

**OFFICE OF THE BOARD OF COUNTY COMMISSIONERS
OF BLAINE COUNTY
REGULAR MEETING OF THE OCTOBER 2013 SESSION**

Third Day

Tuesday, October 15, 2013

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

Chairman Schoen called the meeting to order at 9:02 a.m.

PUBLIC COMMENT - NONE

T2 ROAD SCHOLAR and ROAD MASTER PRESENTATIONS

Also present: Blaine County Operations Director Char Nelson and Administrative Assistant Lynn Timm; Human Resources Generalist Susan Potucek; Idaho Technology Transfer Center T2 Manager Laila Kral; Blaine County Road and Bridge Manager Tom Duffy, Road and Bridge Foremen Doug Swaner and Greg Peterson, Leadmen Dennis Baird and Barry Pond, and Operators Matt Dilworth, Alex Alberdi, Glennon Moore and Kyle Broadie.

Idaho T2 Manager Laila Kral presented Road Scholar hats, Leatherman tools and certificates to Road and Bridge employees Matt Dilworth and Greg Peterson. Kral presented a Road Master Carhartt jacket and certificate to Road and Bridge Manager Tom Duffy.

The BCC commended Road and Bridge Manager Tom Duffy and his staff for their commitment to the T2 Road Scholar and Road Master programs, which teach technical knowledge, road maintenance and safety education in caring for County roads and bridges. The BCC noted that County Operations Director Char Nelson and Blaine County Operations Administrative Assistant Lynn Timm took Road Scholar classes as well.

Road Scholar recipients Greg Peterson and Matt Dilworth thanked the County for supporting their continuing education and department focus on safety.

AMEND AGENDA

McCleary moved, seconded by Greenberg, to amend the agenda to add a Joint Funding Agreement between Blaine County and the U.S. Geological Survey for Debris Flow Vulnerability Assessment of the Beaver Creek Burn Area under Contracts, Grants and Agreements; and to move the afternoon Executive Session to 2:00 p.m.; and to move County Projects and Priorities to 3:00 p.m. Motion carried unanimously.

EXECUTIVE SESSION – §67-2345 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 Manager Brooke Roberson and Indigent Services Assistant Amy Rivkin.

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

OPEN SESSION RESUMED

McCleary moved, seconded by Greenberg, to approve Application for Assistance Case #2013-87, based on staff recommendation. Motion carried unanimously.

McCleary moved, seconded by Greenberg, to deny Application for Assistance Cases #2013-85, #2013-80, #2013-78 and #2013-79, based on staff recommendation. Motion carried unanimously.

COUNTY DEPARTMENT REPORTS, Discussion and Consideration

Clerk's Report – JoLynn Drage

- FY2013 books close October 30. Auditors will be present November 13-15.
- Absentee and early voting for November 5th election is underway.

Operations Director – Char Nelson

- State bridge inspections are done. Several bridges need work.
- Operations will meet with County Attorney Tim Graves and The Valley Club to discuss the Memorandum of Understanding on Valley Club Road. Valley Club Road is maintained by The Valley Club, but remains a county road in case it is needed as an alternate route to Highway 75.
- Road and Bridge staff attended a class on speed limit zoning.
- The County's contract for the Carey Gravel Pit expires 2014. The price for gravel may double in the near future, so staff requests BCC permission to research sites and the possibility of purchasing its own gravel pit, which could pay for itself in one or two years.

County Administrator – Derek Voss

- The Roark Law Firm anticipates significant work in the next year on the Sarah Johnson vs. State of Idaho Petition for Post Conviction Relief case. Keith Roark, Johnson’s public defender, will work with two attorneys who have extensive knowledge in this area.
- Blaine County Leadership Team meeting will focus on communications. Blaine County used social media to update the public on the Beaver Creek Fire and needs to consider the benefits and ramifications of using social media in the future.

CONTRACTS, GRANTS AND AGREEMENTS, Discussion and Consideration

- **Clearwater Landscaping Snow Removal Agreements**Old County Courthouse Record #613953
.....Annex Record #613954
.....Judicial Building Record #613955
..... Blaine Manor Record #613956

- **CH2O Incorporated Maintenance Agreement** Record #614200
CH2O tests the equipment. If service is needed, Blaine County may receive an additional bill.

- **Carrier Preventative Maintenance Service Agreement** Record #614168
Blaine County is unhappy with its maintenance provider at the Public Safety Facility and is switching to Carrier to get better service. Prices are comparable.

