for Computer Aided Dispatch (CAD) better defined.

Staff has been reconfigured to use taxpayer resources efficiently and effectively:

- The CAD administrative position is now populated by a County GIS analyst.
- The third team position is now a fully-integrated dispatcher.
- Supervisors can move off the floor and concentrate on supervisory roles and quality assurance.
- One dispatcher concentrates on data entry unless occasionally needed as a third dispatcher.
- Validations are now done at night when things are quieter.
- Employees who take pride in their work have better overall morale, resulting in job performance best practices.

Money-saving strategies and financial concerns:

- Department has reduced overtime expense, at dispatchers request.
- New Motorola maintenance agreement calls for 24-hour monitoring, but Emergency Communications department has to initiate work orders.
- Two CAD servers show signs of impending failure and will need to be replaced.
- CAD administrative position is a different salary grade, but has been vacant for several months, resulting in overall decrease in salary line item.
- Interoperability system upgrades are necessary to keep the system up-to-date.
- Fewer landlines and more cell phones is resulting in decreased phone charge fee revenue. Departments statewide are looking for a more equitable statewide funding source.
- Two equipment leases are completed, resulting in department savings.
- Decreased travel expense. More training will be done locally with in-department instructors.
- Software maintenance is now funded out of 911 budget.

Key Performance outcomes:

- Employee surveys reveal department strengths and weaknesses. Service surveys provide quality assurance reviews.

## **AIRPORT PROJECT UPDATE AND DISCUSSION**

Also present: Friedman Memorial Airport Manager Rick Baird.

### **FMAA Meeting**

The BCC discussed the Airport Planning Study Scope of Work in preparation for the FMAA meeting later in the day. Schoen was concerned with the principles under which the study is to be conducted, including that improvements to the existing airport site will be limited to the minimum necessary to meet standards. The study must stay aligned with the BCC's guiding principles. The long-term solution is a replacement airport, but this planning study needs to address the near and mid-term needs of the community, and look at all options that could work for the community.

Friedman Memorial Airport Manager Rick Baird said the FMAA would be reviewing one scope of work that was complete. This scope of work is not complete. The FMAA has to work within two different guidelines—from the City of Hailey and from Blaine County—to accomplish their main priority to maintain and develop air service.

The BCC agreed they want reliable and safe air service at Friedman Airport, until a regional airport can be built, however long that takes. The only real limitation at Friedman should be a runway weight limitation to 95,000 pounds.

## **BREAK**

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

- **Agricultural Related Text Amendments:** A public hearing on and consideration of: AN ORDINANCE OF BLAINE COUNTY, IDAHO, amending BLAINE COUNTY CODE, TITLE 9, ZONING REGULATIONS, CHAPTER 2, DEFINITIONS: amending Agricultural Businesses, Agricultural Purposes, Outdoor Nursery, and adding Retail Facility to clarify types of businesses requiring a conditional use permit; CHAPTER 5 AND 5A PRODUCTIVE AGRICULTURAL DISTRICT: amending accessory uses to include temporary roadside stands for the sale of the agricultural products; CHAPTER 8-11 RESIDENTIAL DISTRICTS: amending agricultural uses with commercial livestock components are to be reviewed under a conditional use permit; CHAPTER 15 AND 16 LIGHT INDUSTRIAL AND HEAVY INDUSTRIAL DISTRICTS: adding storage, mixing, blending and sales of fertilizers to be reviewed under a conditional use permit; and providing a severability clause and effective date. The Planning and Zoning Commission recommended approval of the amendments on May 10, 2012. Also to be considered: text amendment to TITLE 10, SUBDIVISION REGULATIONS, CHAPTER 4, PROCEDURE: adding Rural Remote District (RR-40) to Agricultural Short Plat provisions.

Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Land Use Administrator Tom Bergin, Senior Planner Kathy Grotto, Code Compliance Specialist Megan Stelma; Applicant Kay Noble; Jay Coleman; Michael Jessen; Mary Dean Jessen; Amy King; Geoffrey Sparks; Judy Sparks; Don Porterfield; John Whitney; Mike Boyle; Brenda Boyle; Jerry Croc; Patricia Weaver; Jeff Meyer; Marlene Peck; and Paul Ramm.

Stelma gave posting notice.

There was some question raised about required notice. Graves said published and posted notice was for text amendments, not for a conditional use permit on a particular property.

**Schoen moved, seconded by Bowman, that notice for this hearing on a text amendment was adequate. Motion carried unanimously.**

Stelma read a list of people who had submitted letters since the packets were distributed to the BCC.

Staff initiated these proposed text amendments to clarify uses in AG zones. Staff went over definitions, permitted and conditional uses in Blaine County and AG zones, and uses proposed in these text amendments. If CC&Rs are in effect, the homeowners association would enforce any infractions.

A specific structure or use can require a conditional use permit. Greenhouses are a conditional use permit in the A-20 and A-40 zoning district. Retail onsite requires a conditional use permit. Agricultural businesses need to be incidental and accessory to the agricultural use, and require a conditional use in A-20 and A-40 zones.

The BCC discussed proposed amendments.

