

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

Third Day

Tuesday, October 18, 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, Commissioner Lawrence Schoen; County Administrator Derek Voss; County Clerk JoLynn Drage; Operations Director Char Nelson; Recording Secretary Sunny Grant; and *Idaho Mountain Express* reporter Kate Wutz.

Vice Chairman Bowman was absent from today's meeting.

Chairman McCleary called the meeting to order at 9:07 a.m.

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 No. 12-10-02**
- **Case No. 12-10-03**
- **Case No. 11-08-058**
- **Case No. 11-09-060**

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

Schoen moved, seconded by McCleary, to convene in Executive Session pursuant to Idaho Code 67-2345 1(d) to consider indigent medical applications. Schoen (aye), and McCleary (aye). Motion carried 2/0.

OPEN SESSION RESUMED

Schoen moved, seconded by McCleary, to accept notice of cancellation of hearing and final determination of denial on Case #11-09-060. Motion carried 2/0.

Schoen moved, seconded by McCleary, to accept notice of cancellation of hearing and final determination of denial on Case #11-09-061. Motion carried 2/0.

Schoen moved, seconded by McCleary, to deny Case #12-10-002, based on staff recommendations. Motion carried 2/0.

Schoen moved, seconded by McCleary, to deny Case #12-10-003, based on staff recommendations. Motion carried 2/0.

Schoen moved, seconded by McCleary, to approve Case #11-08-058, with a \$150 monthly reimbursement, based on staff recommendation. Motion carried 2/0.

COUNTY DEPARTMENT REPORTS, DISCUSSION and CONSIDERATION

County Clerk – JoLynn Drage

- Absentee voting is now going on for all city elections.
- Blaine County GIS Program Manager Joel Hall will begin working on new commissioner districts. Redistricting must be done by the end of December.
- Redistricting committee voted unanimously to adopt the LA 87 legislative map, which keeps Blaine County whole.

Claims – Schar Boyd

- First FY2012 Payments
- Approval on all County credit cards

Schoen moved, seconded by McCleary, to approve claims dated October 13, 2011, plus two additional claims, one from Blaine Manor for \$206,000 for operations; and the other from Keller and Associates for \$5,000. Motion carried 2/0.

County Administrator – Derek

- An updated revenue report from Land Use shows a slight upswing.
- Blaine County is discussing two standing Warm Springs Road agreements with the U.S. Forest Service. The Master Agreement is pretty good and can remain in place. The Road Maintenance Agreement is based on use, and needs some work. The Forest Service will do vehicle counts for the next couple years, in anticipation of doing some work on the road.

- Met with Emergency Medical Service providers regarding their contracts. The new agreements are much better at capturing roles, responsibilities, and expectations. The contracts will be before the BCC in early November.
- The BCC can discuss interfacility transfers at that time. If St. Luke's takes over interfacility transfers, there may be a decrease in revenue. There is not enough information currently to consider altering the budget at this time.
- St. Luke's is currently figuring out their service model. There is some concern that St. Luke's will lure emergency service employees away from the current service providers.
- Clerk and Administrator are going to devise a fleet management program for the County.
- The Gun Club has leased five acres of County property south of Bellevue for \$1 acre for a number of years. There are some liability concerns. The Administrator is working on a revised agreement. He will also check with Land Use to see if the five acres is included in the list of county-owned property.
- Blaine County owns 1/2 acre in Carey next to the school. The land is currently used as a parking lot, and the School District is interested in acquiring the land.
- Upcoming Leadership Team Meeting will focus on customer service and communications. Voss is developing a draft mission and values statements that can be tied back to the BCC's mission to give the Leadership Team clear purpose.

Operations – Char Nelson

Also present: Blaine County engineer Jim Koonce.

