

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

Second Day

Tuesday, September 11, 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, Vice Chairman Tom Bowman, Commissioner Lawrence Schoen; 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 9:02 a.m.

Chairman McCleary called to remembrance the terrorist attack on the World Trade Center Twin Towers on September 11, 2001.

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

- **Cases #12-04-027, 12-04-107, 12-07-122, 12-08-136, 12-07-123**

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

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

OPEN SESSION RESUMED

Schoen moved, seconded by Bowman, to approve Application for Assistance Case #12-04-027, with a stipulation of repayment of \$25.00 month, based on staff recommendation. Motion carried unanimously.

Schoen moved, seconded by Bowman, to approve Application for Assistance Case #12-04-107, with a stipulation of repayment of \$25.00 month, based on staff recommendation. Motion carried unanimously.

Schoen moved, seconded by Bowman, to approve Application for Assistance Case #12-07-123, with a stipulation of repayment of \$25.00 month, based on staff recommendation. Motion carried unanimously.

Schoen moved, seconded by Bowman, to deny Application for Assistance Case #12-07-122, based on staff recommendation. Motion carried unanimously.

Schoen moved, seconded by Bowman, to approve Application for Assistance Case #12-08-136, based on staff recommendation. Motion carried unanimously.

COUNTY DEPARTMENT REPORTS, DISCUSSION and CONSIDERATION

Claims – Schar Boyd

- Deputy Auditor Schar Boyd presented the claims.

Schoen moved, seconded by Bowman, to approve claims dated September 6, 2012. There were no new claims. Motion carried unanimously.

COUNTY DEPARTMENT REPORTS, DISCUSSION and CONSIDERATION

Sheriff's Office – Gene Ramsey

- There are 60 inmates in jail today; 38 are Idaho Department of Corrections (IDOC).
- Sheriff is doing employee performance evaluations under the new HR procedure. The BCC will reach out as liaisons to offer guidance and return feedback to the BCC.

Clerk's Report – JoLynn Drage

Cafeteria Plan

- The cafeteria plan law for unreimbursed medical expenses has a new cap of \$2,500 as of January 1, 2013. The Clerk recommends making this change to \$2,500 during the FY2013 annual renewal period. BCC concurs.
- Looking for office space for the general election absentee voting.
- Auction last week for used County vehicles went very well. Attendance was good; all vehicles were sold, and for a higher price than anticipated.

Operations Director – Char Nelson

Waterways Budget Shortfall

Waterways Coordinator Lamar Waters said Waterways had exceeded its 2012 budget by about \$2,500. The department had to pay bills for seasonal maintenance on existing docks, and was short funds due to Forest Service budget cuts. The BCC agreed that equipment had to be cared for, or would incur even more expense. The BCC directed the Clerk to work with Operations to cover the shortfall with money from Waterways reserve.

- The Recycle Advisory Committee will place newspaper ads explaining the changes in the Blaine County recycle program. Flyers will be included in hauler and city water bills.
- Local jurisdictions are discussing where they will locate collection centers for glass.
- Deer Creek Bridge armament: Delays in the FEMA grant and actual funding have resulted in trying to get the job done before winter this year. The Army Corps' redesign of the Deer Creek Bridge has resulted in a \$5,000 change order.

County Administrator – Derek Voss

- Does the BCC want to nominate a BCC member at large to the Capital Crimes Commission?

PUBLIC HEARING - RESOLUTION 2012-33 - SHERIFF'S PROPOSED FEES INCREASE

Also present: Blaine County Chief Deputy Prosecuting Attorney Tim Graves, Sheriff Gene Ramsey; and Civil Administrator Ginger Clement.

State Statute allows the Sheriff to set civil fees to cover costs, provided the fees are approved by the County Commissioners. This resolution itemizes and clarifies items the sheriff serves; and raises a few of the fees.