- **NAMI Lease Agreement** Record #617116
NAMI leases space in the Blaine Manor building. Blaine Manor tenants have been told they do not have a long-term lease, but will be given several months notice prior to having to move out.

- **IWorQ Service Agreement** Record #614068
Blaine County runs two IWorQ software programs at no cost as part of its Pavements and Signs Management Plan. The County pays an additional cost for added software.

Greenberg moved, seconded by McCleary, to approve the Clearwater Landscaping Snow Removal Agreement, CH2O Incorporated Maintenance Agreement, Carrier Preventative Maintenance Service Agreement, NAMI Lease Agreement, and the IWorQ Service Agreement for FY2014. Motion carried unanimously.

- **State Criminal Alien Assistance Program (SCAAP) Fiscal Year 2013 Payment Acceptance and Electronic Transfer of Funds**
This is an acceptance of reimbursement for \$24,463.

Greenberg moved, seconded by McCleary, to approve the State Criminal Alien Assistance Program (SCAAP) for FY2013, payment acceptance and electronic transfer of funds for \$24,463, and authorize the Sheriff to submit. Motion carried unanimously.

- **Radio IP Software Maintenance Agreement** Record #614318
Blaine County Information Technology Manager Clay Landon submitted an explanation of the Agreement.

McCleary moved, seconded by Greenberg, to approve the Radio IP Software Maintenance Agreement for FY2014. Motion carried unanimously.

- **Contract for Services with Blaine County Housing Authority** Record #614337
- **Contract for Services with Blaine Soil Conservation District** Record #613926
- **Contract for Services with St. Luke’s Center for Community Health** Record #613932
- **Contract for Services with Blaine County Community Drug Coalition** Record #614639
- **Contract for Services with Region IV Development** Record #613927
- **Contract for Services with Blaine County School District #61 for Resource Worker** Record #613935
- **Contract for Services with South Central Community Action Partnership** Record #614170
- **Contract for Services with Blaine County Historical Museum** Record #613930
- **Contract for Services with Senior Connection** Record #614816
- **Contract for Services with The Advocates** Record #613929
- **Contract for Services with the Hunger Coalition** Record #613928
- **Contract for Services with Crisis Hotline** Record #613933
- **Contract for Services with Defenders of Wildlife** Record #613931
- **Contract for Services with Fly Sun Valley Alliance** Record #613980

Also present: Al Lindley in support of the Blaine County Senior Connection. The BCC received emails from Kim Coonis and Dale Ewersen in support of the Senior Connection.

The contracts for service are with organizations that have extensive expertise and provide essential social services to County citizens.

PUBLIC COMMENT:

Lindley told the BCC that the Senior Connection cared for seniors during the Beaver Creek Fire. Senior Connection staff and some Board Members have been trained in emergency management.

McCleary moved, seconded by Greenberg, to approve contracts for services for FY2014 with the Blaine County Housing Authority; Blaine Soil Conservation District; St. Luke's Center for Community Health; Blaine County Community Drug Coalition; Region IV Development; Blaine County School District #61 for Resource Worker; South Central Community Action Partnership; Blaine County Historical Museum; Senior Connection; The Advocates; the Hunger Coalition; Crisis Hotline; Defenders of Wildlife; and Fly Sun Valley Alliance. Motion carried unanimously.

- **Public Defender Contract with Christopher Simms**[Record #613934](#)
McCleary moved, seconded by Greenberg, to approve the Public Defender Contract with Christopher Simms for FY2014. Motion carried unanimously.

- **Joint Funding Agreement with USGS for the Debris Flow Vulnerability Assessment of Beaver Creek Burn Area**[Record #](#)
The cost of the project is \$19,200; Blaine County's share is \$6,200. The assessment is part of an overall action plan for the burn area. The County is waiting for results once the federal shutdown is over. The USGS report will be on a future agenda.

McCleary moved, seconded by Greenberg, to approve the Joint Funding Agreement with USGS for the Debris Flow Vulnerability Assessment of the Beaver Creek Burn Area in Blaine County and agree to the cost of Blaine County contributing \$6,200. Motion carried unanimously.

CONSENT CALENDAR

- **Resolution 2013-54 Miscellaneous Clerk/Auditor Records Destruction**[Record #613887](#)
- **Resolution 2013-55 Nursing Home Budget Adjustment**[Record #613888](#)

Greenberg moved, seconded by McCleary, to approve the Consent Calendar for October 15, 2013. Motion carried unanimously.

