

**OFFICE OF THE BOARD OF COUNTY COMMISSIONERS
OF BLAINE COUNTY
REGULAR MEETING OF THE MAY 2011 SESSION**

Fourth Day

Tuesday, May 10, 2011

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; *Idaho Mountain Express* reporter Kate Wutz; and Recording Secretary Sunny Grant.

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

Commissioner Schoen was absent until 9:38 a.m.

PUBLIC COMMENT - NONE

Present were: East Fork resident Brian Poster of Poster Construction.

Poster was on the BuildSmart committee, and is committed to green building. He much prefers the National Green Building Standard (NGBS) to LEED certification. Building green locally is a challenge because of architects. There needs to be more BuildSmart education to homeowners and architects.

EXECUTIVE SESSION – §67-2345 1(d) INDIGENT - Consideration of records that are exempt from disclosure as provided in Chapter 3, Title 9, Idaho Code

- **Case #11-05-043**
- **Case #11-05-044**
- **Case #11-05-045**

Present were: Blaine County Welfare Director Wilma Colter and Assistant County Welfare Director Connie Kacalek.

Bowman moved, seconded by McCleary, 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 2/0.

OPEN SESSION RESUMED

Bowman moved, seconded by McCleary, to deny Case #11-05-043, based on staff recommendation. Motion carried 2/0.

Bowman moved, seconded by McCleary, to deny Case #11-05-044, based on staff recommendation. Motion carried 2/0.

Bowman moved, seconded by McCleary, to deny Case #11-05-045, based on staff recommendation. Motion carried 2/0.

Bowman moved, seconded by McCleary, to accept notice of cancellation of hearing and final determination of denial on Case #1009056. Motion carried 2/0.

Bowman moved, seconded by McCleary, to accept notice of cancellation of hearing and final determination of denial on Case #11-03-038. Motion carried 2/0.

BOARD OF EQUALIZATION

- **BOE to decide on PTR (Property Tax Reduction) Claims**

Also present: Assessor's Office Manager Amanda Larese.

Bowman moved, seconded by McCleary, to convene as the Blaine County, Idaho, Board of Equalization. Motion carried 2/0.

The Assessor's office submitted the proposed Property Tax Reduction (Circuit Breaker Program) and 2011 Exempt Properties roll.

Bowman moved, seconded by McCleary, to acknowledge submission of Blaine County Circuit Breaker listing, and the 2011 Exempt Property Inventory. Motion carried 2/0.

Bowman moved, seconded by McCleary, to reconvene as the Blaine County Commissioners. Motion carried 2/0.

Bowman moved, seconded by McCleary, to amend the agenda of Tuesday, May 10, 2011 to add Consent Calendar item: Ordinance 2011-04 Summary for publishing. Motion carried 2/0.

CONSENT CALENDAR

- **Ordinance 2011-04 Summary for publishing**

Bowman moved, seconded by McCleary, to approve the Consent Calendar for Tuesday, May 10, 2011. Motion carried 2/0.

BID OPENING FOR BLAINE MANOR PARKING LOT PROJECT

Also present: Valley Paving Superintendent Clint Kisler.

Commissioner Bowman opened the single bid received for the Blaine Manor parking lot project. Bid was received from Lakeside Industries dba Valley Paving, in the amount of \$32,799. No bid bond is necessary. Staff will review the bid and make a recommendation to the BCC.

COUNTY DEPARTMENT REPORTS, DISCUSSION and CONSIDERATION

County Administrator – Derek Voss

Also present: Blaine County Disaster Services Coordinator Chuck Turner.

- The BCC appointed Commissioner Bowman as a point of contact for the Army Corps of Engineers.
- Submitted revised FY2012 Strategic Objectives and Fiscal Priorities. BCC will review and make final revisions later in the meeting.

Clerk's Report – JoLynn Drage

- PERSI 401K or 457A plans for County employees include a 25% County match. The match fund will be depleted after June 2 payday.
Disclosure: Commissioner Bowman participates in the fund, and recused himself from the discussion.
After discussion and no consensus, BCC will discontinue the match payments for FY2011. Employees can continue to participate in the fund without the County's match.

FY2012 BUDGET REQUESTS

South Central Community Action Partnership

Also present: South Central Community Action Partnership (SCCAP) Executive Director Ken Robinette.

