

**OFFICE OF THE BOARD OF COUNTY COMMISSIONERS
OF BLAINE COUNTY
REGULAR MEETING OF THE OCTOBER 2014 SESSION**

Third Day

Tuesday, October 21, 2014

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 Jacob Greenberg, Commissioner Angenie McCleary; County Administrator Derek Voss; County Clerk JoLynn Drage; and Recording Secretary Sunny Grant.

Commissioner Greenberg was absent until 9:10 a.m.

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

PUBLIC COMMENT - NONE

Wood River High School Advanced Placement Government student Kenya Schott was present for part of the morning meeting.

COUNTY DEPARTMENT REPORTS, Discussion and Consideration

Operations Director – Char Nelson

- The County's Recycling department is meeting with schools and local clubs in preparation for America Recycles Day.
- **County gravel pit grazing lease**
A landowner adjacent to the County-owned Carey gravel pit would like to lease the property for grazing. Staff is researching fair market value and the county attorney is considering legal issues. The County does not need the whole 80-acre property and the gravel pit will last at least 50 years. Leasing the property may offset irrigation district cost. There is fencing to divide grazing from gravel pit operations. The lessor will maintain the fence and irrigation equipment, and would be responsible for liability. The BCC supports leasing the property.

Land Use – Tom Bergin

• **Bellevue Annexation**

Also present: Bellevue residents Kristin Fletcher and Diane Shay; Hailey City Attorney Ned Williamson.

The City of Hailey surveyed residents of Hailey, Bellevue and the Wood River Valley at a recent town meeting on the Bellevue Annexation. Citizens expressed concerns about how the proposed annexation will impact Bellevue, Hailey and the entire valley. The Blaine County Recreation District's bikepath runs west of the annexation and a future hillside trail is on the east side of the annexation. The area on the eastern side is in the Mountain Overlay zone and possibly avalanche zone, but Bellevue has designated it residential. The northern part of the annexation area is close to the airport and this proximity could cause impacts on both the development and the airport. Public process is important to all residents throughout the Wood River Valley.

Bellevue adopted an Area of City Impact, which was never adopted by Blaine County.

PUBLIC COMMENT:

- Bellevue resident Kristin Fletcher said the area proposed for annexation would be a mile-long strip development in the gateway to the Wood River Valley.
- Hailey City Attorney Ned Williamson said this is potentially a gigantic land issue in Blaine County. Hailey's concern is the speed of annexation and lack of discussion about potential issues, including big box stores.
- Bellevue resident Diane Shay has the same concerns. She is particularly concerned that Bellevue will not adequately scrutinize the development agreement, which could result in negative impacts on Bellevue taxpayers.

The BCC directed Land Use to draft a letter expressing countywide concerns about economic, visual and neighboring use impacts, hillside development, multimodal transportation and emergency services, etc.

• **Land, Water and Wildlife Levy Program**

Also Present: Blaine County Land Use Administrator Tom Bergin; and Blaine County Land, Water and Wildlife Levy Advisory Board Coordinator Clare Swanger.

The BCC received telephone calls and emails from the non-profit agency partners concerned about the Land, Water and Wildlife Levy process and timeline, particularly with respect to the Rock Creek Ranch application. The BCC considered discussing this in Executive Session later this meeting; but decided that wasn't needed.

Greenberg said LAB members were working with the BCC in considering the County's best interests. He saw no reason to discuss LAB members or the process in executive session. He felt the Rock Creek document was complete and thorough. Bergin didn't think the LWW process needed a wholesale

reevaluation, but the BCC may want to review some criteria and timeline components.

The LWW levy program was structured to benefit the residents of Blaine County by partnering with non-profits for conservation expertise and easement management. The BCC agreed that a small group could be formed to address LAB and non-profit grievances and structure of the program.

