

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

Second Day

Tuesday, May 3, 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; Chief Deputy Assessor Martha Heuston; Recording Secretary Sunny Grant; and *Idaho Mountain Express* reporter Andy Kerstetter.

Chairman Greenberg called the meeting to order at 9:01 a.m.

PUBLIC COMMENT - NONE

PROCLAMATION 2016-03 PROCLAIMING MAY AS MENTAL HEALTH AWARENESS MONTH

Also present: Blaine County Prosecuting Attorney Jim Thomas, Chief Deputy Prosecuting Attorney Tim Graves, Deputy Prosecuting Attorney Angela Nelson; County Sheriff Gene Ramsey; Chief Probation Officer Teresa Espedal, Probation Officer Jodie Fuller; Blaine County Drug Coalition Executive Director Amber Larna; St. Luke's Center for Community Health Outreach Coordinator Erin Buell; The Senior Connection Executive Director Teresa Lipman; The Hunger Coalition Executive Director Jeanne Liston and Associate Director Naomi Spence; National Alliance on Mental Illness (NAMI) President Tom Hanson and Executive Administrator Carla Young; Idaho Department of Health and Welfare Program Manager Scott Rasmussen; Wood River High School Social Worker Julie Carney, Mental Health Therapist Laurie Strand; Licensed Clinic Social Worker Cecilee Torres; Girls on the Run Board Member Loni Unser; and Sarah Michael.

The BCC cares about the quality of life for all individuals and wants to be sure every person is treated with respect and dignity. The BCC strongly encourages adequate facilities to provide care and treatment for everyone who needs it.

PUBLIC COMMENT:

- NAMI State Board member/Region V Board member/Local President Tom Hanson said it was important to address mental health challenges "B4 Stage 4". One in four youth and one in five adults will be mental health challenged, and services need to be readily accessible in the community before a crisis situation. Depression is a leading cause of disability in Idaho.
- Local NAMI Executive Administrator Carla Young said she is living well in recovery from mental illness. NAMI has three support groups, including a family support group, and encourages free mental health screenings that are available in the community.
- Sheriff Gene Ramsey said the community should step up *before* stage 4. Ramsey, a Vietnam veteran, said things have much improved since he returned from the war.
- Wood River High School Social Worker Julie Carney thanked the community for providing counselors for students. 50% of youth experience some kind of mental health challenge, and suicide is a leading cause of death for youth.
- Girls on the Run Board Member Loni Unser said Girls on the Run helped her as a young girl become confident and aware of issues.
- The Senior Connection Executive Director Teresa Lipman said mental health issues affect seniors, who are often isolated, which can lead to depression.

McCleary moved, seconded by Schoen, to approve Proclamation 2016-03 proclaiming May as Mental Health Awareness Month. Motion carried unanimously.

BOARD OF EQUALIZATION - I.C. 63-105A (7)

There was no Board of Equalization business.

COUNTY DEPARTMENT REPORTS, Discussion and Consideration

Mid-Year Budget Snapshot - County Clerk JoLynn Drage

Also present: Blaine County Planning Assistant Michele Johnson; and Sarah Michael.

- Expenses appear to be on track, except the murder trial has been postponed again and the change of venue will cost more than originally anticipated.
- Revenue is trending up a little, but fairly close to budget.
- Available reserve projected to drop about \$700,000 from the end of FY2015 to end of FY2016.
- Anticipated savings from personnel cuts during FY2016 are not reflected yet.
- The reserve for tax supported funds for first quarter FY2016 is about \$4.2 million, which is a little more than two months' expenses.

PUBLIC COMMENT:

- County resident Sarah Michael said she discussed the budget with each of the County Commissioners, and asked that the public be included in regular budget reports. Michael asked if the budget reserve of almost \$9 million in the FY2015 Auditor's Report could be used to afford a five-day

work week for County offices. The County Clerk said the September 30th annual independent audit report is done on an accrual basis, and is very different from cash on hand six months later.

Chairman Greenberg said opening all County offices for five days may be explored during upcoming budget hearings.

