

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

Second Day

Tuesday, March 10, 2015

Pursuant to Statutory Provisions, the Board of Blaine County Commissioners (BCC) met this day at 9:00 a.m. Present were Vice-Chairman Angenie McCleary, Commissioner Lawrence Schoen; County Administrator Derek Voss; County Clerk JoLynn Drage; and Recording Secretary Sunny Grant.

Chairman Greenberg was absent from today's meeting.

Vice-Chairman McCleary called the meeting to order at 9:11 a.m.

PUBLIC COMMENT - NONE

AMEND AGENDA

Schoen moved, seconded by McCleary, to reschedule today's Executive Session I.C. 67-2345 1(b) Interview with Land, Water and Wildlife Program Levy Advisory Board applicant to 11:50 am; and cancel Blaine County Comprehensive Plan Update Introduction and Transportation chapters scheduled for 1:30 on today's agenda. The majority of the BCC will attend Carey High School State Championship Basketball celebration at 1:30 pm. The Tax Deed Auction scheduled for 10:00 has been cancelled, and the addition of a discussion of Blaine County Public Safety Facility Refinance has been scheduled for 10:05 am. Motion carried 2/0.

COUNTY DEPARTMENT REPORTS, Discussion and Consideration

Claims - Schar Boyd

- Deputy Auditor Schar Boyd presented the claims.
- Clerk JoLynn Drage said an unbudgeted expense for \$1,610 for meeting room projector and cable need to be paid from Contingency.

Schoen moved, seconded by McCleary, to approve claims dated February 19, 2015, with the additional payment for the projector out of Contingency. Schoen amended his motion, seconded by McCleary, to reflect claims approved are dated March 4, 2015. Motion carried unanimously.

ajv022015	Feb-2015		
FUND 01	AGAINST GENERAL FUND		
Blaine County Employees	Salaries February 5	\$ 263,925.52	
Blaine County Employees	Salaries February 19	\$ 267,910.49	
Total February FICA		\$ 38,359.25	
Total February Benefits		\$ 147,518.24	
Total February Bills		\$ 217,806.32	
Combined Total February Expense			\$ 935,519.82
FUND 02	AGAINST ROAD & BRIDGE		
Blaine County Employees	Salaries February 5	\$ 29,982.77	
Blaine County Employees	Salaries February 19	\$ 30,155.99	
Total February FICA		\$ 4,304.53	
Total February Benefits		\$ 16,798.14	
Total February Bills		\$ 50,785.66	
Combined Total February Expense			\$ 132,027.09
FUND 03	AGAINST ELECTION CONSOLIDATION		
Blaine County Employees	Salaries February 5	\$ -	
Blaine County Employees	Salaries February 19	\$ -	
Total February FICA		\$ -	
Total February Benefits		\$ -	
Total February Bills		\$ 229.00	
Combined Total February Expense			\$ 229.00
FUND 04	AGAINST AMBULANCE		
Total February Bills		\$ 325,404.09	\$ 325,404.09
FUND 06	AGAINST DISTRICT COURT		
Blaine County Employees	Salaries February 5	\$ 2,019.04	
Blaine County Employees	Salaries February 19	\$ 2,019.04	
Total February FICA		\$ 308.92	
Total February Benefits		\$ 1,018.56	
Total February Bills		\$ 3,449.74	
Combined Total February Expense			\$ 8,815.30

