

Mayor David Sims called the regularly scheduled council meeting of May 3, 2016 to order at 7:00 p.m. Present for the meeting were Mayor Sims, Council President Rick Alonzo, Council Members Ron Smith, Connie Wells, and Adam Arthur, Clerk Kris Larson, City Attorney Andrakay Pluid, Police Chief Vic Watson, Fire Chief Pat Warkentin, and Fire Captain Ken Baker. Also present were Nancy Mabile, Eric Olson, Jerry Higgs, Dave Gray, Tom McLain, Don Miller, Will Hedrick, and Reg McNeill.

The public hearing for the Idaho Community Development Block Grant was for the mid-construction of the Northside Rectangular Tank now called the Cassia Water Tank project. The project is between 70 to 74 percent complete. Piping outside the tank, access hatches, ladders into the tank, and leak testing are still needed. The project is on schedule for completion around June 1st. Nancy Mabile said she has changed her contract for administration as she is now working through Panhandle Area Council. The block grant was for \$350,000 and \$245,677 has been spent leaving the amount of \$104,323. The hearing closed at 7:04 p.m. Nancy left the meeting.

Jerry Higgs spoke to council regarding property in the Marx Subdivision. He wants to do a lot line adjustment for the property he is purchasing outside city limits and said he is getting quite a lot of bureaucracy. He thinks council can help with this. Jerry is purchasing property from Glen Isaac and is cleaning out the brush. The lot line Jerry wants to move is at the top of the ridge above his home. The fees for surveying and other costs is 30 percent of what he paid for the land. City of Bonners Ferry wants a \$250 application fee plus \$50 per lot. Jerry wants to have his new land annexed into the city limits. He will also have to pay fees to Boundary County for the property line adjustment. Jerry is concerned about his homeowners insurance if the property is not annexed into the City as he would be in two different fire entities. Jerry said the City does not have a form to fill out for a lot line adjustment, and he has spoken to Lisa Ailport. He got the lot line adjustment form from Boundary County today. Jerry thinks government should balance their budget but he has a problem with the fees at the City. He thinks the City should take into consideration the monetary return they will be receiving. Jerry does not understand why the City would even need to have a hearing. He said Title 67 hearing requirements speak to hearings when there are affected parties. If the parcel is not annexed there will be no access to the property. He wants the City to revisit the fees we charge and said there will be taxable income in the future. Mayor Sims said the lot line adjustment is done at the County level. Jerry said John Moss told him that he will be issued a certificate of compliance from the County. Council would like to wait until Mike Klaus is here to discuss this. Ron Smith said Lisa Ailport should be involved. Jerry said she has a plethora of information.

Tom McLain, Don Miller, Will Hedrick, and Reg McNeill from Habitat for Humanity spoke to council and asked for consideration of granting a waiver of the building permit costs or reducing the cost. Tom said the more money they put into the value of the property the better for the City, as the valuation will be better. He said this helps the community. Will said last year they built a 2,000 square foot home and the building permit fees were \$1,400, and this year for the 1,200 square foot home the cost was \$1,944. Mayor Sims said the City adopted a new building fee schedule in January, as the old schedule was from 2001. He asked what the fee is that the City

gets. The City receives 15 percent of the building permit fee. Will said Habitat for Humanity is trying to build a home every two years. Mortgages are held in-house and the home owners do not pay interest on the loans. Habitat brings in about \$1,500 per month and with the new home that will increase to about \$1,850 per month according to Tom. He said this is a win/win for the City. Will said the people that the homes go to have to prove the ability to pay the mortgage, insurance, and taxes. Again Tom said the homes are a benefit to the City. Mayor Sims said we contract with Sewell and Associates for building inspections. Connie Wells said the City does not have a whole lot of leeway to reduce the fees. They could speak to Sewell, but the home still needs to be inspected. Connie said the valuation fees could be the 2015 schedule instead of the 2010 schedule. Mayor Sims said they have the ability to approach Sewell and Associates. He will get a contact name for Will. Tom said any help they get is appreciated.

Police Chief Vic Watson said over the past two weeks the police department dealt with one car burglary, two driving without privileges, two DUIs, one possession of paraphernalia under 21 and unlawful possession of prescription drugs, one felony warrant arrest, one possession of paraphernalia, and one fight. Interviews were done, polygraph tests were completed, and background checks are being done, so they should have a person to be approved for hiring at the next council meeting.