County Administrator - Derek Voss

- Reviewing possible purchase proposal of the former Blaine Manor property.
- Will present BCC with a final outcome-based budgeting template that includes refinements to allow for more creative County department presentations.
- Continue to work with team and County Engineer to finalize a Blaine County Right-of-Way Management Plan.
- Idaho Counties Risk Management Program (ICRMP) FY2017 premiums are up 5%, about \$10,000. ICRMP bases its premiums on payroll and building values.

CONTRACTS, GRANTS AND AGREEMENTS, Discussion and Consideration

- **Project Cost Adjustment by Local Highways Technical Assistance Council (LHTAC) for signage on Gannett Road**

Also present: Blaine County Grants Manager Michele Johnson.

As a result of the Gannett Road Safety Audit, Blaine County has asked LHTAC to fund 96 signs for Gannett Road. Blaine County must provide an upfront \$2,000 refundable deposit. The BCC suggested the Road and Bridge Manager review with Commissioner Schoen the number of signs that are actually needed before accepting the grant award. Road and Bridge will install the signs.

Schoen moved, seconded by McCleary, to approve the project cost adjustments proposed by LHTAC for the grant funding the Gannett Road sign project, the revised cost being \$60,000. For discussion, we are here today approving this project cost adjustment, but we also expect that this project will be done wisely and that there will be further discussion about which signs, their location and their correctness and adequacy. **Motion carried unanimously.**

- **Memorandum of Understanding between Blaine County, Idaho and the City of Bellevue for 700MHz P25 compliant radio system** Record #634749

This is a standard template.

Schoen moved, seconded by McCleary, to approve the Memorandum of Understanding between Blaine County and the City of Bellevue for the 700MHz P25 compliant radio system. Motion carried unanimously.

- **Cooperative Law Enforcement Annual Operating Plan and Financial Plan between Blaine County Sheriff's Office and the USDA, Forest Service, Sawtooth National Forest** Record #

This is a long-standing annual agreement. There are no material changes.

Schoen moved, seconded by McCleary, to approve the Cooperative Law Enforcement Annual Operating Plan and Financial Plan between the Blaine County Sheriff's Office and the US Forest Service Sawtooth National Forest. The amount payable is \$3,000 with variable rates for patrol duties and overtime. Motion carried unanimously.

- **Right of Way Contract for 102 S. Riverwoods Road, Ketchum, ID 83340**

This agreement relates to acquisition of the right-of-way for Adams Gulch Bridge project. The contract has been reviewed by the County Attorney and HGR, which represents the County's interests with LHTAC on this project.

Schoen moved, seconded by McCleary, to approve a right-of-way contract between Blaine County and Mark and Hilary McInerny as grantors. The value of the contract is \$55,000; the purpose is for construction and reclamation of a portion of their property at 102 South Riverwoods Road, Ketchum, Idaho, near the Adams Gulch Bridge. Motion carried unanimously.

BOARD of COUNTY COMMISSIONERS REPORTS, Discussion and Consideration

Wood River Water Collaborative – Schoen

Also present: Wood River Land Trust (WRLT) Project Coordinator Patti Lousen.

The Wood River Water Collaborative—a consortium of local watermasters, groundwater districts, non-profits, legislators, and interested citizens—has been meeting for some time to address community water supply and water use, especially since the two water calls issued by down-basin water users. The Collaborative requested BCC support of their application for a Bureau of Reclamation "Water Smart Cooperative Watershed Management Program Grant". The grant application has received support from Idaho Resources Board.

PUBLIC COMMENT:

- WRLT Project Coordinator Patti Lousen said the Collaborative incorporates 50 diverse users, including the Wood River Land Trust, The Nature Conservancy and Trout Unlimited, who want to look at long term water management solutions. The \$100,000 two-year non-matching grant will fund five staff members and subcontractors who may be used to construct diversion structures and fish habitat. Schoen will draft a letter of support.

Blaine County Fire Adaptive Efforts – McCleary

Land use planning and regulation, such as no development in the Mountain Overlay District, helps prevent fires, and should be common practice throughout the West. Joint response, collaboration and support at all levels during a fire event; and restoration efforts in cooperation with state and federal agencies post fire recovery, are important to being a fire adaptive community.

Snake River Joint Powers Advisory Board Meeting – McCleary

McCleary is BCC representative to the Joint Powers Advisory Board. Blaine County only had four juveniles in detention the last quarter—two males and two females detained a total of 18 days. Blaine County juveniles were detained 137 days in the same quarter in 2014 and 154 days in 2015.

