

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

Fifth Day

Tuesday, March 31, 2015

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, County Administrator Derek Voss; County Clerk JoLynn Drage; and Recording Secretary Sunny Grant.

Commissioner Schoen was absent from today's meeting.

Chairman Greenberg called the meeting to order at 9:03 a.m.

PUBLIC COMMENT - NONE

AMEND AGENDA

The opening of Requests for Proposals on a commercial appraisal for the former Blaine Manor property is postponed for one week to April 7, 2015 to allow time for staff to answer questions from bidders.

McCleary moved, seconded by Greenberg, to remove the Opening of Requests for Proposals for a commercial appraisal of the former Blaine Manor property from today's agenda and move it to the next regular County Commissioners meeting on April 7, 2015. Motion carried 2/0.

REQUEST FOR CANCELLATION OF TAXES, Discussion and Consideration

Also present: Blaine County Treasurer John David Davidson; Blaine County Chief Deputy Treasurer Gail Peterson.

The Assessor's office did not apply the Homeowners Exemption to a homeowner who appropriately applied for it.

McCleary moved, seconded by Greenberg, to cancel taxes on Parcel RPH04750460070 in the amount of \$714.61 to reflect a Blaine County error in improperly applying a Homeowner Exemption. Motion carried 2/0.

DISCUSSION ON THE EVE OF APRIL FOOLS DAY

McCleary informed the BCC that she recently found a misplaced License to Kick Butt given to her by her brother many years ago.

Greenberg moved, seconded by McCleary, that the cowboy got a wiener dog so he could get along, little doggie. Motion moved along, more or less, and was accepted by a vote of laughter.

COUNTY DEPARTMENT REPORTS, Discussion and Consideration

County Administrator - Derek Voss

- The opening of Proposals for the former Blaine Manor property has been postponed a week to answer bidders' questions.
- Voss and Blaine County Chief Deputy Prosecuting Attorney Tim Graves are working on finalizing a Right-of-Way Management Plan for BCC review. Rights-of-way are a long-standing complex issue that involve multiple ancillary documents, processes and history.

Operations Director - Char Nelson

- Carey Road and Bridge crew continue to upgrade 23 miles of substandard roads so they will qualify for state gas tax funding of \$1,400/mile.
- Road and Bridge crews continue to work on culverts, and input data into a new Culvert-Bridge Management Plan.
- The Carey Gravel Pit now has a water meter installed.
- McCleary has received public comments about Warm Springs Road, which she will discuss with Voss and Nelson. About one mile of Warm Springs Road will be rebuilt this year with Forest Service funds. Ketchum wants the County to make Warm Springs Road a priority, even though it is owned by the Forest Service and was intended to be a seasonal road.
- Greenberg noted that the Idaho Legislature may not address funding for local roads and bridges this year.
- Weed Department Manager John Cenarrusa met with Idaho State Department of Agriculture inspector to discuss upcoming procedures and management.
- Nelson will meet with Safe Haven representative to discuss the mess left behind in the former Blaine Manor property.
- Nelson requested timeline from Kreizenbeck Constructors on repairing the Old Courthouse landscaping now that construction is done.
- County Grant Administrator Michele Johnson is looking for a grant to paint the Old Courthouse exterior.

CONTRACTS, GRANTS AND AGREEMENTS, Discussion and Consideration

• Idaho Department of Parks and Recreation Boating Safety Grant

Also present: Blaine County Grant Administrator Michele Johnson.

This is a request to apply for a long-standing annual grant. Johnson said these grants now require more accountability on how the funding is used and proven benefits.

McCleary moved, seconded by Greenberg, to approve grant renewal request to apply for an Idaho Department of Parks and Recreation Boating Safety Grant, in an amount not to exceed \$8,555. The 50% match comes from boating registration revenue. Motion carried 2/0.

BOARD of COUNTY COMMISSIONERS REPORTS, Discussion and Consideration

South Central Public Health District Board Meeting – McCleary

Legislation passed to combine the Regional Mental Health Board and Regional Substance Abuse Board into the Regional Behavioral Health Board, comprised of 22 regional members. McCleary is one of three county commissioners on the Board. The Behavioral Health Board now has a vision and mission, and is identifying gaps and corrective measures.

The Legislature allocated \$20,000 for each regional board; and suggested each board could become a 501(c)3, or partner with the public health board or any other governmental entity for additional funding. Behavioral Health is meant to cover support services that Health and Welfare doesn't cover, such as transportation, housing, etc., but funding is very limited.