PUBLIC COMMENT - NONE

Bowman moved, seconded by Schoen, to approve Resolution 2012-33 setting the Blaine County Sheriff fees. Motion carried unanimously.Resolution 2012-33 Record #600941

BLAINE COUNTY TRANSPORTATION PLAN DISCUSSION AND CONSIDERATION

Blaine County Operations Director Char Nelson; Road and Bridge Manager Tom Duffy; Land Use Administrator Tom Bergin; Senior Planner Kathy Grotto; Keller Associates structural engineer Brandon Keller; Regional Manager Ted Reynen; consulting engineer Jeff Loomis; District 4 Mobility Manager Vanessa Fry; Blaine County Recreation District Director of Trails and Facilities Eric Rector; Robert Blakeley; Linda Haavik; Steve Wolper; and Mountain Rides Executive Director Jason Miller; and Carl and Heather Johnston.

Chairman McCleary noted that the newspaper had published the wrong time for this meeting. The BCC scheduled a follow-up evening public meeting for September 24 at 6:00 p.m.

The five-year Transportation Plan provides an initial assessment of County roads, and gives the County a clear picture of future road and maintenance needs. Keller Associates and Galena Engineering formulated the transportation plan with input from a technical advisory committee, two open houses and public input. Local Highway Technical Assistance Council (LHTAC) provided grant funding for iWorks data asset management software that records County roads data.

Keller Associates engineer Brandon Keller and Regional Manager Ted Reynen presented the Transportation Plan to the BCC. The Plan focused on:

- Preserving the existing system with basic maintenance for asphalt and gravel roads;
- Maintenance on existing problems;
- Expanding the roadway system based on future needs; and
- Improvements that would enhance alternate modes of transportation such as bicycles, public transit and pedestrians.
- Bridges throughout the county overall are in very good shape.

Keller discussed plans to raise funding for the road system, including increased license plate fees, property taxes, and impact fees. Other possibilities are state and federal funding through Local Road Improvement Program (LRIP) and Surface Transportation Program (STP).

PUBLIC COMMENT:

- Linda Haavik asked about 10-year projections for gravel roads.

Public comment throughout the Transportation Plan development process and at public meetings focused on alternate transportation and recreational uses of the roads:

- Vanessa Fry asked the BCC to include mass transit and alternate transportation modes in the County's "Transportation" Plan. Cyclists use the roads to commute and move around, as well as recreate.
- State and federal agencies challenge communities to consider funding for "livability", which includes infrastructure to support healthier bike/pedestrian/transit modes of transportation.

- Demand for public access to public lands should be factored into road traffic volumes.
- Citizens commended the Transportation Plan on formally addressing recreation and recreation tourism as important to the County's economy. County policies should begin to develop a comprehensive bike-pedestrian plan with short- and long-term goals to attract year-round tourism.
- Mandate bike/ped-friendly road treatments, including wider shoulders and fog lines.

The BCC supported the Transportation Plan. It is more a road maintenance and needs assessment plan, but is a good start to begin formulating a Transportation Vision for Blaine County.

BREAK

ROAD AND BRIDGE PROJECT UPDATE

Also present: Blaine County Road and Bridge Manager Tom Duffy.

Duffy listed 2012 projects accomplished, including repairs and upgrades on Camp Creek Road, Gannet Road, Lava Lane Road and West Glendale Road.

The 2012 fall work plan includes gravel road updates and culvert maintenance.

Road and Bridge responds to customer calls with a site visit. Serious issues are integrated into the planned work schedule. Nelson commended the Road and Bridge department on responding to citizen reports.

The BCC commended Road and Bridge on doing an excellent job of maintaining County roads with limited funding. All road and bridge projects are on the County's website to keep the public informed of upcoming roadwork-caused detours and inconveniences. The crew tracks all roadwork in the iWorks program.

The BCC requested a discussion about cattle guards on County roads at an upcoming meeting.