The Snake River Board discussed taking status offenders to the Juvenile Detention Center. Officers sometimes think they don't have a better option, but this could have potential legal consequence.

LEGISLATORS UPDATE with Michelle Stennett

Also present: Idaho State Senator Michelle Stennett; Candidate for Idaho House of Representatives Sally Toone; Blaine County Republican Central Committee County Chair Rick Jesinger; and Dale Ewersen.

Legislative Update:

- The Homeowners Exemption passed in both houses and was signed by the governor.
- The Plastic Bag bill passed this year. State law requires counties to manage their landfills, but the State now has control of plastic and food containers, which is a large part of county landfills. Any community project to do with plastic now has to be presented to the State Legislature instead of local government.
- The State now controls minimum wage. Legislators said they didn't want confusion about different wages in different places, although cost of living is considerably different in different places in Idaho.
- The Governor and Senate are seriously concerned about the "gap" population in Idaho that is not covered by health insurance. The Senate passed a state-driven comprehensive plan, but a majority of Idaho Representatives would not entertain it in an election year.

Bullwhacker Elk Feeding Site

Fish and Game met with the USFS on the Bullwhacker Elk Feeding Site, and, using information from two former F&G conservation officers who had previously managed the site for 30 years, the USFS Special Use Permit was reconfigured with different criteria. F&G knows there will be a lot more oversight in the future. BCC members will continue to follow up with F&G.

Triumph Mine Site

Stennett will follow up with County staff and the Idaho Department of Environmental Quality on water and flooding concerns at the Triumph Mine Site.

BCC members will be attending Idaho Association of Counties (IAC) meetings in the next couple weeks, and begin to develop policies to present at the fall IAC Legislative Conference.

PUBLIC HEALTH DISTRICT BUDGET HEARING

Also present: South Central Public Health (SCPH) District Director Rene LeBlanc, Fiscal Officer Jeremy St. Clair, Chairman Linda Montgomery; Administrative Assistant Yvonne Humphrey; Environmental Health Specialist Bob Erickson, and Administrator Cheryle Becker; Idaho State Senator Michelle Stennett; and Chief Deputy Assessor Martha Heuston.

SCPH District Director Rene LeBlanc presented the SCPH FY17 budget and budget request to Blaine County. He explained some notable differences from previous years:

- Significant increase that includes a 3% change in employee compensation and health insurance increase, plus a 27th pay period.
- Operating expenses are slightly up, and cover a new facility in Heyburn.
- Sub-grantee payments include an increase to cover hospital bioterrorism efforts through an ASPR (Assistant Secretary for Preparedness and Response) subgrant and to support behavioral health boards.
- SCPH is cooperating with the Behavioral Health Board to build a new crisis center.

The SCPH Board agreed to ask counties for a 2% increase in their FY2017 contribution. Idaho Code requires counties to support the Public Health District based on their market value. The BCC expressed concern that the benefit to Blaine County doesn't warrant its required annual 44.9% contribution, and reiterated its request for the SCPH to develop a strong strategic plan that provides more local services in Blaine County, especially for family planning services.

SCPH is preparing to hire a centrally-located nurse who will travel around to provide the Parents as Teachers program and in-home visitation services. Immunization clinics are being promoted.

FRIEDMAN MEMORIAL AIRPORT AUTHORITY MEETING PREVIEW

Also present: Friedman Memorial Airport Manager Rick Baird.

- Test results show no glycol in the ground, but there was a trace in the one dry well that still had water in it. The consultant will explain test results in detail at tonight's meeting.
- The FMAA is expected to review whether noise and air quality should be monitored and modeled.
- The FMAA will discuss Airport Manager Succession.

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.

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, with respect to Medical Indigent Applications #2016-13, 2016-14, and 2016-23, to deny these applications, based on staff recommendations. Motion carried unanimously.

Schoen moved, seconded by McCleary, with respect to Medical Indigent Cases #2016-02 and 2016-07, to approve notices of cancellation of hearings and final determinations of denial. Motion carried unanimously.

