

**OFFICE OF THE BOARD OF COUNTY COMMISSIONERS  
OF BLAINE COUNTY  
REGULAR MEETING OF THE NOVEMBER 2012 SESSION**

**Fourth Day**

**Tuesday, November 27, 2012**

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

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

**Note**

Chairman McCleary said the Board of County Commissioners did not adhere to Idaho Open Meeting Law when they convened a Special Meeting Executive Session on Wednesday, November 17, 2012, to interview candidates for county engineer. The BCC did not have a posted agenda for the meeting or executive session and did not make a motion or vote for the specific purpose of going into Executive Session, pursuant to Idaho Code 67-2345 1(a). The BCC conducted three interviews of the candidates in Executive Session. They did not discuss the candidates after each interview or after the three interviews, and made no decision.

Today's meeting includes a properly-noticed Executive Session I.C. 67-2345 1(a) Personnel, to discuss the county engineer candidates and their interviews.

**PUBLIC COMMENT - NONE**

**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 #12-01-009**

Present were: Blaine County Indigent Services Manager Brooke Roberson and Indigent Services Assistant Amy Rivkin.

**Greenberg moved, seconded by Schoen, to convene in Executive Session pursuant to Idaho Code 67-2345 1(d) to consider indigent medical applications. Greenberg (aye), Schoen (aye), and McCleary (aye). Motion carried unanimously.**

**OPEN SESSION RESUMED**

**Schoen moved, seconded by Greenberg, to approve Application for Assistance Case #12-01-009, with a stipulation of repayment of \$25.00 month, based on staff recommendation. Motion carried unanimously.**

**COUNTY DEPARTMENT REPORTS, DISCUSSION and CONSIDERATION**

**Claims – Schar Boyd**

- Deputy Auditor Schar Boyd presented the claims.

The Capital Improvement Fund will not be funded until late January, when property taxes are collected. A claim in the CIF for roof repair on the Public Safety Building was moved to Buildings and Grounds, PSF Repairs and Maintenance. A claim from Joe's Backhoe will be held until a resolution can be passed to loan funds from the General Fund to the Capital Improvement Fund to pay the claim.

**Schoen moved, seconded by Greenberg, to approve claims dated November 21, 2012 with the inclusion of a credit for Integrated Technologies. Motion carried unanimously.**

**Sheriff – Gene Ramsey**

- 38 inmates in jail this morning, eight are Idaho Department of Corrections (IDOC) inmates, four from Jerome and one from Twin Falls. IDOC is moving some of their inmates into the Bonneville County jail, but Blaine County jail revenue is on track.
- A Blaine County Sheriff car parked in the Judicial Building parking lot was recently vandalized.
- Deputy Corey Weatherly recuperating from his second surgery and should return to work soon. The person who fell off a roof and landed on Deputy Weatherly has been charged with misdemeanor mischief.
- Three new hires in Jail Central Control are in training.

**Clerk's Report – JoLynn Drage**

- Drage submitted a list of BCC Board appointments that expire in January.
- The Clerk and Operations Director are looking for a dedicated location to hold absentee voting for the next election.
- The independent auditor is conducting their annual audit this week.

**Operations Director – Char Nelson**

- Vehicles in the Judicial Building parking lot have occasionally been vandalized. Operations proposes a camera security system to provide better night security and discourage future mischief in the Old Courthouse and Judicial Court area. The camera system, to be located in-between the Judicial Building and Wood River Fire and Rescue offices is an unbudgeted expense.
- The payroll clerk will move into the chief deputy prosecutor's old office this week.
- The BCC approved a security light on Walnut Street to provide more security for staff coming and going at night. That project is in process.
- The Carey Weed Department building re-roofing project will exceed budget.
- The boiler system in the Annex is obsolete and cannot be upgraded. Staff is looking at bids to replace the boiler control system.
- The Deer Creek Bridge bank armament is under budget, which will reduce the County's FEMA grant match. Road and Bridge did much of the work and hopes to be reimbursed for in-kind contribution.
- Staff is submitting application for a Road and Bridge Local Highway Technical Assistance Council (LHTAC) grant for signs.
- The Blaine County Regional Transportation Committee unanimously approved the County's transportation priorities and will submit a letter of support for the County's LHTAC grant for signs..
- Nelson met with Wood River High School Environmental Club advisor to discuss ways the Club can partner with Blaine County Recycle Center. The Environmental Club is applying for grants for additional receptacles for recyclables. Students will help disseminate materials and are currently involved in a t-shirt design contest. Recycling-related endeavors may provide good topics for future senior projects.
- Phonebooks are a contaminant problem in the Mixed Paper bins. It would be preferable to collect phonebooks at specified collection points.