PUBLIC COMMENT - NONE

RIGHT-OF-WAY ENCROACHMENT POLICY DISCUSSION AND CONSIDERATION

Blaine County Chief Deputy Prosecuting Attorney Tim Graves; Road and Bridge Manager Tom Duffy; Land Use Administrator Tom Bergin; Hulen Meadows Board of Directors member Richard St. Clair; Hulen Meadows residents Fred Beguin and Renata Beguin; and Linda Haavik.

Blaine County rights-of-way are dedicated to the public for the public's use. County Code defines use of rights-of-way, proper road drainage, and minimum right-of-way width to allow and facilitate safe roads in winter. Elements of a private residence (trees, bushes, stonework, fences, etc.) that encroach into the County right-of-way endanger people who walk or drive on the roadways, as well as County personnel and equipment:

- Limited sightlines are a year-round danger.
- Drainage issues deteriorate the roads and can cause flooding.
- Sprinklers across the road cause rutting and potholes, and are a hazard to motorists.
- Snowplow operators don't want to damage encroachments, and avoid those areas.
- Hulen Meadows residents complained that County chip sealing left behind large chips in privately-landscaped rights-of-way.

Duffy showed photos of actual encroachments, and the problems they cause. Residents who encroach and cause a safety concern are sent a letter of notice and explanation, including a deadline. The County has never fined a resident for encroaching into the right of way.

Blaine County Chief Deputy Prosecuting Attorney Tim Graves said dedicated roads are County property. The entire road width is maintained by the County. Some County roads have a prescriptive right, and may require a validation proceeding to establish the road as County property. RS2477 roads are defined by historical use. They are open for public use and benefit, and the County's maintenance obligations are minimal.

PUBLIC COMMENT:

- Hulen Meadows homeowners said there had been more ice problems this last year, perhaps due to weather conditions more than right-of-way encroachments.
- Some trees in the right-of-way are 50-60 years old and an asset to the subdivision and County.
- Trees that are big now are going to be even bigger in the future.
- Drainage problems in Hulen Meadows are caused by poor road design and construction without crowns more than right-of-way encroachments.
- Encroachments in the sightline endanger cyclists and pedestrians even more than motorists.

The BCC discussed options:

- The County needs to abide by its standards. A minimum right-of-way width should be established for safety, maintenance, snowplows and emergency vehicles. Blaine County residents should not

- be endangered by private encroachments.
- Blaine County crews do an excellent job of maintaining roads. Crews should not be subject to criticism based on private encroachments.
- If right-of-way encroachments are deemed to be unsafe, the County should negotiate gradual compliance within a reasonable period of time.
- Blaine County needs to be consistent throughout the county in dealing with all issues.
- Access to utility infrastructure is compromised by right-of-way encroachments.

The BCC directed the County Administrator and Operations and emergency staff to prepare an outline of recommendations for a future BCC workshop.

P&Z COMMISSIONER REAPPOINTMENT CONSIDERATION – MICHAEL O’FARRELL

Also present: Blaine County Land Use Administrator Tom Bergin; and Planning Assistant Michele Johnson.

Land use staff recommend O’Farrell’s reappointment. O’Farrell is willing to continue his appointment.

Bowman moved, seconded by Schoen, to appoint Michael O’Farrell to a three-year term on the Blaine County Planning and Zoning Commission. Motion carried unanimously.

CONTRACTS, GRANTS AND AGREEMENTS DISCUSSION AND CONSIDERATION

- **2012 Emergency Management Performance Grant (Homeland Security)** Not recorded
Also present: Blaine County Disaster Services Coordinator Chuck Turner

Bowman moved, seconded by Schoen, to approve application and provisional acceptance of the EMPG grant EMW-2012-EP00065 when it is awarded. Motion carried unanimously.

- **Energy Efficiency and Conservation Block Grant Amendment #7 to Contract CON00033** Record #600966

This is a deadline extension to allow time to complete all grant requirements.

Schoen moved, seconded by Bowman, to approve an extension to the EECBG between the Office of Energy Resources and Blaine County, and authorize the chairman to sign. Motion carried unanimously.

- **CHC Medical Contract** Record #601242

The CHC contract is a standard medical contract with the Sheriff’s office for jail inmates, and recommended approval.

