

**OFFICE OF THE BOARD OF COUNTY COMMISSIONERS
OF BLAINE COUNTY
REGULAR MEETING OF THE MARCH 2016 SESSION**

Fifth Day

Tuesday, March 29, 2016

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

Chairman Greenberg called the meeting to order at 9:00 a.m.

PUBLIC COMMENT - NONE

COUNTY DEPARTMENT REPORTS, Discussion and Consideration

County Administrator - Derek Voss

- BCC discussed the upcoming FY2017 budget hearing schedule.
- Road and Bridge Manager - Steve Thompson
Also present: County Administrative Specialist Andrea Walton; and County Social Media Services Provider Bronwyn Nickel.
 - **Road Material Bid Awards**
Road and Bridge Manager Steve Thompson requested bids be awarded to:
Idaho Asphalt for emulsion oil for chipsealing for total of \$183,400.
Ag Express for 236 tons of mag chloride dust guarding for total of \$20,409.28.

Staff continue to research options for chip sealing, and will discuss their recommendations with the BCC before reissuing the request for bids.

Schoen moved, seconded by McCleary, to authorize acceptance of the bid by Idaho Asphalt for CRS2R emulsion at a price of \$458.50 per ton and Ag Express for mag chloride at a price of \$86.48 ton. Chairman Greenberg added that the awards were for 400 tons of emulsion and 236 tons mag chloride. **Motion carried unanimously.**

RIGHT OF WAY MANAGEMENT PLAN UPDATE, Discussion and Consideration

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Land Use Administrator Tom Bergin; County Road and Bridge Manager Steve Thompson; County Administrative Services Manager Henry Brown; County Social Media Services Provider Bronwyn Nickel; Sarah Michael; and Jim Jaquet.

County Administrator Derek Voss said a team consisting of Road and Bridge staff, the County Prosecutor and County Engineer is drafting volumes of information and technical standards into a logical and organized policy document that can be reviewed by the BCC in a future meeting. Permits are being reviewed and revised if necessary; and internal procedure clarified. Once approved by the BCC, the document will be memorialized and codified.

PUBLIC COMMENT:

- Hulen Meadows resident Jim Jaquet thanked the BCC for responding to their concerns about consistent right-of-way management.
- Hulen Meadows Homeowners Association President Donna Finegan thanked County Road crews for their work on Hulen Meadows roads last winter.

Amend Agenda

McCleary moved, seconded by Schoen, to amend today's March 29, 2016 agenda to add a Special Events Beverage License to the Consent Calendar. Motion carried unanimously.

CONSENT CALENDAR

- **Junior College Residency forms:** College of Southern Idaho, Fall 2016-Spring 2017 for Angelica J Oriega.
- **Idaho Liquor Catering Permit** for Bellevue's Silver Dollar Saloon for Swiftsure Ranch Idaho Gives Fundraiser for May 5, 2016.

McCleary moved, seconded by Schoen, to approve the Consent Calendar for March 29, 2016. Motion carried unanimously.

BOARD of COUNTY COMMISSIONERS REPORTS, Discussion and Consideration

Blaine County Community Wildfire Protection Plan (CWPP) Meeting – McCleary

BCC all attended the first planning meeting for the Community Wildfire Protection Plan, which is updated and approved by the BCC every two years. Main purposes of the Plan are to identify and prioritize areas at risk of catastrophic wildfire and determine appropriate treatment to mitigate the risk. Projects stated in the plan are eligible for Idaho Department of Lands and other grants.

SALE OF TAX DEED PROPERTIES

Also present: Blaine County Treasurer John David Davidson; County Chief Deputy Treasurer Gail Peterson; County Chief Deputy Prosecuting Attorney Tim Graves; County Land Use Administrator Tom Bergin; and County Social Media Services Provider Bronwyn Nickel.

- **Mining Claim:** Baltimore 42, 7N 15E 15.910 Acres, Blaine County, Idaho
Parcel #RP1M0000000100 - Longitude of -114.633692 and Latitude of 43.906540.

Chairman Greenberg said the County Attorney became aware yesterday that this property straddles two counties. The County of Record is shown as Alturas County, which, along with Logan County, combined to become Blaine County, and taxes are collected by Blaine County. Blaine County Treasurer has been collecting taxes on the section of the parcel that is in Blaine County. Part of the parcel is in Custer County, but this doesn't appear on the County's database.

