

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

First Day

Tuesday, October 4, 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, Vice Chairman Tom Bowman; County Administrator Derek Voss; County Clerk JoLynn Drage; Operations Director Char Nelson; Recording Secretary Sunny Grant; and *Idaho Mountain Express* reporter Kate Wutz.

Commissioner Schoen was absent from today's meeting.

Chairman McCleary called the meeting to order at 9:02 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 #12-10-001.**

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

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

OPEN SESSION RESUMED

Bowman moved, seconded by McCleary, to deny Case #12-10-001, based on staff recommendations. Motion carried 2/0.

AMEND TODAY'S AGENDA

Bowman moved, seconded by McCleary, to amend the October 4, 2011 agenda to add two items to today's Consent Agenda: Resolution 2011-74 Bellevue Marshall Budget Adjustment, and the J-CORR Technologies, Inc. Standard Maintenance Agreement. Motion carried 2/0.

COUNTY DEPARTMENT REPORTS, DISCUSSION and CONSIDERATION

County Clerk – JoLynn Drage

- Absentee voting for all city elections will begin on October 12, if ballots are received by then.
- There are two payrolls for September 2011 that must be paid from the FY2012 budget, which necessitates Resolution 2011-74 Bellevue Marshall Budget Adjustment.

County Administrator – Derek Voss

- Will visit the South Gateway site with Commissioner Bowman, Land Use staff, Sustain Blaine representatives, and wastewater treatment plant representatives.
- Reviewed ambulance contracts with service providers. Will work through remaining details with Ketchum Fire Chief Mike Elle and Wood River Fire Protection District Chief Bart Lassman.
- The J-CORR Technologies, Inc. Standard Maintenance Agreement is a straightforward renewal contract,
- County emergency-related employees will take National Incident Management System (NIMS) disaster preparedness training classes. The County receives funding based on compliance with the training system. HR will track employees certified as a result of the training.

Operations Director – Char Nelson

- Researching County's obligation to plow the Picabo private/public use airport.
- Road and Bridge crews are working on Little Wood River Road, Fish Creek, and East Magic Road.
- Residents recently requested Gannett Road be restriped. County officials drove Gannett Road, and agreed there should be some kind of reflective delineators, at least in certain sections. Nelson will check into cost and durability of various reflective options.

BOARD REPORTS, DISCUSSION and CONSIDERATION

Hyndman Creek winter backcountry skiing parking – Bowman

When Jaspar Subdivision (Hyndman Creek area) was approved, the County committed to the public that it would work with the landowner and the Forest Service to help provide better parking for winter backcountry recreationists. Jaspar Subdivision owners will consider plowing farther down the road to allow a drop-off turnaround. However, nothing will happen until landowners are back in town, which means nothing is likely to happen this season.

Solid waste economic modeling – Bowman

Bowman is going to create a financial spreadsheet of Southern Idaho Solid Waste (SISW) financial data. Data from SISW director will enable the County to make informed decisions on recycling and its effect on the County’s budget.

BLM comment period for North Highway 20 Travel Plan – Bowman

Bowman would like to request BLM extend the comment period to November 23, 2011. Motorized enthusiasts have noted errors on the proposed BLM North Highway 20 Travel Plan. One person in particular has GPSd trails not on the map. Bowman will talk to BLM Shoshone Field Office Outdoor Recreation Planner John Kurtz to make sure this request is appropriate. McCleary expressed support.

Public Health Board meeting – McCleary

McCleary attended meeting last week. Finances are in order and programs are moving along.

Evans Senior Investments – McCleary

Evans Senior Investments buys and sells nursing homes around the country. If Blaine County is interested in selling Blaine Manor, Evans would appraise the property as a first step. Bowman thought this could lead to unnecessary anxiety. Voss agreed such consideration was untimely.

Idaho Association of Counties Meeting – McCleary

The Health and Human Services Committee received a letter from the University of Idaho suggesting the Extension program supported community health and county services by educating the agricultural community on better and healthier food production.