Fire Chief Pat Warkentin gave the fire report. There were eight calls in the month of March. Since the last council meeting there was an unintentional false alarm at Valley View; Frontier Cable had a fire in their building where there were circuit cards that were melting; and the fire at the St. Anne's Catholic Church. The fire at St. Anne's Catholic Church had a response of 23 firemen and most of them were on scene for 16 hours. This fire was an intentionally set fire. Early on the State Fire Marshall came to the scene, and the area of origin of the cause has been determined. The new fire engine was parked outside City Hall for review by council. It is much better than the engine we have had for the last ten years. The fire department won the Viking Gear Challenge. ABC News One in New York wants to use the fire department dance video, but Pat is not sure for what. The fire department won \$52,000 in new fire gear from the contest. Pat would like to add Matt Solt to the fire roster as a full time fireman. Ken Baker thanked the City for allowing him to attend the conference in Indianapolis and accept the award. Mayor Sims thanked Pat for the work on the St. Anne's fire as well as entering the contest.

Five candidates will be interviewed for the economic development coordinator position in mid-May. Later this month there will be an urban renewal agency (URA) meeting to finalize the master owner participation agreement for Shopko. There is a TAP grant available. Mayor Sims said it may be a good grant to dovetail with the County's project to upgrade Riverside Street. He said URA funds may be used for the grant match.

Connie Wells moved to add late agenda items to approve pay request #4 for HMH Engineering for Augusta Street Project and authorize the Mayor to sign the paperwork; approve payment of cash match to Idaho Transportation Department for the Augusta Street Project; and appoint Matt Solt as a fireman. Adam Arthur seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Adam Arthur “yes”.

Eric Olson from HMH Engineering spoke to council regarding pay request #4 for the Augusta Street Project. He said this is the last amount for the contract. Ron Smith moved to approve pay request #4 for HMH Engineering and authorize the Mayor to sign the paperwork. Rick Alonzo seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Adam Arthur “yes”.

Eric Olson spoke to council regarding the payment of the cash match to Idaho Transportation Department for the Augusta Street Project. The amount needed is \$157,760, \$80,351 is for the compression sewer, and the remaining \$77,409 is for the street match. The match was to be paid before the project was advertised for bid. We did not know that, so that is the reason for the urgency as the bids are out. The project has a projected overage of \$10,939. The City will have to pay for inspection services, and Jim Fritzsche will be doing this under Mike Klaus’ direction. The reason for the overage is that the project has been more arduous than was anticipated by HMH. He said they have been put through the ringer on environmental and had to hire an architectural historian, so HMH fees are the reason for the over budget amount. Connie Wells moved to approve the payment of cash match for the Augusta Street Project. Adam Arthur seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Adam Arthur “yes”.

Connie Wells moved to approve the consent agenda. Adam Arthur seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Adam Arthur “yes”. The consent agenda contained the following: roll call; approval of accounts payable and payroll; and approval of April 19, 2016 council meeting minutes.

Rick Alonzo moved to approve the special event permit for Selkirk Saddle Club Bull Bash on June 10, 2016. Ron Smith seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Adam Arthur “yes”.

Adam Arthur moved to approve the special event permit for Borders 3 Jamboree Car Show on June 4, 2016. Connie Wells seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Adam Arthur “yes”.

Connie Wells moved to approve the parade permit for the American Legion for the Memorial Day parade on May 30, 2016. Adam Arthur seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Adam Arthur “yes”.

Attorney Andrakay Fluid recommended that the fire truck we want to sell be declared surplus, and then dictate the terms on how we want to sell it. Pat Warkentin said we received a bid on the surplus vehicle. It was advertised by word of mouth through Mike Lyons of General Fire. He let folks know that we are interested in selling our fire vehicle. Pat said Stephens County sent their fire chief and mechanic to look at the truck, and they have submitted a bid but it has not been opened. Pat thinks the bid will be for about \$40,000 as he told people that we would not accept less. Mayor Sims asked if \$40,000 was a good price. Pat thinks it is. Rick Alonzo moved to declare the 1994 Navstar as surplus and set a minimum bid amount of \$40,000 with the bid opening to be Friday at 2:00 p.m. Ron Smith seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Adam Arthur “yes”.