FUND 07	AGAINST COUNTY FAIR		
Total February Bills		\$ -	\$ -
FUND 11	AGAINST PUBLIC HEALTH		
Total February Bills		\$ 20,180.83	\$ 20,180.83
FUND 12	AGAINST HISTORICAL SOC. & MUSEUM		
Total February Bills		\$ -	\$ -
FUND 16	AGAINST CHARITY & INDIGENT		
Blaine County Employees	Salaries February 5	\$ 2,004.87	
Blaine County Employees	Salaries February 19	\$ 2,004.87	
Total February FICA		\$ 253.32	
Total February Benefits		\$ 1,229.45	
Total February Bills		\$ 680.03	
Combined Total February Expense			\$ 6,172.54
FUND 17	AGAINST JR. COLLEGE TUITION		
Total February Bills		\$ 15,847.50	\$ 15,847.50
FUND 19	AGAINST CONSOLIDATED EMERG COM		
Blaine County Employees	Salaries February 5	\$ 21,437.59	
Blaine County Employees	Salaries February 19	\$ 21,422.36	
Total February FICA		\$ 3,215.54	
Total February Benefits		\$ 11,549.92	
Total February Bills		\$ 1,303.97	
Combined Total February Expense			\$ 58,929.38
FUND 20	AGAINST REVALUATION		
Blaine County Employees	Salaries February 5	\$ 9,692.21	
Blaine County Employees	Salaries February 19	\$ 9,692.18	
Total February FICA		\$ 1,332.94	
Total February Benefits		\$ 7,440.15	
Total February Bills		\$ 4,306.84	
Combined Total February Expense			\$ 32,464.32
FUND 22	AGAINST RECYCLE CENTER		
Blaine County Employees	Salaries February 5	\$ 5,460.64	
Blaine County Employees	Salaries February 19	\$ 5,624.41	
Total February FICA		\$ 805.04	
Total February Benefits		\$ 3,932.38	
Total February Bills		\$ 3,403.20	
Combined Total February Expense			\$ 19,225.67
FUND 23	AGAINST SOLID WASTE		
Total February Bills		\$ 1,646.94	\$ 1,646.94
FUND 27	AGAINST NOXIOUS WEEDS		
Blaine County Employees	Salaries February 5	\$ 3,907.20	
Blaine County Employees	Salaries February 19	\$ 4,274.40	
Total February FICA		\$ 561.12	
Total February Benefits		\$ 2,755.42	
Total February Bills		\$ 510.08	
Combined Total February Expense			\$ 12,008.22
FUND 30	AGAINST CAPITAL IMPROVEMENT FUND		
Total February Bills		\$ 82,300.25	\$ 82,300.25
FUND 31	AGAINST PSF BOND REDEMPTION		
Total February Bills		\$ -	\$ -
FUND 35	AGAINST NURSING HOME		
Blaine County Employees	Salaries February 5	\$ 1,980.80	
Blaine County Employees	Salaries February 19	\$ 1,980.80	
Total February FICA		\$ 303.06	
Total February Benefits		\$ 1,009.90	
Total February Bills		\$ -	
Combined Total February Expense			\$ 5,274.56
FUND 37	AGAINST SNOWMOBILE		
Total February Bills		\$ 156.86	\$ 156.86

FUND 38	AGAINST WATERWAYS		
Blaine County Employees	Salaries February 5	\$ 45.78	
Blaine County Employees	Salaries February 19	\$ -	
Total February FICA		\$ 3.50	
Total February Benefits		\$ 5.34	
Total February Bills		\$ 1,635.00	
Combined Total February Expense			\$ 1,689.62
FUND 46	AGAINST E-911 EMERGENCY COM		
Blaine County Employees	Salaries February 5	\$ 5,043.76	
Blaine County Employees	Salaries February 19	\$ 5,043.76	
Total February FICA		\$ 710.59	
Total February Benefits		\$ 2,910.69	
Total February Bills		\$ 5,739.04	
Combined Total February Expense			\$ 19,447.84
FUND 51	AGAINST LAND WATER & WILDLIFE LEVY		
Total February Bills		\$ 300,977.50	\$ 300,977.50
FUND 81	AGAINST LIABILITY INSURANCE		
Total February Bills		\$ -	\$ -
TOTAL ALL FUNDS			\$ 1,978,317.33

Clerk's Report - JoLynn Drage

- **Vacation Accrual**

Also present: Blaine County Human Resources Generalist Susan Potucek; County Sheriff Gene Ramsey; and Chief Deputy Assessor Martha Heuston.