#### PUBLIC COMMENT:

Several neighbors of a specific property on Freedom Loop south of Bellevue complained about the state of that property. They said the proposed text amendments would remove the CUP required to carefully review agricultural, livestock, retail and storage uses in residential neighborhoods.

The owner of the property referred to in the public comments said her property was a work in progress. Her property is maintained organically, and buildings are not yet complete. She asked neighbors to talk to her and learn about her plans for her property.

The BCC said much of Blaine County was agricultural land. The County's intent has always been to retain agricultural uses wherever possible. Residential use in agricultural zones is meant to be secondary to the agricultural use. The BCC reiterated that today's hearing is on proposed text amendments, not a neighborhood dispute or zoning code violation.

**Bowman moved, seconded by Schoen, to continue this hearing on Agricultural-Related Text Amendments to Blaine County Code, Title 9, Chapters 2, 5 and 5A, 8-11; Chapters 15 and 16; and Title 10, to June 26 at 1:30 p.m. Motion carried unanimously.**

- **Mobile Home Text Amendments:** A public hearing on and consideration of: AN ORDINANCE OF BLAINE COUNTY, IDAHO, amending BLAINE COUNTY CODE, TITLE 9, ZONING REGULATIONS, CHAPTER 2: DEFINITIONS, revising and adding definitions related to manufactured homes and mobile homes; CHAPTER 5: PRODUCTIVE AGRICULTURAL DISTRICT (A-20), CHAPTER 5A: PRODUCTIVE AGRICULTURAL DISTRICT (A40), allowing mobile homes as employee housing without a conditional use permit, providing for setbacks, and limiting employee housing to two per 20 acres; CHAPTER 10: LOW DENSITY RESIDENTIAL DISTRICT (R-1), CHAPTER 11: MEDIUM DENSITY RESIDENTIAL DISTRICT (R-4), AND CHAPTER 14: GENERAL COMMERCIAL DISTRICT (C), adding mobile/manufactured home parks and PUDS as conditional uses; CHAPTER 25: CONDITIONAL USE PERMITS, clarifying fees; CHAPTER 28: OFF STREET PARKING, clarifying parking requirements; and TITLE 10, SUBDIVISION REGULATIONS, CHAPTER 2: DEFINITIONS, revising/adding definitions related to manufactured homes and mobile homes; CHAPTER 7: MOBILE HOME SUBDIVISIONS AND MOBILE HOME PUDS, clarifying requirements for mobile and manufactured home developments; providing a severability clause and effective date. The Planning and Zoning Commission recommended approval of the amendments on April 12, 2012.

Also present: Blaine County Land Use Administrator Tom Bergin, Senior Planner Kathy Grotto, Code Compliance Specialist Megan Stelma.

Grotto gave the posting notice.

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

There are no new materials.

The text amendments include a number of updated definitions for manufactured homes and mobile homes. Some definitions have been removed, in conformity with Idaho code. The definition of manufactured homes excludes mobile homes, recreational vehicles, and park trailers. References to manufactured home subdivisions, manufactured home parks, etc. have been revised to manufactured home/mobile home subdivisions, etc., since they are likely to include a mix of both manufactured and mobile homes.

The proposed text amendments were recommended for approval by the Planning and Zoning Commission.

**PUBLIC COMMENT:**

Residents asked for clarification of requirements to have an accessory dwelling unit, trailer or mobile home and/or employee housing on residential and agricultural-zoned lots. One person asked what was necessary for a rezone.

Bergin said recreational vehicles or trailers rarely meet the Building code snowload requirement, and are not permitted as permanent structures. Any property owner or owners can apply for a REZONE or change of zoning district, which will incur hearings before the Planning and Zoning Commissioner and the Board of County Commissioners.

The BCC said these text amendments add clarity to the Blaine County Code.

**Schoen moved, seconded by Bowman, to pass Blaine County Ordinance 2012-05, an ordinance concerning amendments related to mobile and manufactured homes, changing definitions and provisions in the Blaine County Code, with a single amendment approved today in Title 9-5-5 and 9-5-6a, based on Findings that passage of this ordinance will have no adverse impact upon delivery of services within Blaine County, complies with the Comprehensive Plan, does not adversely impact potable water supplies in Blaine County, and that the ordinance text amendments are in compliance with Blaine County Code. The motion further stipulates that the Blaine County Commissioners adopt Blaine County Planning and Zoning Commission's Findings as their own. Motion carried unanimously.**

..... Ordinance 2012-05 Record #598666

**RESOLUTION 2012-21 – INITIATION FOR VALIDATION PROCEEDING FOR LEE’S GULCH ROAD**

**Schoen moved, seconded by Bowman, to approve Resolution 2012-21 authorizing initiation for validation proceeding for Lee’s Gulch Road. Motion carried unanimously. .... Record #598147**

**APPROVAL OF BOARD OF COUNTY COMMISSIONERS MEETING MINUTES**

- **May 29, 2012 Special Fifth Tuesday Meeting**

**Schoen moved, seconded by Bowman, to approve the Blaine County Commissioner Meeting Minutes of May 29, 2012, as amended. Motion carried unanimously.**

**ADJOURN**

At the hour of 4:09 p.m., the BCC finding no more business before them adjourned.

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