SCCAP provides services in all eight Magic Valley counties. Assistance includes emergency help for the homeless; assistance with food, rent and utility payments; and energy conservation, weatherization and heat bill assistance programs. The SCCAP opened an office in Hailey for the winter season, but would like to have a year-round office. Service requests in Blaine County have increased, and dollars spent on emergency services have almost doubled in the last year.

FY2012 BUDGET REQUESTS:

Blaine County Community Drug Coalition

Also present: Blaine County Community Drug Coalition Executive Director Terry Basolo, CDC Board President Tom Bailey (Hailey Elementary School Principal), CDC Board Secretary Erin Pfaeffle (St. Luke's Center for Community Health Manager), CDC Board members Teresa Espedal (Blaine County Chief Probation Officer), and Father Shawn Carty (Emmanuel Episcopal Church Pastor).

Disclosure: Commissioner Schoen is on the CDC Governing Board and an officer of the CDC.

Blaine County's annual contribution helps pay administrative costs and salaries that most grants don't cover. The Blaine County Community Drug Coalition's mission is to reduce substance abuse among youth, making the community a healthier place to live. The annual road rally is the CDC's primary fundraiser, and is becoming a two-day event. Ongoing CDC surveys indicate a growing number of students in Blaine County are drug-free and glad to be part of the CDC program.

APPROVAL OF BOARD MEETING MINUTES

- **May 2 and 3, 2011 Regular Monday and Tuesday Meetings**

Schoen moved, seconded by Bowman, to approve the minutes of the May 2 and 3, 2011 regular meetings, as amended. Motion carried unanimously.

BLAINE COUNTY AIRPORT ADVISORY COMMITTEE BOARD REPORT

Also present: Blaine County Airport Advisory Committee (BCAAC) president Adrienne Robideaux, and members Vanessa Fry and George Kirk; Friedman Memorial Airport Operations Chief Pete Kramer; and Dick Fenton.

The BCAAC submitted Task 1, which is a comprehensive matrix of work and studies regarding the replacement airport. The BCAAC suggested the current scope of work also include an aviation plan for commercial and general aviation, and a transportation plan for the site. The BCAAC's completed matrix will be useful to the replacement airport's sponsor, and can be used as a development tool to develop a comprehensive business plan.

The BCC agreed they have to build community support for the replacement airport. Citizens have to understand the need for and projected revenue from the airport in order to justify the investment.

FY2012 BUDGET REQUEST:

- **Senior Connection**

Also present: Blaine County Senior Connection Executive Director Kim Coonis.

The Senior Connection helps seniors live at home and “age in place”, and provides ways for seniors to remain active and integrated with all ages in the community. The Connection currently has 600 members. They provide services such as meals, shopping, fitness, transportation, and socialization to over 100 people a day. The Senior Connection provides over 18,000 hours per year of in-home care. Medicaid/Medicare have adjusted to help people stay at home and get the same quality care without the high cost of a nursing home.

The senior connection funds itself through donations, its ice cream parlor and gift shop, frequent local events, and the in-home care program.

BREAK

LAND USE AND BUILDING SERVICES HEARINGS

Septic requirements text amendment: A public hearing on and consideration of text amendments to amend Blaine County Code, Titles 3, Health and Safety; 7, Building Regulations; 9, Zoning Regulations and 10, Subdivision Regulations to specify requirements for individual subsurface sewage disposal systems on lots of record of less than 2 acres, providing for a severability clause and an effective date. After a public hearing on January 27, 2011, the Planning and Zoning Commission recommended that no text amendments be made to the Blaine County Code.

Also present: Blaine County Land Use and Building Services Director Tom Bergin, Zoning Specialist Nancy Cooley; and South Central Public Health District (SCPHD) Environmental Health Specialist Bob Erickson.

Cooley read posting notice.

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

There are no new materials.

Disclosure: Bowman has two septic tanks on his property.

The SCPHD inspection protocol has changed. As a result, Blaine County questioned if acreage requirements should be amended. Land Use staff and the Planning & Zoning Commission recommend no change to the Code. SCPHD Environmental Health Specialist Bob Erickson concurred.