BOARD REPORTS, Discussion and Consideration

Sustain Blaine Economic Summit – Greenberg

- Centered around buying and investing locally and methodologies to enable local residents to invest in local businesses.
- Met the event coordinator of Dent the Future conference held in Sun Valley and Michael Shuman, author of *Local Dollars, Local Sense*.
- Blaine County does its best to buy locally.
- Blaine County uses 760 gallons of water per day per person vs. average of 100+ gallons.
- Recurring emphasis on supporting Local Option Tax for air and crucial importance of air service to Blaine County and the Wood River Valley. The airport runway safety area improvements should be finished ahead of schedule.
- River Grove Ranch Olympic horse and dressage arena is another local Olympic-quality facility.

Idaho Transportation District Coordinating Council Meeting – McCleary

- Discussed the Mobility District Coordinating Council's updated District Plan and Network Plan for the three networks that make up the district. Up-to-date plans facilitate funding for public transportation.
- District Coordinating Council is agreeable to having two more members from the Blaine-Camas-Lincoln network, which should add a more balanced perspective.

Sawtooth Valley Wildland Fire Collaborative Recommendation Meeting – McCleary

The Collaborative's recommendations to the Forest Service were all in Custer County, but fires in neighboring counties affect each other. Participants discussed protection of structure and infrastructure; prescribed burns and reducing fuels. Blaine County expressed willingness to participate in prescribed burns, forest management and fuels reduction. There are no prescribed burns scheduled for Blaine County at this time, but there may be burns for the Redfish area.

ICRMP Board – Schoen

BCC agreed to vote for sitting ICRMP Board Member Tom Faulkner.

Anti Discrimination Policy – McCleary and Schoen

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Human Resources Generalist Susan Potucek.

The BCC directed County Attorney Tim Graves and Human Resources Generalist Susan Potucek to draft a policy for the BCC to review.

Beaver Creek Fire Report – McCleary

The federal shutdown has federal agencies on furlough. Fire recovery reports from state and federal agencies will be presented at an upcoming meeting when the agencies are back to work.

Behavioral Health Board – McCleary attended meeting.

Idaho Power Transmission Line Upgrade - Schoen

Idaho Power is informing public and private property owners, including Blaine County, along the King

Transmission Line #433 of the upcoming upgrade project. Idaho Power asks that property owners, including Blaine County, sign a consent of entry form. The BCC agreed.

National Association of Counties (NACo) Rural Action Caucus Fall Conference – Schoen

- Discussed projects and programs in New Mexico, including NM's Gross Receipts Tax that helps fund their indigent program. New Mexico doesn't have a state sales tax.
- New Mexico is part of nine interstate water compacts.
- Discussed New Market Tax Credit Program, by which tax credits are sold and the proceeds used to fund economic development projects. Risk and cost is borne by taxpayer.
- Debated Rural Action Caucus (RAC) policies and priorities.
- Discussed New Mexico's public education system and changes being made.
- Heard presentation on using and promoting cultural assets to improve the local economy.
- Visited Los Alamos National Laboratory and Los Alamos County, which has its own utility. Los Alamos County also invested with private sector partners in a smart grid, including solar and hydro generating capacity and a computer-controlled smart house which optimizes energy usage.

DISPOSITION OF COUNTY PROPERTY, Discussion and Consideration

The BCC's Guiding Principles guide the disposal of County-owned property, especially when such disposal is in the public interest and/or is beneficial to other political subdivisions.

• Blaine Manor Personal Property

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; Blaine Manor Interim Director Stephanie Jaskowski.

Two vehicles owned by Blaine Manor are available to Blaine County. Staff will advertise their availability to County department heads at an upcoming County Leadership meeting. If no department wants them, they should be put up for auction. McCleary suggested the BCC formulate a policy to dispose of unwanted County-owned vehicles, computers and other equipment.

• Elkhorn Lift Property

Also present: Blaine County Assessor Valdi Pace and Chief Deputy Assessor Martha Heuston.

This parcel has no direct access to it. The parcel is next to the first tee of the Elkhorn Golf Course and Elkhorn lift, with a small lift shack next to the lift. The property was previously put up for auction, with no buyer, so it can be negotiated directly with a specific buyer. Sun Valley Resort has expressed interest in the property. The property is zoned Commercial in Sun Valley, and is adjacent to Indian Springs Condominiums. The property should be assessed for current value. Land Use will notify all adjoining property owners of its availability.