Mayor Sims said the Ambulance District wants to get out of the extrication business. He met recently with Andrakay and Commissioner Dinning and the Commissioners were under the impression that the City would take over extrication countywide. He said going outside city limits increases the cost to city residents and it opens us up to liability. He said if we have a policy and are not following it that it is not good for our personnel and city liability. Ron Smith said he understood that the Ambulance had better equipment, and he does not understand why they are not doing it. Mayor Sims said the Ambulance has jurisdiction all over the county. He said in addition to setting our policy we need to let Boundary Volunteer Ambulance (BVA) and the County know.

Pat Warkentin gave a synopsis of the reason we got our extrication equipment, when there was an accident in the City and the Ambulance could not get the injured man out of the car due to the poor equipment. We now have good extrication equipment. Pat said we will work with BVA, but the issue is taking city equipment out of city limits if called. Pat said if we have the ability to help someone in need that we should do it, as this is natural to want to help people in need. He understands that Chief Rohrwasser is looking to buy the extrication equipment, so BVA can put the funding back in patient care. Pat's concern is that there will be an accident at the south end of town and there being another incident north of town and the time it would take for the extrication equipment to respond. He said the BVA extrication equipment is slow as it is gasoline powered with a standard transmission and can only go about 35 miles per hour. Pat said the County needs to step up as BVA is levying \$300,000 per year. He spoke of the BVA volunteers and them being burned out in the past.

Ron Smith said he was at the County when the taxing district was formed for the Ambulance. He said they are getting \$300,000 and the levy amount can go higher with a vote. Ron said the County needs to respond. Rick and Connie agreed that we don't need to support the County. Connie said if we are called outside city limits they should pay us a fee as we are required to pay for dispatch services. Adam Arthur said the ambulance is getting paid for extrication now. Ken Baker said the majority of the extrication equipment was purchased by grant funding so it may be difficult to sell. Pat said he would like to take a decision to the LEPC group tomorrow and let them know what the council decision is. He said there are about three events in a year.

Mayor Sims said, cost aside, we need to look at what we are allowed to do. Attorney Andrakay said she tried to explain this to Commissioner Dinning and there should be a flat annual fee. Ken said it is a bigger animal than what was first thought, and it puts more liability on the City. Ron Smith asked if BVA has the equipment and personnel to handle extrication. Pat said they have the equipment but not the trained personnel. He explained that BVA is heading to patient care and transport. Mayor Sims said BVA has more money than the City and could hire extrication. Andrakay suggested that council make a motion that the City's policy for extrication and fire be that we serve within the City limit boundaries with the exception of our mutual aid agreements.

Adam Arthur said while we don't have a mutual aid agreement with BVA because we cannot, they were on scene for 14 hours during the Church fire. Pat said BVA sent two firemen home as they were ill from the fire. Adam is not saying we should take over extrication but thought council should know. Mayor Sims said we have only had extrication equipment for about seven

years. Pat agreed and said the reason for us getting extrication equipment was the accident he spoke of previously.

Mayor Sims is concerned that the mutual aid agreements with Paradise Valley or South Boundary will cause issues for extrication. He is not sure that the agreements include extrication or if this would apply if the other entities do not currently have this type of equipment. Pat said we do get catastrophes once in a while in our County and it bothers him that the County does not step up to take care of problems. He said on the other hand he thinks helping people is what should be done. Rick Alonzo asked about mutual aid and said fire works but extrication is one sided. Mayor Sims said he understands that mutual aid dictates that the entity responds, and then if help is needed it is called resulting in delays. He does not understand why BVA does not keep the extrication equipment as they will be responding to each call without delay.

Mayor Sims said when the City was responding to the accident at McArthur there was a fire near our Moyie Dam so that would spread our firemen pretty thin. Pat said even on a mutual aid call we will not take too many out of the City in case there is a call.