County Attorney Tim Graves advised the BCC to proceed with the auction as noticed, because the County is under statutory requirement to hold a tax deed auction within 14 months of taking tax deed. Attorney Graves also advised the BCC to reject any and all bids, pursuant to I.C. 31-808, due to uncertainty about the County's right to tax, take tax deed, or to sell a property that resides at least partially in another county.

Recording Secretary Sunny Grant read notice.

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

Treasurer Davidson said Parcel RP1M0000000100 taxes, late fees and interest total \$235.84.

AUCTION: High bid for \$750.00.

Commissioner Schoen was reluctant to reject the bid because the people who bid on the property were apprised of the situation and apparently willing to take the risk. County Attorney Graves said the County could remain open to possible litigation in the future if it prematurely transferred ownership.

McCleary moved, seconded by Schoen, to reject the final bid of \$750.00. The motion concerns tax deed auction of Parcel RP1M0000000100. **Motion carried unanimously.**

- **Elkhorn Village Condos** Parcel #RPS07250030580
Unit 58, Bldg. III, 113 Angani Way, Unit 2058, Elkhorn Village, Sun Valley, Idaho

Also present: Sun Valley-Elkhorn Owners Association representative John Fry.

McCleary moved, seconded by Schoen, that notice was adequate for RPS07250030580 for today's tax deed auction. Motion carried unanimously.

Treasurer John David Davidson said the balance due as of March 29, 2016 was \$3,773.42 for all taxes, late charges, interest and late fees.

County Attorney Graves said this property is subject to a lien filed yesterday by the Elkhorn Village Condominium Association totaling \$17,715.19, for unpaid dues and other fees and homeowners association liens. The minimum bid is set for the County's delinquency. The high bid must first satisfy the County's minimum, and any excess will then be used to pay the lien. If the lien is not fully satisfied, the successful bidder will take the property subject to paying the remainder of the lien.

AUCTION: High bid for \$47,000.00.

Schoen moved, seconded by McCleary, in the matter of tax deed auction, Elkhorn Village Condo, Unit 58, Bldg. III, #RPS07250030580, to accept the bid of \$47,000. Motion carried unanimously.

Attorney Graves said cash or cashier's check payment for the condo would be required today, after which time a quitclaim deed would be prepared for the buyer.

PETITION FOR DIVISION OF WOOD RIVER VALLEY IRRIGATION DISTRICT #45

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Land Use Administrator Tom Bergin; petitioners' attorney Jim Stoll; and Wood River Valley Irrigation District #45 Secretary/Treasurer James White.

Recording Secretary Sunny Grant read notice.

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

This is a new petition for partition of District #45. A previous partition of District #45 resulted in the now separate Triangle Irrigation District (TID).

Attorney Jim Stoll of the Arkoosh Law Office represented the petitioners on this petition of the division of Wood River Valley Irrigation District #45. If a majority of landowners in the district water rights desire to divide the district, they can file a petition with Blaine County and present the petition to the BCC.

The petition seeks division of District 45 into two districts, which the petition describes as the New District and the Remaining District. A majority of landowners in District 45 with water rights appurtenant that deliver water to District 45 are in support of this petition.

Exhibit 1 of the petition includes information required by Idaho Code 43-1314.

Exhibit 2 of the petition is a formal map of what the proposed new division will look like; and designates three divisions, as required by statute.

The petition also seeks further relief in the form of various orders for the new district Board to facilitate an election for directors for the new district, allocate property and resources, debt and assessments for the new and remaining districts, and establish a joint board of control to handle disputes that may arise.

PUBLIC COMMENT:

- Jim White, current member of (remaining) District #45, said the District's attorney had some conflicts with upcoming dates.

County Clerk JoLynn Drage estimated the administrative cost of the partition would be about \$1,000. State Statute requires the County Clerk collect a bond twice the amount of estimated expenses, so the bond amount is \$2,000.

The BCC and both attorneys are available on May 24.

Schoen moved, seconded by McCleary, in accepting the petition for partition of Water Irrigation District 45, to set a hearing date of May 24 for public hearing of petition, and set bond in the matter at \$2,000. Motion carried unanimously.

CONTRACTS, GRANTS AND AGREEMENTS, Discussion and Consideration

- **2016 Cooperative Weed Management Area (CWMA) Cost Share Grant**

Also present: Blaine County Weed Department Manager John Cenarrusa; and County Administrative Specialist Andrea Walton.

This is acceptance of the County's annual Cost Share grant request.