BREAK

LAND USE and BUILDING SERVICES HEARINGS

- **Morada Farms Subdivision:** A continuation of the public hearing on and consideration of an application by John Majors and Diane Crist for a subdivision of Lot 1, Sleepy Acres Subdivision, comprising 35.65 acres, into 10 lots. The new subdivision would be named Morada Farms Subdivision. The property is zoned Light Industrial (LI) and Productive Agricultural (A-20) Districts with areas of Floodplain and Wildlife Overlay Districts, and entirely within the Transferable Development Rights (TDR) Receiving Zone. Eight light industrial lots ranging in size from 2.05 acres to 4.45 acres are proposed. Two residential lots at 4.16 and 6.91 acres and one unbuildable 0.49 acre parcel are proposed within the A-20 district. The property is located at 78 Glendale Road, within Section 14 T1N, R18E, BM, Blaine County. The Planning and Zoning Commission recommended conditional approval of this application on October 30, 2014. This is a continuation of the Board's hearing on July 7, 2015.

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Land Use Administrator Tom Bergin; County Engineer Jeff Loomis; County Deputy Land Use Administrator Kathy Grotto; applicant Diane Crist and applicant's representatives Brian Yeager and Dr. Chuck Brockway, Sr.; Dick Fosbury; Robin Tomasi; Kurt Lansing; Bryan Dilworth; and Bill Bobbitt.

Grotto read notice.

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

DISCLOSURES: The BCC had no disclosures.

This application has been pending for some time. Blaine County P&Z recommended approval in October, 2014. On July 7, 2015, the BCC continued the hearing to a date uncertain to allow the applicant to provide a water study showing if there is adequate water for this subdivision as proposed. The study results (done by Brockway Engineering, based on existing well data) have been given to the BCC. Uses in the area are mostly industrial uses consistent with the LI zone, and the subdivision is consistent with County ordinance.

A berm was constructed on the south side of the road at neighbors' request, but may be inappropriate due to the vertical curve in the road and visibility issues.

Chuck Brockway said development of the wells proposed for the 10 lots will not be injurious to existing wells in the vicinity or new wells planned to go in. The Fire District will require a fire flow and fire volume of at least 3,000 gallons, which will probably be provided in three cisterns with a total volume to be determined by the Fire Marshall.

The applicant agrees with the staff report that there is no need for a left turn lane off Glendale Road. The applicant does not think the traffic count on the private roadway warrants paving the road. North of Glendale Road, the applicant is willing to convey a 60ft wide public access easement consistent with the County engineer's design, provided neighbors are willing to undertake the cost of construction and future maintenance. County Attorney Tim Graves said applicant has indicated a willingness to grant the easement. The county probably cannot require granting the easement, and the County cannot condition approval on the neighbors constructing the access.

Land Use Staff recommend there be advance signage warning of the vertical curve and new Morada Lane intersection until the Broadford Road improvement project is completed.

PUBLIC COMMENT:

- Neighbor Dick Fosbury said they support the application, but are concerned about the water impacts of this major subdivision. The water report impacts were based on average flows and not peak flows, but there could be an occasional unusual demand or a request for workforce housing on one of the lots. Poverty Flat and Glendale Road areas do not have early priority water, and their water is shut off in mid-July. Some neighbors have already had to deepen their wells. Slette said a residential use would require a Conditional Use Permit and the Health Department has estimates for residential water usage.
Fosbury said fire trucks pump 1000 gallons/minute, and a 10,000 gallon cistern is emptied in 10 minutes. It could take a day or two to refill a cistern. Slette said there was a river nearby to provide water in an emergency.
Fosbury said the existing berm needs to be landscaped, but he is concerned about the water demand of starting shrubs on the berm. Slette said irrigating a berm seemed to be inconsistent with conservative water use.
Fosbury said the vertical curve is designed for 35mph speed and the berm is adequately set back as long as drivers stay in their lanes.
Fosbury said the gravel road is covered with weeds in season, and should be paved and maintained for emergency access.
- Bryan Dilworth, representing Glendale Lateral, said Lot 1 and Lot 2 both cross the right-of-way access to Glendale Lateral. They don't want fences to block their right-of-way.
County Attorney Graves said Idaho Code requires "sufficient right-of-way" for ditch access, maintenance, and storage of material, etc., but doesn't state a minimum width.
Commissioner Schoen said a delineated easement for canal maintenance is beneficial to everyone.