The County's switch to a biweekly payroll in 2011 incurred some unanticipated issues with vacation accrual. Drage requested the BCC increase employees' vacation cap from four weeks to five weeks to accommodate lag time. Voss supported the change as a reasonable system solution.

Schoen moved, seconded by McCleary, to authorize an increased allowance for vacation accrual by one week to a cap of five weeks. Motion carried 2/0.

Operations Director - Char Nelson

- Novolex (formerly Hilex Poly-) no longer wants to collect plastic bags in Blaine County. Staff has contacted Clear Creek Disposal, which currently collects other recyclables, to see if they would collect plastic bags. TREX, which has a plant in Nevada, may be willing to accept plastic film from Blaine County.
- Nelson attended a Fish Creek Water District meeting regarding water rights at the Carey Gravel Pit.
- Road and Bridge is cleaning out culverts and replacing culverts if necessary.
- Staff is looking into Federal Lands Access Program grant funding for a County partnership with the Forest Service on Warm Springs Road.
- The Weeds Department will attend community training on identifying noxious weeds on April 9.
- Final inspection of the Old Courthouse roof project revealed some missing heat tape on the lower shed dormer roof.
- Safe Haven is now out of the Blaine Manor building, which needs to be cleaned.

County Administrator - Derek Voss

- A legal notice of a Request for Proposal for a commercial appraisal of the Blaine Manor building has been sent to the newspaper and will be sent to local appraisers.

- **Senior Central Control Operator Position Analysis**

Also present: Blaine County Human Resources Generalist Susan Potucek; Blaine County Sheriff Gene Ramsey; and County Planning Assistant Michele Johnson.

- In an attempt to encourage team members to develop skills and grow within their department, HR will be suggesting new position alignments in a few departments.
- A new Senior Central Control Operation position for the Public Safety Facility. The Sheriff recommends two current Central Control Operators be promoted to the new Senior position, at pay grade 6. The FY2015 budgetary impact would be just under \$2,300, to be paid out of the HR Pay Grade Adjustment budget line. Sheriff Ramsey supports this opportunity to give a promotion to people in the position who should be recognized and appropriately compensated for the work they are doing.
- There is currently a Central Control Operator position open.

Schoen moved, seconded by McCleary, to approve the creation of the position of Senior Central Control Operator at pay grade level 6 and authorize adjustment to salaries for affected team members paid out of the Pay Grade Adjustment Pool established by the BCC for this current fiscal year. Motion carried 2/0.

- **Dogs on Nordic Ski Trails**

Also present: Blaine County Sheriff Gene Ramsey.

A local citizen thinks dogs should be allowed on all Blaine County Recreation District (BCRD) Nordic ski trails, but doesn't want to follow the established BCRD process to request a change. He takes his dog on trails where dogs are not allowed and yells at people who suggest the dog shouldn't be there. He has threatened to actively campaign for his request this weekend. The Sheriff is aware of the situation; and Forest Service will try to provide law enforcement if necessary. Idaho Conservation League and BCRD staff have been instructed to not engage with him.

- **Resolution 2015-09 Termination of Nationwide 401(a) Discussion** Record #625084

Also present: Blaine County Human Resources Generalist Susan Potucek.

There are eight County employees on a Nationwide 401(a) retirement program. Employees wanted to transfer their assets to a more cost effective plan. Once the program is terminated, employees can transfer to a State 457 plan, which is more cost effective. Schoen revised the resolution wording and Potucek made the changes prior to BCC signatures.

Schoen moved, seconded by McCleary, to approve Resolution 2015-09 terminating Nationwide 401(a) retirement plan, as amended. Motion carried 2/0.

AMEND AGENDA

Schoen moved, seconded by McCleary, to amend the amended agenda to return the Sale of Tax Deed Properties to the agenda at 10:00 am. In discussion, Blaine County Chief Deputy Prosecuting Attorney Tim Graves explained that the auction must be held, but the BCC can reject all bids **Motion carried 2/0.**

SALE OF TAX DEED PROPERTIES

- **Magic Sub #1, Lots 25, 26 & 27, Blk 4 (152 Rainbow Drive, West Magic, Idaho)**

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; Blaine County Treasurer John David Davidson; Chief Deputy Treasurer Gail Peterson; and Stella Gray.