- There is a long-time flooding issue in the Indian Creek/Northridge Subdivision area. Water coming down Hiawatha Canal and Indian Creek naturally ponds on the west side of ITD right-of-way. Since the development of Northridge, the water freezes and backs up the stream, flooding Northridge properties. The problem is the result of poor development and Hailey planning decisions. Hailey would like the county's help for a potentially hazardous problem. The BCC is not willing to participate until all parties work together toward a solution.

BOARD REPORTS, DISCUSSION and CONSIDERATION

Wood River Wolf Project – Schoen

Two recent meetings of the Wood River Wolf Project described 2011 as a successful year for non-lethal wolf management. Some new practices were implemented, including roving investigative teams in response to possible wolf activity. The Wolf Project and Defenders of Wildlife will continue outreach to ranchers, with the hope that more livestock producers and volunteers will be involved in coming years.

Behavior Health Interagency Cooperative Meeting – McCleary

Meetings are focused on looking at what services could be transferred from the state level to county or regional responsibility. Local assistance makes more sense, but not if individual counties don't have resources to provide the services.

The Behavior Health group is also working on outcomes and measurements.

Senior Connection and Croy Canyon Ranch Foundation – McCleary

The Senior Connection and Croy Canyon Ranch Foundation recently met with the goal of better understanding both organizations.

All three senior care organizations—Senior Connection, Croy Canyon Ranch Foundation and Blaine Manor—will meet in the near future to formulate a partnered vision of senior care in Blaine County and their individual roles in the vision.

Blaine Manor and Croy Canyon Ranch Foundation Meeting – McCleary

Blaine Manor and Croy Canyon Ranch Foundation (CCRF) met to discuss possible solutions for the end of the current Blaine Manor levy. They would like the BCC to consider another levy, possibly permanent. The BCC has to determine what role the County should play in senior care.

New Blaine County Board of Commissioners Regular Meeting Schedule – McCleary

The BCC is discontinuing its regularly scheduled Monday meetings. The BCC will publish its regular weekly BCC meeting schedule for Tuesday of each week for the rest of 2011.

CONSENT CALENDAR

- **Beverage License transfer from Albertson's Fuel Express #130 to Stinker Store #111**
- **Syringa Networks Telecommunications AgreementRecord #591765**
- **Consolidated Emergency Communications Agreement with the City of Sun ValleyRecord #591398**

Schoen moved, seconded by McCleary, to adopt the Consent Calendar for October 18, 2011. Motion carried 2/0.

APPROVAL OF BOARD MEETING MINUTES

• October 11, 2011 Regular Tuesday Meeting

Schoen moved, seconded by McCleary, to approve the meeting minutes of the regular Blaine County Commissioners meeting of October 11, 2011, as amended. Motion carried 2/0.

CONSIDERATION OF WRITTEN ORDER VALIDATING A SECTION OF EAST FORK ROAD

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves.

Schoen moved, seconded by McCleary, to approve an order of the BCC validating a section of East Fork Road within Blaine County as a county road and public highway, pursuant to Idaho Code §40-203a with survey attached. Motion carried 2/0. Record #591397

CONSIDERATION OF WRITTEN DECISION AFFIRMING DECISION OF LAND USE ADMINISTRATOR - UPPER BOARD RANCH

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves.

Schoen moved, seconded by McCleary, to approve the BCC decision on appeal in the matter of Sun Valley Long-Term Holdings LLC, pursuant to a public hearing held on September 13, 2011, concerning the platting of lease tracts on Upper Board Ranch in Warm Springs Canyon. Motion carried 2/0.

AMEND AGENDA

Schoen moved, seconded by McCleary, to amend the October 18, 2011 Blaine County Commissioners agenda to include consideration of work order for survey for certain areas of land at the Ohio Gulch Transfer Station BLM Recreation and Public Purposes Act. Motion carried 2/0.

BLM RECREATIONAL AND PUBLIC PURPOSES ACT (R&PPA) TRANSFER AT OHIO GULCH

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves.