CONSENT CALENDAR

- **New Beverage License for Muleshoe Tavern**
- **Resolution 2011-73 Authorizing election precinct polling places to be set for the November 8, 2011 election Record #591019**
- **Consolidated Emergency Communications Services Agreement with Wood River Fire and Rescue Record #590997**
- **Resolution 2011-74 Bellevue Marshall Budget Adjustment Record #591020**
- **J-CORR Technologies, Inc. Standard Maintenance Agreement Record #591095**

APPROVAL OF BOARD MEETING MINUTES

- **September 13, and September 27, 2011 Regular Tuesday Meetings**
- **September 14 Special Meeting with the Land Water and Wildlife Levy Advisory Board**

Bowman moved, seconded by McCleary, to approve minutes of regular BCC meetings of September 13 and September 27, 2011, as amended; and special BCC meeting of September 14, 2011, as submitted. Motion carried 2/0.

EXECUTIVE SESSION Idaho Code §67-2345 1(a) Personnel

Bowman moved, seconded by McCleary, to amend the agenda for October 4, 2011 by moving 2:45 p.m. Executive Session to 9:45 a.m.; and also to go into Executive Session at this time, pursuant to Idaho Code §67-2345 1(a), to consider matters relating to personnel. Bowman (aye), and McCleary (aye). Motion carried 2/0.

AIRPORT RELOCATION DISCUSSION AND CONSIDERATION

Also present: Friedman Memorial Airport Manager Rick Baird; Blaine County Pilots Association President Jim Perkins; Pepin Corso Harris; Svea Grover; Len Harlig; Hailey City Councilman Don Keirn; and Oliver Whitcomb.

- **EIS suspension**
Friedman Memorial Airport Manager Rick Baird said the FAA indicated on July 22, 2011 that the draft EIS had been delayed for cost and wildlife issues. The notice of delay mentioned no time period. On August 22, 2011, the FMAA received a follow-up letter from FAA Northwest Mountain Region Airports Division Manager Donna Taylor. On September 13, Taylor explained that FAA had suspended the EIS process to allow Blaine County to review options for the existing site, and review the process to date.
- **Stakeholder meeting**
On September 14, Taylor met with stakeholders to answer questions.

Several Hailey city meetings allowed interested parties to meet with Hailey elected officials.

On September 27, FMAA, Blaine County and the City of Hailey held a joint public hearing to receive comments and discuss Taylor’s visits. Hailey has also published QandA information in their *Our Town* newsletter.

The BCC members are Blaine County’s representatives on the Friedman Memorial Airport Authority (FMAA).

A Hailey resolution preamble states, with support from the County, that all future Friedman Memorial expansion should be outside the valley, which, at this time, could be problematic, The FMAA may explore expanding the airport outside its existing fence, and if that could make the airport more reliable and more compliant with C3 standards.

The FAA wants to continue working with Blaine County, and is still committed to air service within the Sun Valley area. The FAA needs to know what the community really needs and wants in local air service.

McCleary offered to be the BCC liaison to work with the City of Hailey to create a strategic framework for future air service.

Bowman and McCleary discussed other topics they may want to raise at the upcoming Friedman Memorial Airport Authority meeting. Discussion topics:

- Include City of Bellevue. Suggest a joint meeting between the FMAA and City of Bellevue, or meeting with FMAA, Bellevue, Hailey and Blaine County.
- FMAA should not be looking at any other replacement airport sites at this time.
- FMAA should research cost of Friedman Memorial Airport maintaining open as just a general aviation airport.
- Can navigational aids be located outside the Friedman Memorial Airport fence?
- Are there new technology innovations that would improve Friedman's capability and reliability; and what would these cost?
- Even a scaled back airport is likely to cost more than the community can afford. What kind of air service does the community want; and what is the County's obligation.
- Grant assurances prohibit closing an airport, ever, if the airport is paid for with FAA money.