Graves said the Agenda included a public auction of a tax deed property. The former property owner paid the taxes, fees and penalties, costs, etc., but, because payment was late, the BCC has to hold a tax deed auction. The BCC can accept payment of taxes as a winning bid by the property owner, reject all other bids, and return the property to the homeowner.

McCleary opened the auction for Tax Deed Property Magic Sub #1, Lots 25, 26 and 27, Block 4 (152 Rainbow Drive, West Magic, Idaho. The opening bid is \$780.90, which covers back taxes, fees and costs of the tax deed property. The Blaine County Treasurer has accepted a check for the property in the amount of \$780.90 and accepts this as the only bid received for the property located at 152 Rainbow Drive, West Magic, Idaho.

Schoen said the minimum bid has been met by the former property owner. **Schoen therefore moved, seconded by McCleary, to accept payment of \$780.90 for the property named and declare taxes and fees, etc. owed are paid in full and the owner has the right to ownership of the property. Motion carried 2/0.**

BLAINE COUNTY PUBLIC SAFETY FACILITY REFINANCE, Discussion and Consideration

Also present: Blaine County Treasurer John David Davidson; Blaine County Chief Deputy Treasurer Gail Peterson; Blaine County Chief Deputy Prosecuting Attorney Tim Graves; and *Idaho Mountain Express* reporter Greg Moore.

The BCC is pursuing a refinance of the Public Safety Facility. Interest rates are volatile right now and could go up in the near future, so BCC and County officials are collecting data and required documentation as quickly as possible.

CONTRACTS, GRANTS AND AGREEMENTS, Discussion and Consideration

- **FEMA Technical Cooperating "Agreement" re: Big Wood Risk Map Update** Not recorded

Also present: Blaine County Grant Administrator Michele Johnson; and Blaine County Disaster Services Coordinator Chuck Turner.

This non-binding agreement provides that local organizations and FEMA will share information with each other. Blaine County is already operating under the agreement. Graves has reviewed it.

Schoen moved, seconded by McCleary, to approve 2014 Big Wood Watershed Study Partnership Agreement with the Federal Emergency Management Agency and its contractor STAR. In discussion, the agreement is not legally binding, but commits the County to cooperate with FEMA and watershed management and watershed study. **Motion carried 2/0.**

CONSENT CALENDAR

- Proclamation 2015-01 April is Fair Housing Month Record #625082
- New Beverage License for Connection II
- Resolution 2015-10 Destruction of Other Election Supplies Record #625085
- Resolution 2015-11 Salaries Budget Adjustment Record #625086

Schoen moved, seconded by McCleary, to approve the Consent Calendar of March 10, 2015 as read into the record. Motion carried 2/0.

BLAINE COUNTY ROAD AND BRIDGE LEVY, Discussion and Consideration

• **Road and Bridge Survey Questions**

Also present: Commissioner Jacob Greenberg (by phone); County Operations Director Char Nelson and *Idaho Mountain Express* reporter Greg Moore.

The survey will be given to three hundred registered voters. The BCC reviewed the third draft of Road and Bridge survey questions. They decided the survey should ask how the respondent would prefer to pay for roads and bridges, including the possibility of increased registration fees, and asked if they prefer a County-City levy, or just County levy.

The Sun Valley City Council will not take a position on the County’s Road and Bridge levy at this time. Sun Valley would prefer a lesser-amount County-only levy; but is developing a transportation plan which may identify a project that could use the city’s share of revenue from a County-City levy. Sun Valley would prefer a November levy when more of their residents are in town.

• **Timing of Levy**

The BCC agreed that the Road and Bridge Levy election should be in November, although revenue from a levy that passes in November won’t be received until January 2017. With an election in November, the public will know what the Idaho Legislature has done to affect transportation funding.