County Administrator – Derek Voss

County Projects Report

- Safe Haven’s transition out of the Blaine Manor building to its Bellevue facility is on track. They have a new medical director. A survey of complaints and Safe Haven responses is available online. Doctors are caring for their patients. Blaine County residents have a higher level of expectation, and Safe Haven’s return on investment will be significant.
- Requests for Proposal on an appraisal of the Blaine Manor building should be done by mid-January.
- McCleary is working with Health and Welfare to find a local Blaine County designated examiner. County staff are currently reviewing a potential contract with a group of counselors interested in serving as the County’s DE.
- Voss and Greenberg attended an Emergency Communications Technology Summit last week.
- Former Idaho U.S. Representative Mike Simpson is running again for Congress and, if elected, will reintroduce Central Idaho Economic Development and Recreation Act (CIEDRA) for the Boulder-White Cloud Mountains. Blaine County should stay aware of this and the national process, and keep pressure on Washington.
- The BCC can begin to formulate a Road and Bridge Levy strategy in early November. Greenberg will talk to Idaho Association of Counties to determine if Idaho Legislature will consider an increase in the fuels tax and other potential funding possibilities.
- Greenberg is in discussions with the Sheriff and County Clerk on cost-benefit of a local fuel depot. He wants to develop a cost-benefit format for similar projects.
- Blaine County Capital Plan will develop as other projects develop.
- Voss will present an outline for an organizational review process at an upcoming Leadership Team meeting.
- Three public defender contracts have been received. Greenberg will contact the remaining public defender, Keith Roark, about his office’s automated reporting system.
- Blaine County’s Rights-of-Way Policy will be upgraded to high priority.
- Blaine County’s Comprehensive Plan rewrite is underway.
- Schoen reported the South Gateway developer has new financial information available.

BOARD of COUNTY COMMISSIONERS REPORTS, Discussion and Consideration

Blaine County Regional Transportation Committee Wildlife Crossing Committee – McCleary

The Wildlife Crossing Committee has three recommendations:

- Ask the Blaine County Regional Transportation Committee to recommend ITD erect four signs at two locations on State Highway 75, at Gimlet and south of Bellevue.
- Research an animal motion detection system. The BCC supported the committee’s request for an aerial map from Blaine County GIS that will define the motion detection area.
- Ask ITD Maintenance to use the variable message sign to notify public about the presence of wildlife.

Idaho Public Safety Technologies Summit – Greenberg and Voss

Also present: Blaine County Emergency Communications Director Robin Stellers.

County staff attended the technologies summit, hosted by Homeland Security, the Idaho Sheriffs Association and Idaho Association of Counties, to discuss “next generation” E911 emergency communications. Greenberg tried to focus counties’ discussion on leadership in reestablishing interoperability systems, statewide coordination and funding. Homeland Security is looking for state participation and funding.

FirstNet is a federally-mandated public safety network that’s being implemented throughout the country. States can choose to opt in or not, but, if they opt out, they still have to provide a service to meet federal criteria. If the state goes with FirstNet, the federal government will pay the upfront cost, and charge the state an annual subscription fee. Blaine County has to thoroughly research FirstNet and alternatives.

Emergency Communications – Greenberg

First responders, the school district and other community stakeholders discussed the Ebola virus and infectious disease preparedness. Blaine County has a lot of people come here from outside the state and country. Emergency responders will develop a protocol for how to proceed when there is suspicion that someone has an infectious disease. A tabletop exercise is scheduled for next week.

CONTRACTS, GRANTS AND AGREEMENTS, Discussion and Consideration

- **ABL Management Agreement for Provision of Meals for the Blaine County Jail** Record #622334

The Blaine County Jail has a long-standing relationship with ABL Management. The contract amount

includes a small CPI increase.

McCleary moved, seconded by Greenberg, to approve an agreement between Blaine County and ABL Management, Inc. Food Services for inmate meals. The contract specifies the cost of meals and includes a 2.3% CPI increase. Motion passed unanimously.

- **Contract for Services with Stanley Construction** Record #622623
There are no material changes from last year. The terms are the same.

Greenberg moved, seconded by McCleary, to approve a Contract for Services between Blaine County and Stanley Construction Snowplow Services to plow County roads in the Smiley Creek area and specific streets, at \$90.00 hour. Motion carried unanimously.

- **Lease Agreement with National Alliance on Mental Illness (NAMI)** Record #622137
NAMI occupies space in the Blaine Manor building. They have provided evidence of insurance and pay a portion of the building’s utilities. This part of the Blaine Manor building would otherwise be unoccupied, so the contract benefits the County.

McCleary moved, seconded by Greenberg, to approve a lease agreement between Blaine County and National Alliance on Mental Illness. The agreement specifies terms of the lease: rent is free; and tenant pays utilities and provides own insurance. Motion carried unanimously.