Bowman moved, seconded by Schoen, that the possible changes regarding septic systems should *not* be made to existing Blaine County Code text, based on Planning & Zoning Commission and Land Use staff recommendation, and the recommendation of South Central Public Health District Environmental Health Specialist Bob Erickson. No changes will be made to text. Motion carried unanimously.

Glendale Rezone Applications (continuation)

1) Sleepy Acres & Tax Lot 7275 Light Industrial Rezone: A continued public hearing on and consideration of an application by **John Majors, William & Vivian Bobbitt, Barbara Tomasi, and Erwin Excavation** to **rezone** the non-FEMA floodplain portions of Lot 1, 2, and 3 of Sleepy Acres Subdivision and Tax Lot 7275 **from Productive Agricultural District (A-20) to Light Industrial District (LI)**. The area is comprised of 64.6 acres west of the Big Wood River on Glendale Road, Section 13, T1N, R18E, B.M., Blaine County. After two public hearing on April 30 and June 11, 2009, the Planning and Zoning Commission recommended approval with conditions of this rezone proposal.

2) Light Industrial Rezone of a portion of the Brown Ranch in the Glendale area: A continued public hearing on and consideration of Dan Brown to rezone 36 acres of the Brown Ranch from Productive Agricultural District (A-20) to Light Industrial District (LI). The area is located directly west of the Brown Subdivision, immediately adjacent to Glendale Road in Section 14, T1N, R18E, B.M., Blaine County, Idaho. After one public hearing on August 13, 2009, the Planning and Zoning Commission recommended approval with conditions of this rezone proposal.

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves, Land Use and Building Services Director Tom Bergin; applicants Dan Brown, Robin Tomasi, Dick Fosbury, Chuck Erwin, Beci Erwin; and applicants’ representatives Brian Yeager and Ned Williamson.

Disclosure: Schoen has had personal and business relationships with Brown, Erwin Excavation, and Tomasi. Schoen has no current financial interest with any of them, and can make an impartial decision on this matter.

Additional Materials: Draft copy of the Development Agreement and letter from applicants’ attorney Ned Williamson.

A previous hearing on these rezone applications revealed some concerns about compliance with the

Blaine County Comprehensive Plan. The BCC wanted to clarify this issue before reviewing the application.

Graves said the County's Comprehensive Plan is a relevant consideration in this kind of proceeding. The Supreme Court has upheld decisions where a Comprehensive Plan standard of evaluation was used by the zoning board, but the decisions did not state that the Comp Plan was the most relevant consideration.

Williamson said the BCC can consider the comp plan, but not rely on it alone to deny an application.

Bowman said the BCC had previously said the comp plan "informs the rest of the criteria." The BCC deemed this rezone to be an appropriate application.

Bowman moved, seconded by Schoen, to continue the Glendale Rezone Applications hearing to the June 7, 2011 BCC meeting, at 1:30 p.m. Motion carried unanimously.

LAND USE AND BUILDING SERVICES DISCUSSION AND CONSIDERATION

• **Building Fee Resolution**

The County's new BuildSmart amendment mandates energy efficiency measures that are stricter than national standard building code requirements, and requires applicants to incur third party costs for verification. The BCC recently adopted the BuildSmart amendments on behalf of the entire community, and the enacted energy efficiency policy will benefit all citizens. If Blaine County initiates a rebate program to help pay the costs of compliance, will the incentive drive behavior that is of value to the community that is worth the revenue cost to the County? Schoen believes the amendments impose additional costs on consumers, and the County should bear some of the burden of meeting the public policy goal. BCC directed staff to write a resolution with a sunset clause and possible extension. Bowman does not want the cost of this incentive program to come out of the LU&BS budget.

FINDINGS OF FACT

• **Willey Stream Alteration Permit**

Schoen moved, seconded by Bowman, to approve the Findings of Fact, Conclusions of Law and Decision on the application of Frank Willey for a Stream Alteration Permit, for a side channel, and authorize the chairman to sign. Motion carried unanimously.

COUNTY DEPARTMENT REPORTS – County Administrator – Derek Voss, continued

Fiscal Priorities, continued from earlier in the meeting

The BCC agreed with the revised list of FY2012 Strategic Objectives and Fiscal Priorities.

ADJOURN

At the hour of 3:41 p.m., the BCC finding no more business before them adjourned.

Attest: _____ Approved _____
JoLynn Drage
County Clerk
Angenie McCleary
Chairman