The BCC decided to do the Road and Bridge levy survey later in the year.

BOARD of COUNTY COMMISSIONERS REPORTS, Discussion and Consideration

National Association of Counties (NACo) Legislative Conference – Schoen

NACo lobbies on behalf of the nation’s over 3,000 counties on a range of issues. While in D.C., County representatives also meet with legislators. Schoen is on the NACo Environment, Energy and Land Use Steering Committee; and, the Rural Action Caucus of rural county officials. Among NACo’s top priorities at this conference were:

- Protecting tax exempt status of municipal bonds, which fund crucial public projects.
- Protecting the Federal-State-Local partnership for Medicaid.
- Support for Moving Ahead for Progress in the 21st Century (MAP-21) authorization which funds surface transportation.
- Protecting county interests in the Federal Waters of the United States rulemaking.
- Support for the Marketplace Fairness Act, which would allow states to collect remote sales tax, such as Internet and catalog sales.
- Support for Payment in Lieu of Taxes (PILT) and Secure Rural School (SRS) program.
- Support for comprehensive immigration reform.

Specific legislation affecting Blaine County:

- Schoen informed NACo and Idaho legislators about the Contract Tower Program. About one-third of the nation’s air traffic control towers, including Blaine County’s, are contract towers.
- NACo resolution suggesting delay of implementation of U.S. Executive Order 13690 that would expand the current 100-year floodplain in current policies and programs to a 500-year floodplain. An expanded floodplain could have unforeseen impacts and significant costs nationwide and in Blaine County.
- The Affordable Care Act would impose an excise tax on portions of high-cost government and private employer-sponsored health coverage. Blaine County does not meet the high-cost threshold.
- The Rural Action Caucus provides a unique opportunity to meet with legislators from Congressional districts across the country. Schoen said it was interesting to hear various conflicting positions on key issues and the legislators’ reasoning behind them.
- County representatives discussed the critical importance of transportation funding, municipal bond tax exemption, and the importance of getting PILT and SRS back to their previously funded levels.
- Schoen suggested Land and Water Conservation Fund (LWCF) reauthorization should be a high NACo priority. LWCF has invested in local projects in every county in every state in the United States, including Blaine County’s Land, Water and Wildlife Program.

While in D.C. Schoen visited with Idaho legislators Risch and Simpson staff and representatives of other federal agencies to convey the BCC’s position regarding Boulder-White Clouds National Monument and SNRA+ wilderness legislation.

EXECUTIVE SESSION - Idaho Code 67-2345 1(d) Indigent Consideration of records that are exempt from disclosure as provided in Chapter 3, Title 9, Idaho Code; and **Idaho Code 67-2345 1(b)** Interview with Land, Water and Wildlife applicant

Also present: Blaine County Indigent Services Director Brooke Baird.

Schoen moved, seconded by McCleary, to convene in Executive Session, pursuant to Idaho Code 67-2345 1(d) to consider indigent medical applications; and 67-2345 1(b) to interview a Land, Water and Wildlife applicant. Schoen (aye), and McCleary (aye). Motion carried 2/0.

OPEN SESSION RESUMED

Schoen moved, seconded by McCleary, to approve Case #2015-14, Indigent Application for Rental Assistance, for two months rent, with the stipulation that the assistance be repaid, beginning June 1, 2015, in the amount of \$100 month. Motion carried 2/0.

BREAK

LAND USE and BUILDING SERVICES, Discussion and Consideration

- **Findings of Fact and Reconsideration of Ordinance 2015-02 County-Initiated Text Amendment to Title 9, Ch. 21, Mountain Overlay District, 9-21-4 and 5.**

Also present: Blaine County Code Compliance Specialist Diane Shay.

The BCC approved revisions made at the BCC's request.

Schoen moved, seconded by McCleary, to approve Findings of Fact and Decision in Blaine County's application for consideration of text amendments to the Mountain Overlay District Chapter 21 of Blaine County Zoning Regulations. Motion carried 2/0.