**County Administrator – Derek Voss**

- The Judicial Court building office arrangement is being evaluated. The bailiffs' offices are being relocated to where the old prosecuting attorney's office space was. The bailiffs' area will allow them to see people entering the building and will provide a better sense of security to staff and clients.

**CONTRACTS, GRANTS AND AGREEMENTS DISCUSSION AND CONSIDERATION**

- **Idaho Community Development Block Grant Senior Connection Kitchen Project Request for Funds and Progress Report**

Also present: Blaine County Senior Connection Executive Director Kim Coonis; and Lisa Niedrich.

The final payment from the Community Development Block Grant for the Senior Connection kitchen project is in process. This part of the kitchen is complete, although there are a few follow-up fixes that need to be done. The kitchen remodel benefits the entire community and was completed within budget. An additional project, done with funding from another grant, is being completed this week.

**Schoen moved, seconded by Greenberg, to request \$101,164 payment on the Idaho Community Development Block Grant Program from the Idaho Department of Commerce Economic Development for the purposes of completion of the Senior Connection remodel. Motion carried unanimously.**

Schoen will report on the project at an upcoming Region IV Development Association Board meeting.

- **Public Defender Contract for Doug Werth** ..... Record #603518  
This is the County's standard public defender contract.

- **Second 1st Amendment to Addendum to the Service Level Agreement for Electronic Transaction and Access to Blaine County Assessor** ..... Record #604028  
Also present: Blaine County Assessor Valdi Pace; and Chief Deputy Treasurer Gail Peterson.

Access Idaho is the Assessor's credit card accommodator. These amendments charge an additional \$1 convenience fee for over-the-counter and online vehicle registration renewals. All credit card fees are paid by the customer.

**Schoen moved, seconded by Greenberg, to approve the second amendment to Addendum A and first amendment to Addendum B to the Service Level Agreement for Electronic Transaction fees charged by Access Idaho for processing of credit card transactions at the Assessor's Office counter. Motion carried unanimously.**

- **Strata Special Inspection Services** ..... Record #603520  
This is for inspection of the Old County Courthouse's shed dormer project. Inspections will utilize special testing equipment.

**Greenberg moved, seconded by Schoen, to approve the Public Defender Contract with Doug Werth; and Strata Special inspection Services for inspection of the Old Courthouse shed dormer project. Motion carried unanimously.**

**BLAINE COUNTY AMBULANCE DISTRICT**

**Schoen moved, seconded by Greenberg, to convene as the Blaine County Ambulance District. Motion carried unanimously.**

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; Wood River Fire Protection District Chief Bart Lassman; and Ketchum Fire Chief/North County Ambulance District contractor Mike Elle.

**• Ambulance Bid Award**

The Ambulance District advertised in the *Idaho Mountain Express* Legal Section a Request For Proposal for a new ambulance. There were three responses to the advertised RFP and two bidders that met RFP requirements.

Blaine County Chief Deputy Prosecuting Attorney Tim Graves and County Administrator Derek Voss expressed concern that the two sealed bids received were not opened in a public meeting. The Ambulance District and Graves will review the process used to this point and determine how to proceed in accordance with Idaho law without having to restart the bidding process. BCC asked for resubmission of sealed bids. They will open the bids and consider them at an upcoming meeting.

**• Emergency Medical Services Agreement with Carey Rural Fire Protection District** ..... [Record #603684](#)

**Schoen moved, seconded by Greenberg, to approve the Emergency Medical Agreement with the Carey Rural Fire Protection District. Motion carried unanimously.**

**BLAINE COUNTY BOARD OF COMMISSIONERS RECONVENE**

**Schoen moved, seconded by Greenberg, to reconvene as the Blaine County Board of Commissioners. Motion carried unanimously.**

**CONSENT CALENDAR**

- **Resolution 2012-58 authorizing transfer of funds from the General Fund Unappropriated Reserve to the Ketchum Police Department Trust Account** ..... [Record #603683](#)
- **Beverage License Renewals for Enoteca Wine Shop and Nourish Me**
- **Liquor License Transfer for Mama Inez**

**Schoen moved, seconded by Greenberg, to approve the Consent Calendar for November 27, 2012. Motion carried unanimously.**

**BOARD REPORTS, DISCUSSION and CONSIDERATION**

**• Blaine County Representation on Mountain Rides Board – McCleary**

The Blaine County representative on the Mountain Rides Board is Jim Jaquet, who does not seek reappointment. Two people have expressed interest in the position.