• Elkhorn Properties

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves and Land Use Administrator Tom Bergin.

These properties consist of open space that was approved decades ago for transfer to the Elkhorn homeowners association; and part of six roads that was approved to go to adjacent homeowners, but the transfer never took place. The County can quitclaim any interest that the County has acquired to the homeowners association.

Some of the homeowners adjacent to the road parcels already show ownership of the road in their deeds. Those that don't will be informed that the parcels will now be part of the legal description of their property. The homeowners are already maintaining the road sections and there will be no tax consequences.

• Southern Belle Lots

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Operations Director Char Nelson; Blaine County Assessor Valdi Pace and Chief Deputy Assessor Martha Heuston; Mountain Rides Executive Director Jason Miller; and *Idaho Mountain Express* reporter Greg Moore.

These two lots could have potential usefulness to the County; but the most immediate public benefit might be as a south valley bus facility for Mountain Rides. Mountain Rides is a political subdivision and has the power to hold property. Idaho Code provides that the County can transfer real property to another political subdivision with or without compensation after passing a resolution stating the transfer is in the public interest.

Blaine County appraiser Jim Williams appraised Lot 6 Block 1 at \$75,000-78,000; and Lot 7 Block 1 corner lot at \$79,000-81,000.

Mountain Rides has been looking for property at the southern end of its route since 2007, and is currently focused on finding a vacant lot in Bellevue. Mountain Rides has about \$800,000 in federal funding for this project, and the 20% local match, most of which is secured in Mountain Rides Facilities Fund. Recently, federal funding for capital needs—buses and facilities—has decreased significantly, so Mountain Rides would prefer to conserve its cash for other capital needs. If Mountain Rides owns the property, its value could be used as the match for construction.

The Bellevue route is critical for Mountain Rides' overall community connectivity, and locating the bus facility in Bellevue could be part of its JPA partner contribution. If the BCC agrees that this is a good use for the

land, Mountain Rides would like to move forward in the negotiation process and get the project underway in the next year.

Blaine County currently contributes \$128,000 annually to Mountain Rides, \$110,000 operating and \$18,000 capital. The BCC could use full or partial value of the lot as its annual capital contribution, and part of its operational contribution.

BCC considerations:

- How are future Blaine County contributions affected?
- How is purchase shared by other jurisdictions? How are the contributions of other jurisdictions affected?

Schoen suggested the property be sold to Mountain Rides at full market value. The present BCC cannot commit future BCCs to any expenditure. Mountain Rides can research other comparable properties in Bellevue before making a decision.

TELEPHONE SURCHARGE – RESOLUTION FOR 25-CENT E-911 GRANT FEE, Discussion and Consideration

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Emergency Communications Director Robin Stellers; and *Idaho Mountain Express* reporter Greg Moore.

The BCC is considering adding a 25¢ per phone line fee to participate in the Idaho Emergency Communication Commission's E-911 Grant Fee program. The grant cycle begins on November 1, and the County would be eligible to receive awards from the grant program after one year of participation.

The Idaho State Legislature made a commitment in 2008 through the Idaho Emergency Communications Act to fund the Idaho Emergency Communications Grant Fee Program to provide for improvements to the E-911 system. The program provides for a 25¢ per line per month fee addition to the emergency communications E-911 \$1.00 fee per line per month fee. The fee is collected by the local E-911 Service Board.

The nation's current E-911 system cannot support text messages, emergency images and video, and will not support future needs. Next Generation 911—hardware, software, data and operational policies and procedures—will replace existing narrow band circuits. Cost of the new system for Blaine County is estimated at \$150,000 for the radio system, \$200,000 for the call-taking system, Computer Aided Dispatch (CAD) for about \$280,000, and Risk Management Solutions (RMS) system for \$200,000. The total system replacement cost is about \$650,000. The call-taking system that receives dispatch calls is the first priority. The CAD system that processes calls is the County's next priority.

One concern is that the County doesn't collect the fee from people who keep their existing cell phone numbers and don't change their service address when they move here. The BCC encouraged efforts to educate such residents. In some cases, Idaho's fees are less than fees being paid in other states.

The BCC's priority is Blaine County residents and visitors. The 25¢ fee may cost residents more money than any Grant Fee Program grants awarded to Blaine County. New equipment purchased now may be obsolete by the time the backbone is in place. Blaine County needs to begin to set aside adequate funds in anticipation of ongoing needs and expenses. The BCC would welcome educational presentations about emergency communications technology and future needs.