Schoen moved, seconded by Bowman, to approve the contract between Blaine County and Correctional Healthcare Companies for inmate healthcare services for the coming fiscal year, and authorize the chairman to sign. Motion carried unanimously.

- **Pathology Agreement with Ada County** Record #

This is a standard renewal contract with Ada County to provide pathology services, and recommended approval.

Bowman moved, seconded by Schoen, to approve the Pathology Agreement between Blaine County and Ada County for pathology services. Motion carried unanimously.

- **Idaho Dept. of Commerce Rural Economic Development Professional Memorandum of Understanding** Record #

This MOU is required by the Department of Commerce to show County support for the Rural Economic Directors grant.

Bowman moved, seconded by Schoen, to approve the Memorandum of Understanding between Blaine County and the Department of Commerce, and authorize the Chairman to sign. Motion carried unanimously.

- **ESRI Maintenance Quote** Record #600945

The County’s ESRI license agreement is now a global license that allows several County departments to use ESRI software.

Schoen moved, seconded by Bowman, to approve the agreement between Blaine County and ESRI, and authorize the Chairman to sign. Motion carried unanimously.

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

This is an agreement for County-provided services at West Magic.

Bowman moved, seconded by Schoen, to approve the Cooperative Agreement between the Blaine County Waterways Program and the West Magic Recreation Club, and authorize Chairman to sign. Motion carried unanimously.

RESOLUTION 2012-38 BLAINE COUNTY LIMITED ENGLISH PROFICIENCY PLAN

**and RESOLUTION 2012-40 BLAINE COUNTY 504/ADA TRANSITION PLAN
DISCUSSION AND CONSIDERATION**

Also present: Blaine County Human Resources Generalist Susan Potucek.

Resolution 2012-38 confirms Blaine County's compliance with and commitment to meet federal guidelines and meet the needs of citizens who don't speak English by providing a Limited English Proficiency plan.

Resolution 2012-40 confirms Blaine County's commitment to doing an ADA self-evaluation and transition plan in compliance with federal guidelines to remove barriers that would limit accessibility to Blaine County services, programs, facilities. etc. Blaine County did property self-evaluations on all County facilities in 2011. The 2012 Transition Plan includes amendments to the 2011 Plan, as required by the State of Idaho.

Bowman moved, seconded by Schoen, to approve Resolution 2012-38 adopting Blaine County Limited English Proficiency Plan; and Resolution 2012-40 adopting Blaine County 504/ADA Self-Evaluation and Transition Plan Update. In discussion, the BCC thanked the County Administrator and HR Generalist for implementing good public policy to make sure programs and facilities are accessible to everyone in the community. **Motion carried unanimously.**

RESOLUTION 2012-41 2012 TAX LEVIES

The County Clerk said taxing districts all comply with the law and are within the levy limit and statutory guidelines for budget increases.

Schoen moved, seconded by Bowman, to approve Resolution 2012-41 approving the 2012 Tax Levies for all taxing districts within Blaine County. Motion carried unanimously.

BOARD REPORTS, DISCUSSION and CONSIDERATION

Resource Advisory Committee (RAC) Meeting – Bowman

The RAC distributed \$125,000 in grant funds for currently-proposed projects. Blaine County received in excess of \$50,000 for the Warm Springs Road Cooperative Agreement with the Forest Service, two weeds programs, two Youth Conservation Corps programs, and a trail maintenance grant.

Blaine County Regional Transportation Committee – McCleary

ITD will be doing traffic studies within the cities to reevaluate speed limits. ITD provided an update on the Highway 75 project. The cities updated the committee on their individual projects.

Regional Mental Health Board Meeting – McCleary

Nothing new to report.

APPROVAL OF BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

• September 4, 2012 Regular Tuesday Meeting

Schoen moved, seconded by Bowman, to approve the Blaine County Commissioner Meeting Minutes of September 4, 2012, as amended. Motion carried unanimously.

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