Schoen moved, seconded by McCleary, to approve acceptance of grant to Blaine County Cooperative Weed Management Area, combined federal and state disbursements of \$15,519 for the 2016 cost-share year. Motion carried unanimously.

BOARD of COUNTY COMMISSIONERS REPORTS, Discussion and Consideration

US20/SH75 (Timmerman Junction) Safety Study Meeting – McCleary and Schoen

Kittelson & Associates is doing a safety audit of the Timmerman Junction intersection for the Idaho Transportation Department (ITD), five years after traffic calming measures were put in place. General local consensus is that safety at the intersection is much improved. The Community Advisory Committee (CAC) will follow up with input on different proposals; but one proposal—a four-way stop at the intersection—is generally considered a safety risk and was eliminated. The safety study is funded, but there is no ITD funding for any action at this time.

Sawtooth Vision 20/20 Steering Committee Meeting – McCleary

The Steering Committee continues to plan the June workshop to review the 20-Year Strategic Plan after 10 years.

Fly Sun Valley Alliance Meeting – Greenberg

One major concern the Board expressed is the need for additional commercial airline parking, as well as airline approaches and additional airline service.

Emergency Communications Technical Advisory Committee Meeting – Greenberg

The TAC continues work to ensure good emergency communications through the Wood River Valley, from Smiley Creek to Carey. A joint emergency responder active assailant training exercise will be held in June. The TAC supported allowing experienced past dispatchers to fill part-time positions to alleviate some of the full-time employee overtime.

National Service Day – McCleary

National Service Day next week will recognize AmeriCorps Vista Corp members and other national service members around the country. Commissioner McCleary was one of the first two AmeriCorps members in the Wood River Valley in 2000. The BCC supported signing a Blaine County proclamation to recognize local volunteers.

2016 Land and Water Conservation Fund Acquisition - Sawtooth NRA – McCleary

The US Forest Service has a funding opportunity through the Land and Water Conservation Fund to purchase a piece of property in Blaine County within the Sawtooth National Recreation Area (SNRA) for about \$2 million. Schoen will write letter for BCC signature in support of this purchase in the public interest.

Blaine County Jail Inspection – Schoen

Idaho Sheriffs Association Jail Standards Coordinator and Inspector Cindy Malm inspected Blaine County jail last week. Commissioner Schoen conducted his quarterly inspection of Blaine County Jail, as required by State Statute, during Malm’s visit. Schoen’s report indicated no findings of significant deficiencies; and he reported on how the few issues that always surface are dealt with timely and adequately. The Blaine County Jail is a model of cleanliness, safety and good conduct on everyone’s part. The two inmates that were interviewed, selected at random, have been in jail for over two years.

Idaho Association of Counties (IAC) Legislative Committee Final Conference Call – Greenberg
Chairman Greenberg sent several emails to Idaho Legislators about Medicaid expansion.

Cooperative Fuel Agreement – Greenberg

United Oil has agreed to give Blaine County the same cooperative fuel agreement as Mountain Rides. The County Administrator will work with staff and United Oil to coordinate fuel pump locations and delivery times for the best price on bulk fuel. The County is participating as a group for group prices; but this is not a fuel depot and there is no financial investment necessary.

EXECUTIVE SESSION – §74-206 1(d) INDIGENT - Consideration of records that are exempt from disclosure as provided in Chapter 3, Title 9, Idaho Code

Present were: Blaine County Indigent Services Director Brooke Baird and Assistant Amy Rivkin.

Schoen moved, seconded by McCleary, to convene in Executive Session pursuant to Idaho Code 74-206 1(d) to consider indigent medical applications. Schoen (aye), McCleary (aye), and Greenberg (aye). Motion carried unanimously.

OPEN SESSION RESUMED

Schoen moved, seconded by McCleary, to approve Case #2016-08 Medical Indigent Application for Assistance, with a \$25 monthly reimbursement, based on staff recommendation. Motion carried unanimously.

Schoen moved, seconded by McCleary, to deny Case #2016-12 Medical Indigent Application for Assistance, based on staff recommendation. Motion carried unanimously.

BREAK

ELECTION EQUIPMENT PRESENTATION AND FUNDING REQUEST

Also present: Election Systems and software Customer Service Operations Manager Lori Mommaerts; Chief Deputy Clerk Leslie Londos; and Elections Clerk Amy Rivkin.