- **CH2O System Survey/Products and Services Provided** Record #622610
CH2O provides chemical testing and inspection services on a monthly basis in the Public Safety Facility and Annex.

Greenberg moved, seconded by McCleary, to approve the contract between Blaine County and CH2O System Survey/Products, for furnishing, delivering and inspecting chemicals for water treatment for \$161.12 month. This is the first increase in a number of years. Motion carried unanimously

- **Cooperative Agreement between the Blaine County Waterways Program and West Magic Recreation Club** Record #

The West Magic Recreation Club and Blaine County have an annual cooperative agreement to each provide six months of cleaning and maintenance on restrooms and septic system. Restrooms are open to the public.

McCleary moved, seconded by Greenberg, to approve a cooperative agreement between the Blaine County Waterways Program and West Magic Recreation Club for various maintenance activities, including maintaining the restrooms, for \$990.16. for the season. Motion carried unanimously.

- **Memorandum of Understanding between Blaine County Idaho and PC Recyclers of Idaho** Record #

PC Recyclers picks up non-computer components and other electronics (“e-waste”) at Ohio Gulch. There is no monetary value, but PC Recyclers does provide a service to residents of Blaine County.

Greenberg moved, seconded by McCleary, to approve MOU between Blaine County and PC Recyclers of Idaho for collection and pick-up of non-computer electronic equipment at Ohio Gulch Recycle Center. Motion carried unanimously.

- **Blaine County Annex Janitorial Agreement** Record #622279

Blaine County has a long-standing relationship with Warren and Tina Sturgeon for janitorial services of the Annex building. This contract covers daily cleaning of the Annex and annual floor waxing, and includes a 3% increase.

McCleary moved, seconded by Greenberg, to approve a contract between Blaine County and Warren and Tina Sturgeon for janitorial services in the Annex for \$2,832.50/month. Motion carried unanimously.

- **Blaine County Public Safety Facility Janitorial Agreement** Record #622179

This long-standing janitorial agreement is with Allstar Properties for cleaning the Public Safety Facility, including dispatch and patrol area. The contract includes a 3% increase.

Greenberg moved, seconded by McCleary, to approve an agreement with Allstar Properties for janitorial services in the Public Safety Facility for \$4,071.38/month. Motion carried unanimously.

- **Public Defender Contract with Doug Werth** Record #622141

This is the revised public defender agreement that the BCC negotiated with returning public defenders. Werth’s contract is for November and December, 2014.

McCleary moved, seconded by Greenberg, to approve a public defender contract between Blaine County and Doug Werth for public defense for November and December, 2014. The approved agreement stipulates terms and cost of \$27,246 per month for each month, plus any charges for extraordinary cases. Motion carried unanimously.

REQUESTS for CANCELLATION OF TAXES, Discussion and Consideration

Also present: Blaine County Assessor Valdi Pace and Chief Deputy Assessor Martha Heuston; County Treasurer Vicki Heuett; Sun Club attorney Michael Donovan and Sun Club Board member Kevin Cronin.

• Parcel RPH2N18009058A - The Sun Club

The Sun Club requests cancellation of 2013 property taxes. The Sun Club experienced unanticipated construction costs and treasurer turnover in the last couple years, resulting in a past-due bill for 2013 property taxes and interest, and didn't realize they had to apply annually for exempt status. No part of the Sun Club facility is used for commercial purposes.

Greenberg moved, seconded by McCleary, to cancel taxes, interest and late fees on Parcel RPH2N18009058A for calendar year 2013 in the amount of \$3,708.84. Motion carried unanimously.

OLD COUNTY COURTHOUSE CONSTRUCTION UPDATE, Discussion and Consideration

Also present: Old Blaine County Courthouse renovation project Architect Steve Trout, Kreizenbeck Constructors Courthouse Project Manager Graham Estep; and Kreizenbeck Constructors Courthouse Project Superintendent Robert Wheeler; Blaine County Planning and Building Assistant Michele Johnson.

Change Orders – No new change orders at this time.