Schoen moved, seconded by McCleary, to continue Morada Farms Subdivision Application to Tuesday, May 17, 2016 at 2:15. Motion carried unanimously.

PUBLIC ASSEMBLIES ORDINANCE, Blaine County Code 2-2-3-F

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Land Use Administrator Tom Bergin; County Deputy Land Use Administrator Kathy Grotto; County Sheriff Gene Ramsey; Wood River Fire Protection District Chief Bart Lassman; Hailey Fire Chief Craig Aberbach; Wood River Land Trust Board Member Dan Smith and WRLT Community Engagement Coordinator Mike McKenna; and Sheri Thomas.

Commissioner Schoen said an event is proposed in the Draper Preserve and Lions Park, within two miles of the City of Hailey, along the Blaine County (west) side of the Big Wood River. Schoen asked if the BCC was interested in considering potential amendments to Blaine County Public Assemblies Ordinance 2-2-3-F, which sets forth license requirements, specifically location, for public assemblies of greater than 750 persons. County Attorney Tim Graves said the ordinance came about as a result of concern about large gatherings being held in rural county areas and the effect on those areas, and providing services and emergency services to such events. The BCC is also sensitive to natural resources, including the Big Wood River. The Draper Preserve, which is owned by the Wood River Land Trust, and Lions Park, which is owned by the City of Hailey, are located within Blaine County.

The BCC has discretion to waive standards if proper mitigation is taken.

County Attorney Graves said the BCC can waive some conditions of approval; but Subsection F clearly states these events shall not be held within one-quarter mile of the mean high water mark of the river, although the sentence in the Code is somewhat convoluted. McCleary advised caution about the unintended consequences of making exceptions.

PUBLIC COMMENTS:

- Sheriff Gene Ramsey suggested the BCC consider adding an exception for existing preserve or park, and/or government sponsored events. County Administrator Voss said "any regularly established stadium or athletic field or other permanently established place of assembly" could be used as an exception, but added that it doesn't seem appropriate to add 2,000 people to a ballfield.
- Hailey Fire Chief Craig Aberbach attended this event last year and every part of it was well managed, and there were no complaints. People came and went throughout the day. Aberbach said there are other events in Hailey in close proximity to the river, including the Rocky Mountain Music Festival.
- Wood River Fire Protection District Chief Bart Lassman said the County's ordinance was good as is, but emergency services and other service agencies should be allowed to comment on permit applications. Lassman didn't see a problem with this particular event.
- Wood River Land Trust Community Engagement Coordinator Mike McKenna said they expected about 200 people last year, and experienced about 2,000 people over three hours. They want people to come to the river fest to learn how important it is to take care of the river and riparian area.

Schoen said that one-quarter mile from mean high water mark exclusion area didn't make sense, and the BCC ought to reconsider it. Schoen said a "park" is considered a place where people gather, and suggested other language revisions to the ordinance. McCleary agreed with deleting the one-quarter mile exclusion provision; and adding language about environmental impacts.

Schoen will work with Bergin, Graves and emergency service personnel and return with suggestions for the BCC.

FAIRGROUNDS VICINITY MASTER PLANNING, Discussion and Consideration

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Facilities Manager Patrick Boyle; and County Land Use Administrator Tom Bergin.

The City of Carey, the Fair Board, Rodeo Association, and Blaine County all individually own lots in Carey in the vicinity of the Fairgrounds. A working group representing all these organizations met to discuss how they can reconfigure the lots to provide safe access and public parking for events. Commissioner Schoen presented their proposed plan for the parcels, streets and alleys in the area, as well as the County-owned gravel pit on the north end of Carey. The plan has been presented to the Carey City Council.

EXECUTIVE SESSION - Idaho Code 74-206 1(f) to discuss Wright Brothers claim

Schoen moved, seconded by McCleary, to enter into Executive Session, pursuant to Idaho Code 74-206 1(f) to discuss pending or threatened claim by Wright Brothers. Roll call: Schoen (aye), McCleary (aye), and Greenberg (aye). Motion carried unanimously.

ADJOURN

At the hour of 4:24 p.m., with no more business before them, the County Commissioners adjourned.

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