County Clerk JoLynn Drage asked the BCC to help her assemble a heavy, unwieldy Automark election machine. The County’s Automarks are 10 years old. The Clerk asked the BCC to consider funding new ExpressVotes machines, which are handicap accessible and required by federal law to be in every polling place for every election. The State Election Consolidation Fund will pay half the total \$58,000 cost, and the rest is a budget request from the County Contingency Fund. There is a small total trade-in of \$3,000.

Schoen moved, seconded by McCleary, to authorize purchase of ExpressVote hardware and election services from Election Systems and Software Company in an amount totaling \$58,112.50, half of that amount to be drawn from the Election Consolidation Fund and the other half to be drawn from the Contingency Fund. In discussion, Schoen said the amount is net of the trade-in allowance for the County’s existing equipment. Motion carried unanimously.

LAND USE and BUILDING SERVICES, Discussion and Consideration

• Ordinance 2016-02 Amending Blaine County Building Code

Also present: Blaine County Land Use Administrator Tom Bergin; County Building Official Jeff Giese; County Zoning Specialist Nancy Cooley; and County Building Department Office Manager Karen Osborne.

The BCC approved Ordinance 2016-02 in concept on March 15.

PUBLIC COMMENT - NONE

Schoen moved, seconded by McCleary, to approve and adopt Ordinance 2016-02, an ordinance amending Blaine County Code Title 7 Chapter 1, with amendments to various portions of the Code, and as indicated when it was adopted in concept. Motion carried unanimously.

• Summary of Ordinance 2016-02 Amending Blaine County Building Code (for publication)

Land Use staff submitted a summary version for publication to County Attorney Tim Graves to review. The BCC directed staff to wait until Graves had time to approve the ordinance summary.

- **Findings of Fact for Ordinance 2016-02**

Schoen moved, seconded by McCleary, to approve Findings of Fact, Conclusions of Law and Decision in the matter of the adoption of the 2012 International Building Code, Residential Code, Energy Conservation Code and International Swimming Pool and Spa codes. Motion carried unanimously.

- **Findings of Fact for Blue Jay Acres Short Plat**

McCleary moved, seconded by Schoen, to approve Findings of Fact, Conclusions of Law and Decision regarding an application of John and Kristy Molyneux to plat Tax Lot 8345, a Single Lot, Lot 1 Block 1 of Blue Jay Acres. Motion carried unanimously.

- **Findings of Fact for Gilhuly Plat Amendment and Stream Alteration**

McCleary moved, seconded by Schoen, to approve Findings of Fact, Conclusions of Law and Decision for Gilhuly Plat Amendment to Lot 1 Block 1 Adams Gulch Subdivision. Motion carried unanimously.

- **New Land Use Planner**

Land Use department has hired new Code Compliance officer Kristine Hilt.

- **Comprehensive Plan Update and Discussion**

Blaine County Deputy Land Use Administrator Kathy Grotto updated the BCC on remaining chapters of the Blaine County Comprehensive Plan.

EXECUTIVE SESSION – §74-206 1(b) Personnel; and 1(c) Property Acquisition

Schoen moved, seconded by McCleary, to go into Executive Session, pursuant to Idaho Code 74-206 1(b), to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent; and Idaho Code 74-206 1(c), to conduct deliberations to acquire an interest in real property which is not owned by a public agency. Schoen (aye), McCleary (aye), and Greenberg (aye). Motion carried unanimously.

OPEN SESSION RESUMED

Schoen moved, seconded by McCleary, to approve the right of way contract between Blaine County and Mark J. & Hilary C. McInerney as grantors, and total consideration for this contract is \$55,000, that will be paid by Blaine County and the Idaho Transportation Department for both permanent and temporary easements related to and some onsite construction related to reconstruction of the Adams Gulch Bridge. Discussion: This contract is associated with easements facilitating reconstruction and permanent re-siting of Adams Gulch Bridge. **Motion carried unanimously.**

APPROVAL OF BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

- **October 6, 2015 Regular Meeting**
- **February 23, 2016 Regular Meeting**
- **March 22, 2016 Regular Meeting**

Schoen moved, seconded by McCleary, to approve the Commissioners meeting minutes for Tuesday, October 13, 2015; Tuesday, February 23, 2016; and Tuesday, March 22, 2016, as amended. Motion carried unanimously.

ADJOURN

At the hour of 4:55 p.m., with no more business before them, the County Commissioners adjourned.

Attest: _____ Approved _____
JoLynn Drage County Clerk Jacob Greenberg Chairman