This is a work order for the Southern Idaho Solid Waste District to contract for additional survey work needed for the placement of a road and fencing for land newly acquired under R&PPA. Funds are budgeted to cover the work order. Graves is okay with the contract that includes the work order.

Schoen moved, seconded by McCleary, to approve a work order with URS to survey certain areas of land at Ohio Gulch Transfer Station, not to exceed \$2,715. Motion carried 2/0.

PROCLAMATION OF NATIONAL RED RIBBON WEEK October 22-30

Also present: Blaine County Drug Coalition (BCDC) Project Coordinator Leah Fredback, and Idaho Drug Free Youth Coordinator David Horras.

Schoen is the BCC liaison on the Community Drug Coalition and serves on the Board of the Drug Coalition.

The BCDC has 76 students regularly attending meetings and participating in healthy living programming. They voluntarily drug test. The BCC expressed its enthusiastic support of the Drug Coalition's goals.

Schoen moved, seconded by McCleary, to approve Blaine County Proclamation 2011-02, a proclamation recognizing National Red Ribbon Week in Blaine County and nationwide. Motion carried 2/0. Record #591395

AIRPORT PROJECT UPDATE AND DISCUSSION

• Strategic Framework

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

The FMAA has an upcoming joint meeting with the Bellevue City Council. The FMAA will update the public on the airport project, including recent events with the EIS. The FMAA and BCC need to formulate a strategic framework, which is probably going to take some time, and needs to address affordability to the community.

The BCC, who are members of the FMAA, would like to work with Hailey City Councilmembers to build a strategic framework. The BCC feels the community should start with a vision for community transportation in Blaine County, and then move toward details of a regional airport. McCleary will draft a clear outline of what this strategic framework could look like.

EXECUTIVE SESSION Idaho Code §67-2345 1(F) Pending Litigation

Schoen moved, seconded by McCleary, to go into Executive session, pursuant to Idaho Code §67-2345 1(f), to discuss with legal counsel the legal ramifications of and legal options for pending litigation. Roll call: Schoen yes, and McCleary yes. Motion carried 2/0.

OPEN SESSION RESUMED

EMERGENCY COMMUNICATIONS MEDIATION UPDATE AND DISCUSSION

Also present Blaine County Chief Deputy Prosecuting Attorney Tim Graves, County Emergency Communications Director Beth English, and County Welfare Director Wilma Colter.

Blaine County received requests for mediation before the E911 Commission from the cities of Hailey and Sun Valley. The E911 Commission's decision will affect all jurisdictions in Blaine County, and should clarify the parameters of the county emergency communications system going forward.

McCleary moved, seconded by Schoen, to direct the County Attorney to draft a letter to the E911 Commission informing them that Blaine County accepts the two requests for mediation. The two requests for mediation address two issues: First, whether cities should have to pay all costs of operating the emergency communications system; and, secondly, on what basis cities should have to pay. Since this decision affects all Blaine County jurisdictions, all jurisdictions should be party to the mediation, and accept the decision of the E911 Commission on how all parties are to participate. Motion carried 2/0.

All jurisdictions will be copied on the letter requesting mediation before the E911 Commission.

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

Schoen moved, seconded by McCleary, to reenter Executive Session to consider discussion on indigent medical application. Motion carried 2/0.

BREAK

LAND USE AND BUILDING SERVICES HEARINGS

- **Rotarun Ski Club Request to Extend 2008 Approval:** A public hearing on and consideration of an extension request for the **Rotarun Master Plan** approved June 17, 2008 in which **Rotarun Ski Club Inc.** proposed to install a seven (7) tower chairlift, snowmaking, and to use the day lodge building. The subject property is owned by Blaine County and leased to the Rotarun Ski Club Inc., a nonprofit community organization. The ski area, approximately 30 acres, is zoned Recreational Development District (RD) with areas of Mountain Overlay District and is located approximately 2.5 miles west of Hailey in Croy Canyon. The property is adjacent to BLM land on Parcels B & D of the Sage Springs Subdivision, within Sections 17, 19, & 24, T2N, R17E, BM, Blaine County, Idaho.