PUBLIC COMMENT:

- It is very important for visitors to be able to get to an area with a tourist economy. Airlines base routes on passenger numbers, and are cutting service routes all over the country.
- Flying here needs to be a good experience. Getting bussed here, particularly for families, is not a good experience.
- The FMAA must get broader participation in airport issues if they really want to know what the community wants. Residents must know all their options, and understand problems in order to establish a framework within which to make decisions. Everyone should understand that the airport represents jobs and money in the community.
- BCC and FMAA meetings may not be the best way to get broad public participation. Consider surveys, contests and other digital media to get residents involved.
- Bellevue residents, schools and businesses need to be included in conversation.
- It is important to consider the existing airport in the conversation.
- Economic loss in leakage to airports in Boise, Twin Falls and Salt Lake.

EMERGENCY COMMUNICATIONS MEDIATION REQUEST DISCUSSION AND CONSIDERATION

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves; Hailey City Councilman Don Keirn and Hailey City Attorney Ned Williamson; and Len Harlig.

City of Sun Valley requested mediation with Blaine County before the E911 Committee, with a focus on funding methodology. Sun Valley questions whether Blaine County's current methodology is fair, or if another methodology should be considered.

Graves said Idaho Code requires two local governmental entities who dispute governance of operations of consolidated emergency communications to submit the contested issue or issues to the E911 Commission, which would issue a non-binding recommendation. If the two parties don't agree to the E911 Commission's recommendation(s), they can go to court. Graves supported Sun Valley's request for mediation, even if the issues are not actually a dispute over governance or governance of operations.

Voss said Sun Valley was just one of several jurisdictions with related emergency communications concerns. The E911 Commission needs to understand that this is ultimately more than an arbitration between two or three parties. The Statute is not clear on what steps to take.

The BCC said other counties had similar problems. This was a topic at the Idaho Association of Counties Justice and Public Safety Committee at the last IAC conference. The IAC could devise a system to be submitted to the Idaho Legislature for enactment throughout the state.

The BCC will comply with Sun Valley's request for mediation. Graves will inform all Blaine County partners about Sun Valley's request for mediation, in case they want to participate in the mediation. There is no Statute deadline to initiate mediation. The E911 Board has 60 days to render a recommendation. Voss said Blaine County could take the lead by noticing all partners of the issues, and mediate in attempt to resolve the situation on behalf of the entire community.

PUBLIC COMMENT:

Harlig and Williamson said all jurisdictions would be affected by the outcome of the mediation. They encouraged the BCC to get all partners together for one mediation.

BREAK

LAND USE AND BUILDING SERVICES DISCUSSIONS AND CONSIDERATION

- **Stream Alteration Permit Application:** Public hearing on and consideration of a stream alteration permit application by **Sun Valley Trust** on the **Big Wood River** to remove a log jam in the mapped floodway. The project site is **Lot 20A Barlow Subdivision Amended**, also known as **6 North Fork Canyon Road**, approximately 7 miles north of Ketchum, T5N, R17E, Section 10, BM, Blaine County.

Also present: Blaine County Land Use Administrator Tom Bergin, Code Compliance Specialist Megan Stelma; Ed Simon and Steve Fisher, representing the applicant; and Don Jackson..

Stelma gave the posting notice.

Bowman moved, seconded by McCleary, that notice was adequate. Motion carried 2/0.

Stelma visited the site with Blaine County engineer Jim Koonce and County Commissioner Lawrence Schoen. The applicant is requesting permission to remove a large logjam from the Big Wood River, preferably this fall. The river splits in this area, and the east side of the split is completely blocked by logjam. The applicant can't begin work until they receive Idaho Department of Water Resources (IDWR) permit. The staff report requires a \$5,000 five-year performance bond, but Stelma said a two-year \$2,000 bond should be adequate.

The applicant's stream consultant said the logjam is a hazard. Gravel is already piling up at the logjam, and it's likely the river channel will change if the logjam is not removed.