BREAK

LAND USE & BUILDING SERVICES, Discussion and Consideration

• Comprehensive Plan Update

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; County Land Use Administrator Tom Bergin; County Senior Planner Kathy Grotto; Code Compliance Specialist Diane Shay; Zoning Specialist Nancy Cooley; and Comprehensive Plan Steering Committee representative Len Harlig.

The Comprehensive Plan Steering Committee based its outline on Blaine County's key principles of land use planning and is anxious to begin. The Steering Committee established four sections to give the BCC measurable outcomes to evaluate. The BCC will discuss possible revisions with Land Use staff.

• Carmody Control

Carmody wastewater management software tracks septic systems in the County. The contract is up for renewal. Land Use staff will check with South Central Public Health District Environmental Health Specialist Bob Erickson to see if other software such as Excel or Access would be adequate for the County's smaller septic system tracking needs. Land Use will see if years of data can be exported out of the Carmody system.

• Mountain Overlay District Violation in Townsend Gulch

Blaine County Chief Deputy Prosecuting Attorney Tim Graves.

Blaine County cited the homeowner who built a road in violation of the Mountain Overlay District in Townsend Gulch. Trial dates were set, but a settlement agreement was filed with the Court that required the landowner restore the hillside to as close as possible to its original condition.

County Attorney Tim Graves said a criminal citation becomes the jurisdiction of the Magistrate Court division of the District Court and the offense is a matter between the prosecutor, the defendant, and the judge or jury. There is no public comment or public process. A settlement agreement is basically a guilty plea that is

signed by the Judge, with conditions similar to those imposed with sentencing. The landowner was fined \$300 and required to restore a test area to be approved by Land Use, followed by restoration of the hillside to be completed within 12 months. The landowner will be required to provide a security agreement and deposit to insure restoration is completed. The reclamation work should begin this fall.

There was no permit application involved in the violation, so no opportunity for administrative review, public comment or appeal. If the BCC is not satisfied with the process, they can seek an injunction, damages and reclamation. Unhappy neighbors can be directed to the Prosecutor's office.

EXECUTIVE SESSION – §67-2345 1(b) Personnel, §67-2345 1(c) Property Acquisition, and §67-2345 1(f) Pending Litigation

McCleary moved, seconded by Greenberg, to go into Executive Session to discuss Property Acquisition, pursuant to Idaho Code 67-2345 1(c) and Pending Litigation, pursuant to Idaho Code 67-2345 1(f), to discuss Croy Canyon Ranch Foundation property and compliance with their Service Agreement; and personnel, pursuant to Idaho Code 67-2345 1(b) to discuss employee dismissal or discipline. Roll call: McCleary (aye), Greenberg (aye), and Schoen (aye). Motion carried unanimously.

OPEN SESSION RESUMED

COUNTY PROJECTS and PRIORITIES, Discussion and Consideration

The BCC reviewed its projects and priorities.

Top priorities:

- Croy Canyon Ranch Foundation property.
- Road and Bridge funding.
- Rewrite Comprehensive Plan

Ongoing:

- Senior Care in transition phase.
- Close out Blaine Manor books. Deliver personnel files to Safe Haven. Disposition of Blaine Manor building and personal property.
- Groundwater Modeling Technical Advisory Committee.
- Blaine County Investment policy.
- Fleet Management.
- Mental Health Clinic provided by St. Luke's Hospital.
- Employee Handbook, including Anti-Discrimination Policy.
- External Communications, including Social Media.
- Veterans Tribute Project

Inactive On Hold:

- Greenwaste composting.
- Light Industrial Rezone.

Economic Development:

- Local investment mechanisms.
- Discuss potential ideas and projects for economic development.

Land Use:

- Ohio Gulch Transfer Station Road on acquired property at construction and demolition pit.

Emergency Communications

- Dispatch capital needs

The BCC suggested Projects and Priorities be updated on a quarterly basis.

APPROVAL OF BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

- **September 10, 2013 Regular Meeting**

McCleary moved, seconded by Greenberg, to approve the Board of County Commissioners meeting minutes of September 10, 2013, as amended. Motion passed unanimously.

ADJOURN

At the hour of 5:00 p.m., the BCC finding no more business before them adjourned.

Attest: _____ Approved _____
JoLynn Drage Lawrence Schoen
County