Update

- APR-20: (Architect Price Request) for paint and flashing to correct damage and mitigate future damage to the roof and brick above the covered walkway, The new roof design will permit snow to slide off the building roof onto the roof of this covered walkway. The brick will be painted with elastomeric paint (waterproof, flexible paint). Trout explained the proposed process to the BCC and said they were waiting for detailed cost from Wright Brothers.
Schoen said elastomeric paint keeps moisture out and also traps moisture in. Kreizenbeck said elastomeric paint would just be used on a small band where snow lands and moisture could sit.
- APR-19 – masonry repair behind the flashing. The project mason is currently busy on another project.
- ASI (Architectural Supplemental Instruction) to do masonry repair, when they find a mason.
- ASI-1 for Acoustic tile ceiling vs. sheetrock vs coffered ceiling in the Old Courthouse. The BCC chose sheetrock for the Old Courthouse third floor main lobby and offices. .

Blaine County Clerk JoLynn Drage thanked construction crews for arranging directional signs and personally directing voters to the correct door to early voting in the OCC basement.

Approval of BOARD of COUNTY COMMISSIONERS MEETING MINUTES

• September 18, 2014 Special Meeting

McCleary moved, seconded by Greenberg, to approve September 18, 2014 Regular BCC Meeting minutes, as amended. 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 Director Brooke Baird.

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

OPEN SESSION RESUMED

McCleary moved, seconded by Greenberg, to deny Medical Indigent Application for Assistance Cases #2014-56 and 2014-53, based on staff recommendation. Motion carried unanimously.

McCleary moved, seconded by Greenberg, to approve Medical Indigent Application for Assistance Cases #2014-35 and #2014-29, with each paying a \$25 monthly reimbursement, based on staff recommendation. Motion carried unanimously.

McCleary moved, seconded by Greenberg, to approve Medical Indigent Application for Assistance Case #2014-33, with a \$100 monthly reimbursement to be re-evaluated in a year, based on staff recommendation. Schoen opposed. Motion carried 2/1.

LAND WATER AND WILDLIFE LEVY PROGRAM SPECIAL MEETING

Schoen announced that tonight's special meeting regarding the Rock Creek Ranch project has been cancelled. The LWW program application has been withdrawn.

BALLOT COUNTING DEVICE LOGIC AND ACCURACY TEST

(First Floor Meeting Room, Blaine County Annex)

County Commissioners observed the ballot counting device logic and accuracy test. All processes were

accurate and approved.

BREAK

LAND USE AND BUILDING SERVICES HEARINGS

- **Title 9 Text Amendments - Wireless Facilities:** A public hearing and consideration of County-initiated amendments to Chapter 3, Section 16, Wireless Communication Facilities, of the Blaine County Code Zoning Regulations. Changes are proposed to sections 9-3-15-4: Requirements for Existing WCFs, 9-3-16-6: Permits Required, 9-3-16-7: Categorical Exclusions, and 9-3-16-8: Conditional Use Permit Procedure. The primary change allows replacement or addition of certain antennas and certain equipment shelters to be reviewed administratively as Categorical Exclusions. The Planning and Zoning Commission recommended approval of the amendments. Click here for Materials.

Also present: Blaine County Land Use Administrator Tom Bergin and County Senior Planner Kathy Grotto.

Grotto read notice.

Greenberg moved, seconded by McCleary, that notice was adequate. In discussion: Bergin advised the BCC that, as of July 1, the local airport must receive notice. Friedman Airport is considered a political subdivision in Blaine County, and, as such, has received regular notice sent to all political subdivisions for some time. **Motion carried unanimously.**

DISCLOSURES: NONE

In June, 2014, P&Z held a hearing on a CUP application for an additional antenna to one of the Picabo wireless towers. P&Z has heard several of these applications and never had any issues, and asked if staff could approve them administratively. This change to the ordinance would require a text amendment.

The current ordinance allows antennas up to a certain size to be added to existing cell towers in the Mountain Overlay District. Recent applications have been larger than allowed and had to apply for a Conditional Use Permit. There are usually other antennas on the towers, which are in a remote location and not particularly visible, and P&Z usually just approves them.

Staff drafted text amendments to allow the administrator to approve antennas within a certain size through a Categorical Exclusion request. The proposed text amendment includes the ability to expand the size of small computer equipment shelter buildings from 225sf to 625sf, and up to 15ft high. Grotto went through the proposed text amendments with the BCC.

P&Z suggested the shelter could only be expanded one-time, up to the maximum size. Staff thinks it would be difficult to keep track of one time only. Different cell phone companies could each request an expansion; or an applicant could request a larger shelter than needed since he only had one opportunity to expand. Staff suggested the restriction could be one 625sf shelter per tower. If an applicant wants more than the Cat Ex allows, they can apply for a CUP.