Idaho now has a potential \$40 million in Safety and Health Investment Projects (SHIP) grant funding for physical and behavioral health, but the state has yet to decide how to allocate it.

South Central Public Health District Board Meeting – McCleary

The South Central Public Health District (SCPHD) has some excellent programs, particularly in the Twin Falls area; but several members of the SCPHD Board are dissatisfied with SCPHD and its current director's overall efficiency and accountability. SCPHD's proposed 2016 budget includes a 3% increase, but Blaine and Twin Falls counties have indicated they will not agree to the increase if the budget isn't better aligned with the SCPHD Board's goals and more equitable to all counties. Greenberg noted that, in recent years, Blaine County has contributed considerably more than it has received back in service value.

5B Restoration Coalition – McCleary

The Idaho Conservation League and the Forest Service, with support from The Nature Conservancy and Wood River Land Trust, may present a proposal for restoration project funding to Blaine County's Land, Water and Wildlife program.

The Forest Service is looking for Forest Service funds for the Deer Creek drainage, post Beaver Creek fire. Sawtooth National Forest Supervisor Kit Mullen is requesting the BCC send a letter, on behalf of Blaine County/5B Restoration Coalition, in support of Forest Service funding.

ITD District Coordinating Council Meeting – McCleary

The ITD District Coordinating Council (DCC) was ITD's attempt at public transportation and mobility, but DCCs didn't work particularly well and have been discontinued. McCleary suggested the ITD Board reduce funding for mobility and instead welcome local public comment on public transportation funding.

Idaho 911 Emergency Communications Commission (IECC) Meeting – Greenberg

Parallel groups are merging into a working group to better understand and work with NextGen 911. An IECC subcommittee discussed formation and make-up of new District Interoperability Governance Boards (DIGBs). Two representatives from each DIGB will be on the IECC, to indicate their DIGBs' individual needs, so the IECC can begin to create a statewide model.

Initial discussion indicated there would be no changes in funding, but Greenberg, chairman of the IECC Finance Committee, wanted local representatives to have some input in revenue and funding mechanisms. Several counties, including Blaine County, want more local control over the \$1.00 franchise fee revenue. Greenberg thinks the five counties that don't yet contribute to the 25¢ grant funding fee should do so.

NextGen is an internet protocol method of transmitting information to Dispatch, in several different formats including texting, Twitter, Facebook, video, etc. Dispatchers have to learn how to accept data from a wide range of reporting methods, including videos, and transmit that information to first responders.

Correspondence

- Craters of the Moon Name Change from National Monument to National Park is being discussed in the Idaho Legislature. Blaine County Commissioners propose a joint meeting with Butte County Commissioners in Carey.
- McCleary said the BCC is due for an update report from the Forest Service and BLM. The Sawtooth National Forest has a new Forest Supervisor, Kit Mullen.

BLAINE COUNTY PUBLIC SAFETY FACILITY REFINANCE, Discussion and Consideration

Also present: Blaine County Treasurer John David Davidson.

There are three main questions for BCC consideration. Commissioner Lawrence Schoen submitted his comments in writing, and they are included in the BCC decisions below:

Savings threshold: the minimum savings the County will accept to refinance. The BCC agreed that 5% return was minimum savings.

Bond structure: Should the County accelerate debt service and receive savings at the end, or achieve level annual savings? The BCC agreed to keep payments low to be sure there's enough cash flow.

Ordinance: Will the County hold a meeting the day of the sale to approve bids or use a parameters ordinance to delegate authority? The BCC will hold a meeting the day of the sale unless there is value to the public to not hold the meeting.

McCleary moved, seconded by Greenberg, to refinance the public safety facility bond; and in answer to some of Piper Jaffrey's questions, move to set the savings threshold at 5% reflecting the minimum savings the County would like to achieve in pricing the bond; that the bond structure debt service not be accelerated; and that the County hold a meeting the day of the sale to approve bids. Motion carried 2/0.

APPROVAL OF BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

- February 24, 2015 Regular Meeting Minutes
- March 3, 2015 Regular Meeting Minutes
- March 10, 2015 Regular Meeting Minutes

McCleary moved, seconded by Greenberg, to approve County Commissioner Regular Meeting minutes of February 24, March 3 and March 10, 2015, as amended. Motion carried 2/0.

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

McCleary moved, seconded by Greenberg, to go into Executive Session, pursuant to Idaho Code 67-2345 1(d) Indigent. Roll call: McCleary (aye) and Greenberg (aye). Motion carried 2/0.