PUBLIC COMMENT NONE

Bowman moved, seconded by McCleary, to approve the stream alteration permit application of Sun Valley Trust on the Big Wood River, with revised conditions that the bond is for two years and \$2,000, and the applicant can begin the project as soon as they receive IDWR permit. The standards of evaluation been met. Motion carried 2/0.

- **Plat Amendment of Little Acres Subdivision and Cottonwood Creek Subdivision.** Public hearing and consideration of an application by **William Bozzuto** to amend **Lot 3, Little Acres Subdivision and Lot 5A, Block 1, Cottonwood Creek Subdivision** by moving the boundary between the lots approximately 10 feet to the west in order to rectify an existing encroachment. The existing garage on Lot 3, Little Acres encroaches by roughly 6 feet into Lot 5A, Block 1, Cottonwood Creek Subdivision. Proposed Lot 3A, Little Acres is 0.99 acre, zoned R-1, and is located at **113 Grace Drive**; proposed Lot 5B, Block 1, Cottonwood Creek Subdivision is 17.81 Acres, zoned R-2 and R-5, and is located at **14 Cottonwood Creek Circle**. Portions of the lots are within the Riparian Setback District of the Purdum Slough. Both are within Section 29, T3N, R18E, BM, Blaine County, Idaho.

Also present: Blaine County Land Use Administrator Tom Bergin, County Planner Kathy Grotto; and Brian Yeager. representing the applicant.

Grotto gave the posting notice.

Bowman moved, seconded by McCleary, that notice was adequate. Motion carried 2/0.

This is a straightforward lot line shift between two lots. The current property line goes through an existing garage. Shifting the lot line about 10 feet to the west will fix the situation. No new development is proposed. The plat notes appear to cover all standard requirements.

The house has been there for a long time. If the County imposes updated setbacks, the house will be in the floodplain. Lot is non-conforming now, and staff saw no reason to increase the riparian setback to current requirements.

PUBLIC COMMENT – NONE.

Bowman moved, seconded by McCleary, to approve the application for William Bozzuto for a plat amendment to shift the lot line between Lot 3 of Little Acres Subdivision and Lot 5A Cottonwood Creek Subdivision, stipulating that the plat amendment criteria have been met and the criteria for subdivision have been met. Standard conditions included in the application will be part of the Findings. Motion carried 2/0.

FINDINGS OF FACT

- **Wood River Land Trust Draper Preserve Stream Alteration Permit and Floodplain Conditional Use Permit**

Bowman moved, seconded by McCleary, to approve Findings of Fact, Conclusions of Law and Decision on the Wood River Land Trust Draper Preserve Stream Alteration Permit and Floodplain Conditional Use Permit. Motion carried 2/0.

LAND USE UPDATE

McHanville – Blaine County Planner Kathy Grotto

Land use is processing an application for an ITD land swap for right-of-way by the hospital.

Hard Rock Ranch Tour – Land Use Administrator Tom Bergin

The BCC may want to take a tour of the wetlands restoration and stream alteration project.

Wood River Land Trust Draper Preserve Stream Alteration Permit and Floodplain Conditional Use Permit – Land Use Administrator Tom Bergin

The Land Trust was given permission to proceed with their stream alteration project ASAP. They want to remove trash from the stream channel while they have available volunteers.

Sun Valley Area of City Impact – Blaine County Land Use Administrator Tom Bergin

The City of Sun Valley has requested a joint meeting with the BCC regarding the Sun Valley Area of City Impact.

Mountain Overlay District – Blaine County Land Use Administrator Tom Bergin

P&Z Commissioners will discuss the Mountain Overlay District at their upcoming meeting. Land Use staff has been in contact with the P&Z Commissioners, and is unaware of any significant problems.

ANY OTHER BUSINESS BEFORE THE BCC

Picabo Cemetery District Letter to Governor – County Clerk JoLynn Drage

BCC will sign a letter drafted by the County Clerk to the Governor requesting his appointment of three individuals to the Picabo Cemetery District Board of Directors.

ADJOURN

At the hour of 2:21 p.m., the BCC finding no more business before them adjourned.

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