Also present: Blaine County Land Use Administrator Tom Bergin, Code Compliance Specialist Megan Stelma, and County Planner Kathy Grotto; Rotarun Ski Club President Jeff Smith, Board Members Jolyon Sawrey and Fritz Haemmerle, and Administrative Assistant Eric Wesley; Sage Spring Homeowners Association representatives David and Judy Harrison; Sage Spring homeowner Lance Meller; Ceisha Judd, and Sarah Valetine.

Stelma read posted notice.

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

In 2008, the BCC approved a Master Plan for Rotarun under Recreational Development standards. Condition #1 required the applicant to complete the lodge and improvements within three years. If not completed three years from BCC approval, the BCC may grant an extension with a publicly noticed meeting. The Staff Report contained all conditions, those already met and those outstanding.

Rotarun is experiencing financial challenges. Many projects in the Master Plan have been completed, but some are on hold since the first priority is maintenance and life safety. Another priority is better relations with neighbors. A new administrative assistant is working toward better organization and management practices. The Ski Club has been reinstated, which will reactivate patrons and elicit more participation.

PUBLIC COMMENT

Judy Harrison said nice things are happening at Rotarun. Rotarun dug a huge hole (without confirmed water rights) and the resulting pond created a huge mosquito problem. A letter from Sage Spring regarding water rights at Rotarun is Exhibit C1 of the Rotarun application.

Homeowners president Lans Miller said Rotarun was the best it's ever looked. He thanked Rotarun for their prompt reaction to the mosquito problem.

CLOSE PUBLIC COMMENT

Rotarun is required to provide proof of water right before they begin to install snowmaking infrastructure. Rotarun applied for a domestic right to use water for snowmaking; Sage Springs objected to the permit. IDWR approved a final order approving the permit for domestic use for snowmaking, which is limited to 13,000 gallons/day. The well had to be drilled within one year, but Rotarun did not have adequate funding to comply with the permit. Rotarun continues to explore more comprehensive use of water, including an irrigation right for snowmaking. Rotarun approval required

Sage Springs to install compatible stub-out and water supply for snowmaking equipment at Rotarun and provide 150-gallon-per-minute water supply for, among other things, snowmaking at Rotarun.

The “lodge” is currently being used as a storage building. When it changes use, it will be brought into compliance with occupancy code.

Blaine County Rec District has given advice and offered assistance, but is unable to offer financial help at this time.

The application includes an outline of a three-year extension. Most of the conditions are either completed, or ongoing. Rotarun knows they need to demonstrate a water right for snowmaking before beginning any snowmaking-related construction .

Schoen moved, seconded by McCleary, to extend the approved Rotarun Ski Club Recreational Conditional Use Permit for one additional year from the date of signed Findings, and add a condition that no additional snowmaking infrastructure shall be installed or developed pending the securing of a permit for access to water. A condition of this approval is that, within five months of the date of signed Findings, a plan meeting Condition #2 Timeline for Commencement of Conclusion of Improvements Proposed shall be provided to the Board of County Commissioners in a public hearing setting. Motion carried 2/0.

LAND USE AND BUILDING SERVICES DISCUSSION AND CONSIDERATION

- **Transcript waiver for the Life Church Appeal**

Also present Zoning Specialist Nancy Cooley.

The Life Church is appealing one condition of their Conditional Use Permit approved to build on property north of Albertsons. Staff supports The Life Church’s request to waive the transcript required to make the appeal. The BCC concurred.

FINDINGS OF FACT

- **Morrow Stream Alteration Permit**

Schoen moved, seconded by McCleary, to approve the Findings of Fact, Conclusions of Law and Decision in the application of David Morrow for a Stream Alteration Permit on the Big Wood River. Motion carried 2/0.

ADJOURN

At the hour of 2:45 p.m., the BCC finding no more business before them adjourned.

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