**APPROVAL OF BOARD OF COUNTY COMMISSIONERS MEETING MINUTES**

- **July 11, 2012 Special Budget Workshop Meeting**
- **September 25, 2012 Regular Tuesday Meeting**
- **October 2, 2012 Regular Tuesday Meeting**
- **October 15, 2012 Network of Care Special Meeting**
- **October 29, 2012 Special Monday Meeting**
- **November 15, 2012 Special Meeting**

**Schoen moved, seconded by Greenberg, to approve the Blaine County Commissioners Minutes of the Special meetings of July 11, October 15, October 29 and November 15, as amended; and the Regular Tuesday meetings of September 25 and October 2, as amended. Motion carried unanimously.**

**SKILLED NURSING CARE RFP NEXT STEPS DISCUSSION**

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; Operations Director Char Nelson; Blaine Manor Board Chairman Marsha Riemann and Board member Linda Haavik; Blaine Manor Administrator Gail Goglia and Finance Director Stephanie Jaskowski; Blaine Manor advocates Steve and Marilyn Pauley; TanaBell CEO Troy Bell; Croy Canyon Ranch Foundation Executive Director Kathleen Eder; CCRF advocates Jim McLaughlin, Anne Jeffery, Poky Nickum, Lyman Drake, Vonnie Olson, Greg Cappel; SafeHaven CEO Scott Burpee; SafeHaven advocate Dave Hennessy; Jolyon Sawrey; Al Stevenson; Ronald Dohse, and Judi Dohse; and *Idaho Mountain Express* reporter Kate Wutz.

Next BCC steps in the process:

- BCC will tour TanaBell and SafeHaven facilities.
- Get legal counsel on facilities license, disposition of Blaine Manor facility, Medicare/Medicaid certification, and various components of a private-public partnership.
- Identify and resolve key information gaps.
- Consider market analysis (three organizations have indicated there is sufficient demand in Blaine

- County to drive their business models).
- Consider hiring an independent consultant.
- Complete evaluation of the RFPs and risk assessment.
- Disposition of the skilled nursing care facilities license.

BCC discussions, questions and concerns will be posted on the County's website so the public can follow the process:

- Possibility and implications of a hybrid solution.
- Taxpayer support of a levy override.
- Croy Canyon Ranch Foundation pursuit of a different option, e.g., hospital district.
- Analysis of all proposals should take into consideration the potential of other facilities. What number of assisted living units and skilled nursing beds would be viable in Blaine County?
- Is market analysis of developers who are proposing for-profit facilities reliable?

Graves initially reviewed the three proposals and found no reason at this point to disqualify any proposal as presented. The BCC directed Graves to further review each proposal for potential legal challenges that should be considered in the evaluation process.

#### PUBLIC COMMENT:

Linda Haavik reminded the BCC that Blaine Manor has residents who need continued skilled nursing care. The BCC has to make a decision regarding the current levy in early spring 2013.

Croy Canyon Ranch Foundation's management partner Greystone has a facility in Billings, Montana, that the BCC could visit.

CCRF retained an attorney to look at the legality of a hospital district to fund CCRF.

Croy Canyon Ranch Foundation isn't asking the BCC to finance the CCR facility. They ask the BCC to let the community decide.

Al Stevenson would like to know what the 1980 general obligation bond cost to build Blaine Manor, including interest rate, debt service, etc. Stevenson suggested the BCC hire an Idaho expert to do a market analysis and financial projections to compare different proposals.

SafeHaven will probably apply for its own facilities license and Medicare/Medicaid certification for their Bellevue facility. They expect to begin construction within six months. SafeHaven has the financial reserve to deal with start-up costs and unexpected issues for the first couple years.

#### **EXECUTIVE SESSION**

**Schoen moved, seconded by Greenberg, to go into Executive Session, pursuant to Idaho Code 67-2345 1(a) Personnel, to evaluate the respective qualities of an individual to fill a vacancy or need. Greenberg (aye), Schoen (aye), and McCleary (aye). Motion carried unanimously.**

#### **OPEN SESSION RESUMED**

#### **BREAK**

#### **AIRPORT ALTERNATIVES TECHNICAL ANALYSIS DISCUSSION**

Also present: Friedman Memorial Airport Manager Rick Baird, Friedman Memorial Airport Authority Chairman Tom Bowman; Donna Serrano; Bellevue City Councilman Dave Hattula; Dick Fassino; Marc Reinemann; and Sawtooth Board of Realtors Government Affairs Director Bob Crosby.