McCleary moved, seconded by Greenberg, to deny Medical Indigent Application for Assistance Cases #2015-10, #2015-09, #2015-03, #2015-11 and #2015-12, based on staff recommendation. Motion carried 2/0.

BREAK

LAND USE and BUILDING SERVICES HEARINGS

- **Lakeside Industries** - A review of the Stream Alteration Permit, and Gravel and Floodplain Conditional Use Permits, originally issued November 1, 2007 to Lakeside Industries to conduct a gravel extraction operation. The permits were reviewed and reissued in 2010 and are conditioned to be reviewed again in 2015..

Also present: Blaine County Land Use Administrator Tom Bergin; Zoning Specialist Nancy Cooley; and applicant's consultant Stephanie Eisenbarth.

This is second review of a permit, and notice was not required, but Land Use posted the property and sent courtesy notices by mail to landowners within 1,000ft downstream and within 300ft of the external boundaries of the property.

There is no change to the original IDWR 404 permit or Blaine County Conditional Use Permit, and all conditions in the permit and CUP have been met. IDWR requests the one-year permit be updated so the expiration date coincides with IDWR's new 5-year review process. No other agency permits are required.

Greenberg asked if the county had visited the site to insure that no work had been done and all CUP requirements were met. Land Use will ask County Road and Bridge to check the site and let them know if they need gravel from the pit in the future. Lakeside has maintained their reclamation plan, and their Idaho Department of Lands bonding is in good standing.

McCleary moved, seconded by Greenberg, to reissue the Stream Alteration, Gravel Conditional Use and Floodplain Conditional Use Permit, originally issued in November, 2007, for an additional five years with the revision to Condition #9 as stated in the staff report and discussed in today's hearing, and with additional condition that a Blaine County staff member will visit the site in the near future. Motion carried 2/0.

McCleary moved, seconded by Greenberg, to adopt Findings of Fact, Conclusions of Law and Decision on the Lakeside Industries Stream Alteration Permit, Floodplain Conditional Use Permit and Gravel Conditional Use Permit on the Big Wood River. Motion carried 2/0.

- **Community Housing Overlay District:** Public comment on Title 9, Zoning Regulations, Chapter 35, Community Housing Overlay District. Pursuant to Section 9-35-13 (E), the Board "shall take public comment on potential changes so as to ensure that the purpose and provisions of this chapter remain valid and attainable," as part of its biennial review of the chapter.

Also present: Blaine County Land Use Administrator Tom Bergin; Zoning Specialist Nancy Cooley; Fritz Haemmerle representing Michael Engl; Blaine County Housing Authority Executive Director David Patrie; and *Idaho Mountain Express* reporter Greg Moore.

Grotto said notice was not required, but that staff sent out courtesy notice for this public comment session.

In 2013, the BCC approved substantial amendments to Blaine County Code, Chapter 35. One provision of that ordinance was that the chapter would be reviewed on a biannual basis. Today's meeting is to take public comment, which will be considered as part of staff review of the chapter.

PUBLIC COMMENT:

- Haemmerle suggested the County get rid of this invalid ordinance that the BCC kept "ramming down the public's throat". It is overly complicated and impossible to follow. The ordinance was designed to promote community housing, but has in fact produced no community housing. The only developer who received valid approval is in bankruptcy court. Haemmerle said the ordinance was reviewed by P&Z several times in 2013, and P&Z wanted to get rid of it, but County Commissioner Schoen told P&Z they couldn't make that recommendation. McCleary said Commissioner Schoen represented the whole BCC when he advised P&Z on process.
- Patrie said that, contrary to previous testimony, the Cold Springs Crossing development provided 15 attractive units in the McHannville area, four of which are for income restricted residents; and a commercial redevelopment that included renovation of an existing duplex for an on-site employee. Patrie suggested the housing requirement for commercial development may be too light. The purposes stated in this ordinance to provide rental and ownership community housing are valid and Blaine County needs to address a shortage of workforce housing. This ordinance represents one of the few tools Idaho has to provide community housing.

McCleary said this ordinance is important to the public and invited suggestions for streamlining it. She agreed that a community housing overlay is one of the few tools available in Idaho to provide community housing, and didn't feel she had ever attempted to ram anything down the public's throat.

ADJOURN

At the hour of 2:39 p.m., with no more business before them, McCleary moved to adjourn, seconded by Greenberg. Motion passed 2/0.

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