Schoen moved, seconded by McCleary, to adopt Blaine County Ordinance 2015-02 amending Title 9 Chapter 21 Site Alteration Permit procedure which adds language concerning certain aspects of the approval for Mountain Overlay District site alterations under certain circumstances. Motion carried 2/0. Record #625083

- **Blaine County Road & Bridge Fee Waiver Request**

Also present: Code Compliance Specialist Diane Shay.

Blaine County Road and Bridge department submitted an application to extend the existing culvert at Friedman Creek, and requested a waiver of fees. Staff recommends approval of this waiver request, which is a fairly typical procedure.

Schoen moved, seconded by McCleary, to approve the fee waiver for Blaine County Road and Bridge for the Stream Alteration Permit fee to do culvert repair and maintenance on the road at Friedman Creek. Motion carried 2/0.

CRATERS OF THE MOON NAME CHANGE

Also present: Butte County Chamber of Commerce member Dr. Helen Merrill; Butte County Commissioner/Economic Development Committee member Rose Bernal; Carey City Councilwoman Vonnie Olsen; Sun Valley resident John Kelley, and Wood River Land Trust Director of Conservation Keri York.

Bernal and Merrill asked the BCC to join them in support of changing Craters of the Moon National Monument to a national park. The outside area of Craters is under BLM management, and the middle is under National Park Service (NPS) management. The park itself—the original monument—is run by the National Park Service. Changing Craters' status would take an Act of Congress, but would essentially be a name change only. The Park Service would continue to run the park, with the same staff. Existing hunting and grazing rules and restrictions would remain. The only actual expense is for a new sign.

This would make Craters of the Moon Idaho's first national park. Every national park started as a national monument. Statistics show that national parks bring in 33% more people. Supporters would like to see the name change in 2016, which is the 100-year anniversary of the National Park Service, and will have a lot of national attention. Butte County thinks Craters of the Moon National Park would be a real economic boost for Carey and Arco, Mackay and Challis. Carey City Councilwoman Vonnie Olsen said Carey's conservation easements could be part of a scenic route and provide additional recreational opportunities with Goodale's Cutoff of the Oregon Trail and the Pioneer Mountains.

Schoen said based on the research he has done, he would agree that this request is primarily a name change. He asked for more details on Butte County and Carey community engagement and perceived potential impacts.

Bernal and Merrill are in contact with Idaho's Congressmen and Senators; and will present the national park idea to Butte County, Custer County, Carey, and wherever they're invited, including Blaine County. Senator Mike Crapo wants to know there is support in Butte and Blaine Counties. Merrill reiterated that grazing and hunting have never been allowed in the national monument, and that won't change.

PUBLIC COMMENT:

- Blaine County resident John Kelley said Craters National Park, along with Yellowstone and the Grand Tetons, could potentially have a huge economic impact on Blaine County.
- York said the Wood River Land Trust had worked with the Pioneers Alliance for a number of years on area land conservation projects; to preserve cultural heritage, and highlight recreational opportunities and economic development of the Craters of the Moon/Pioneer Mountains landscape.
- The Land Trust would like to help Carey grow economically, and will schedule a meeting with Pioneers Alliance to discuss ideas and concerns with permittees, the BLM and Park Service.

BCC requested to be kept informed of planned meetings and expressed its willingness to help facilitate public engagement on this issue in both counties and with BLM and NPS.

EXECUTIVE SESSION - Idaho Code 67-2345 1(f) pending litigation Engl v. Blaine County Appeal.

Schoen moved, seconded by McCleary, to go into Executive Session, pursuant to I.C. 67-2345 1(f), to discuss with legal counsel the legal ramifications of and legal options for pending litigation. Roll call: Schoen (aye), and McCleary (aye). Motion carried 2/0.

ADJOURN

At the hour of 4:30 p.m., with no more business before them, Schoen moved to adjourn, seconded by McCleary. Motion passed 2/0.

Attest: _____ Approved _____

JoLynn Drage
County Clerk

Angenie McCleary
Vice-Chairman