Topics for discussion:

- FMAA Guidance to Friedman staff on the Technical Analysis. Staff needs to identify ways to meet the December 31, 2015 runway safety area requirements deadline.
- FAA representatives need to realize that Friedman cannot meet future needs due to physical and financial constraints. Is money spent on Friedman worth limited benefits?
- Is the BCC still committed to the dual path of keeping Friedman viable and up-to-date and, at the same time, planning for an eventual replacement airport south of Bellevue?

The Blaine County Commissioners represent all of Blaine County as members of the Friedman Memorial Airport Authority. Schoen said a hard-line stance on airport issues, grounded in political sentiment, has accomplished very little on most airport issues. Options 5, 6 and 7 encompass potentially realistic outcomes that, if discussed with flexibility, would comply with FAA criteria, meet the BCC's guiding principles, address community concerns, and allow for future air service success. Schoen wants the FMAA to invite the FAA to engage with the community to discuss ways Friedman can potentially meet the FAA's safety criteria.

Schoen wants to keep Alternative 5 on the table to allow exploration of impacts of relocating the runway. Blaine County isn't going to get a replacement airport until the community is willing to financially participate in its construction. In the meantime, Blaine County needs an airport that serves

the economic, social and cultural needs of the community.

Schoen suggested the FMAA ask the FAA if moving the Friedman runway to the south would alleviate some environmental impacts on people who live at the end of the runway in Hailey. This may put the flight path farther from homes in Hailey west of the highway, but may result in lower approach heights over Bellevue. Flights coming from the north would have a higher approach, but flights may be more frequent.

McCleary requests FMAA to consider alternatives that meet the BCC's guiding principles, keep costs and environmental factors in line, and best meet the community's needs.

Bowman supports FMAA's commitment to a dual path forward and restarting the Environmental Impact Statement. A suitable site for the replacement airport may not be in Blaine County. What has looked like a bad alternative up to now might be possible and realistic in the future. The BCC's Guiding principles might change.

Baird expects the FAA to ask how the community wants to proceed. The community must be realistic in allowing Friedman to provide viable air service and recognize that a replacement airport is probably in the distant future.

**PUBLIC COMMENT:**

Bellevue City Councilman Dave Hattula appreciates the BCC remaining flexible in considering a replacement airport out of Blaine County. Bellevue Mayor Christopher Koch wrote a letter to the FAA demanding that all Friedman safety/reliability improvements be within the fenced area. The halted EIS must be restarted to allow for search and study to accomplish the necessary goal to relocate the airport away from Hailey/Bellevue. In the meantime, he supports being very conservative monetarily in doing what is necessary to perpetuate commercial air service.

The BCC agrees the most important next steps are to do a master plan, determine where the community's financial contribution toward the replacement airport will come from, and look for a site in Blaine County or elsewhere.

**ORDINANCE 2012-10 AND FINDINGS OF FACT**

- **Animal Shelter of the Wood River Valley Rezone**
- **Ordinance 2012-10 Animal Shelter of the Wood River Valley Rezone ..... Record #603682**

Schoen moved, seconded by Greenberg, to approve the Findings of Fact, Conclusions of Law and Decision on the rezone request of the Animal Shelter of the Wood River Valley property from RC-160 to R-5 and R-10, as amended, based upon findings that the rezone shall not adversely affect delivery of services, potable water supply, and is in compliance with the Blaine County Comprehensive Plan. In discussion, the Board of County Commissioners agreed to adopt the Planning and Zoning Commission Findings as their own. **Motion carried unanimously.**

Schoen moved, seconded by Greenberg, to adopt Ordinance 2012-10, the Animal Shelter Rezone, amending Blaine County Code Title 9, Zoning Regulations, Chapter 4, Section 7, Zoning Maps and reclassifying 17 acres R-10 and R-5 respectively. **Motion carried unanimously.**

**EXECUTIVE SESSION**

At 2:55 p.m., Greenberg moved, seconded by Schoen, to go into Executive Session, pursuant to Idaho Code 67-2345 1(a) Personnel, to evaluate the respective qualities of an individual to fill a vacancy or need; pursuant to Idaho Code §67-2345 1(b), Personnel, 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 pursuant to Idaho Code §67-2345 1(f), Pending Litigation, to discuss with legal counsel the legal ramifications of and legal options for pending litigation. Greenberg (aye), Schoen (aye), and McCleary (aye). **Motion carried unanimously.**

**OPEN SESSION RESUMED**

**ADJOURN**

At the hour of 4:30 p.m., the BCC finding no more business before them adjourned.

Attest: \_\_\_\_\_ Approved \_\_\_\_\_

JoLynn Drage  
County Clerk

Angenie McCleary  
Chairman