Andrakay said Commissioners are looking to BVA to come up with a plan for extrication. Ken Baker said there are two rescue trucks and the City of Bonners Ferry holds the title for the 2010 Chevy one ton truck, as this was purchased through a grant, and the City was the sponsor. Adam said the County is not required to provide extrication but they are required to provide ambulance services. Ken asked on the incident like the Drivers Ed accident, what the fire department is to do. Mayor Sims said it is the responsibility of the County. Pat and Ken expressed concern about this. Pat said people do not forget when the City does not respond for fires and gave the example of Ladely's and Thompsons. Ron Smith does not think the City should be doing extrication outside the City limits. Mayor Sims asked for a motion. Ron Smith thinks the County should be responsible for extrication outside the City limits and said it is not a responsibility of the City. Connie Wells seconded the motion. Rick asked since we have mutual aid agreements if we are violating them by not responding with extrication. Mayor Sims said we will look at this. Ron said if the motion passes we should notify the County tomorrow. Mayor Sims reiterated that the motion was to provide fire and extrication services only within the City limits. Connie said we are not addressing our liability. Andrakay said mutual aid takes care of the liability as they are authorized by code. Mayor Sims said we would go to Paradise Valley, South Boundary, and Moyie as we have mutual aid agreements with these districts. Mayor Sims asked if Paradise Valley and South Boundary include Forest Service land. Pat said they do not. Vic said federal government compensates the districts with PILT money. Ron clarified his motion. Ron Smith moved that the City not be responsible for extrication or fire response outside City limits unless it is part of a mutual aid agreement. Connie Wells seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Adam Arthur “yes”. Andrakay will notify the County and BVA in writing.

The fairgrounds drainage project was discussed. Mayor Sims said most of the storm drainage from town drains to Fifth Street and then gravity feeds to the river. If the river is high enough the drainage does not flow into the river, the river comes back into the drain. Six years ago we installed a valve so the drain can be shut off from the river but the problem is there is nowhere

for the drainage to go when the river is high. We want to tie this system into the pump from the fairgrounds parking lot to pump into the river and it will eliminate the problem we have. He said the County is hoping to get a grant to pave the parking lot. There is a pump in the fairgrounds lot but it does not drain well. Mayor Sims said we looked at a Homeland Security Grant for this but the project did not score high enough. It was difficult to document the City's costs. Ron Smith moved to approve up to \$10,000 for materials for the fairgrounds drainage project. Connie Wells seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Adam Arthur “yes”.

Electric meters are being purchased from General Pacific and we want to purchase them in bulk as there is quite a savings. Andrakay said the purpose of the soul source provider notice is to put the public on notice that we intend to purchase from General Pacific. Rick Alonzo moved to declare soul source provider for General Pacific for purchase of electric meters. Connie Wells seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Adam Arthur “yes”.

Vic Watson was asked by County Prosecutor Jack Douglas if the City would entertain dissolving the Drug Task Force. He said the Task Force was formed in 2003 with the main purpose to handle large amounts of money obtained through drug seizures to be used to fight drug crimes. He said when the money is gone there is no more need for the checking account but officers can still work together. The Byrne Grant has been done for a long time, and there is no longer need for the Drug Task Force. We will still fight drug crimes and work together on these types of issues. He said there is no more money so it is not functioning like it should. Vic said there is a process in the Task Force agreement for dissolving the assets and liabilities. He wants this to go away. He said if a city officer makes a drug arrest the money goes to the County due to this agreement. The City has not drawn anything out of the Task Force since 2011. We are putting money into the Task Force but not drawing anything out of it. Rick said we had a couple cases that helped fund the Task Force. Vic gave the example of a city officer making a large drug arrest and cash being confiscated but it going to the County even though it was a city arrest. Ron Smith asked where drug seizures will be going after the agreement is dissolved. Vic said if the agreement is dissolved the City case confiscations will go directly to the City. Andrakay said Jack and Tevis are wanting to dissolve the agreement but Vic wants to make this a mutual agreement to dissolve. Council told Vic to proceed with working with the County. Vic will have something at the next council meeting for approval.

Rick Alonzo moved to hire Matt Solt as a fireman for the Fire Department. Connie Wells abstained as she is a relative of Matt. Adam Arthur seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “abstained”, Adam Arthur “yes”.

There being no further business the meeting adjourned at 8:57 p.m.

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David Sims, Mayor

Attest:

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Kris Larson, City Clerk