The ordinance is written to require a partial map going 1,000ft beyond the exterior boundary of the subject property; but staff believes that showing an area of 1,000 feet of the project location would be adequate for staff consideration.

Commissioners supported staff proposal. Schoen suggested, "One equipment shelter, not to exceed 625sf and a maximum height of 15ft, serving each tower."

PUBLIC COMMENT:

- Lisa Horowitz said the biggest issue is probably not the tower itself, but the damage done to the side of the hill or mountain during construction of the tower.

McCleary moved, seconded by Greenberg, to approve an application to amend Chapter 3 Wireless Communication Facilities of Blaine County Zoning Regulations with a modification that expansion be "per tower" and eliminate the "one-time expansion", finding that these text amendments are in accordance with the Comprehensive Plan and do not have an adverse impact on potable water sources or to delivery of services to any political subdivision. Motion carried unanimously.

RESOLUTION 2014-30, Supporting Blaine County Community Bicycle and Pedestrian Master Plan, Discussion and Consideration

Also present: Lisa Horowitz; Mountain Rides Executive Director Jason Miller and Mountain Rides Bike/Pedestrian Coordinator Kaz Thea.

During workshops on the Blaine County Transportation Plan, residents asked for a more multi-jurisdictional plan for countywide multi-modal transportation. The Blaine County Regional Transportation Committee formed a subcommittee to draft a Blaine County Bicycle-Pedestrian Master

Plan, which is currently being presented to local jurisdictions.

The Master Plan is designed to be a vision, and is not binding on any jurisdiction. The Plan will offer guidelines on how to provide better connectivity throughout Blaine County and its cities, and include standards for infrastructure to provide safe and efficient bicycle-pedestrian mobility. Mountain Rides will facilitate project needs in the community, based on need and public input.

McCleary moved, seconded by Greenberg, to approve Resolution 2014-30 of Blaine County, Idaho, approving and adopting the Blaine County Bicycle and Pedestrian Master Plan. In discussion, the BCC thanked stakeholders and the consultant for their collaborative participation in the process. **Motion carried unanimously.**

COMMUNITY FOOD ASSESSMENT PRESENTATION, Discussion and Consideration

Also present: Hunger Coalition Executive Director Jeanne Liston; Hunger Coalition VISTA member Emily Slike; Food Assessment Steering Committee member Dr. Peter Curran; Blaine County Extension Educator Lauren Hunter; Brett Stevenson; and *Idaho Mountain Express* reporter Greg Moore.

The Hunger Coalition and Boise State University Public Policy and Research Center have been awarded two AmeriCorps VISTA members for three years to undertake a privately-funded Community Food Assessment. The Food Assessment will provide a clear picture of the community's food environment, policies and programs; and show how to improve food access, affordability and availability.

Plans and goals for the Food Assessment:

- Form a Food Security Assessment team to set goals and direct the process.
- Form an Advisory Team to connect with community organizations and individuals to work on specific tasks.
- Develop farm-school programs, including school gardens and nutrition education in the schools.
- Develop partnerships with regional farmers, local organizations and businesses to use available greenhouse and commercial kitchen facilities and develop additional permanent infrastructure for regionally-produced food collection, storage, process and distribution.
- Promote regionally-produced food markets, which will benefit producers, create jobs, improve the economy, and provide nutritious food to the community at a lower price.
- Encourage younger people to take up farming.
- Create curbside composting to reduce waste.

Blaine County's Comprehensive Plan supports agriculture. As Food Assessment data becomes available, the BCC looks forward to partnership with The Hunger Coalition and other community food resources .

EXECUTIVE SESSION - Idaho Code 67-2345 1(b), Personnel

Greenberg moved, seconded by McCleary, to go into Executive Session, pursuant to I.C. 67-2345, 1(b) to evaluate candidates for a public officer position. Roll call: Jacob Greenberg (aye); Angenie McCleary (aye); and Lawrence Schoen (aye). Motion carried unanimously.

ADJOURN

At the hour of 3:08 p.m., with no more business before them, McCleary moved to adjourn, seconded by Greenberg. Motion passed unanimously.

Attest: _____ Approved _____

JoLynn Drage
County Clerk

Lawrence Schoen
Chairman