

Mayor David Anderson called the special council meeting of May 22, 2012 to order at 6:07 p.m. at the visitor center. Present for the meeting were Mayor Anderson, Council Members Rick Alonzo, Tom Mayo, and Connie Wells, Clerk Kris Larson, City Administrator Stephen Boorman, Assistant City Administrator David Sims, Police Chief Steve Benkula, and Economic Development Coordinator Mike Sloan. Also present were Boundary County Commissioners Dan Dinning, Walt Kirby, and Ron Smith, County Commissioner Secretary Michelle Rohrwasser, Moyie Springs Mayor Doug Evans, Moyie Council Members Terry Johnson, Bart Klaus, Chad Farrens, and Steve Economu, Moyie City Clerk Sandy Tompkins, and Moyie Maintenance Person John Nelson, and Patty Perry from the Kootenai Tribe. Also present was Andrea Storjohann from Idaho Transportation Department, Larry Comer and Phil Boyd from Welch Comer, Terri Maine, Carolyn Testa, Elaine Marcotte, Robert Karlac, Dale Simpson, Ruth Sutton, and Al and Patty Lopez. Councilman Mike Klaus was gone on personal business. Jerry Higgs, Bob Spalding, and Roger and Elizabeth Fraser joined the meeting late.

Andrea Storjohann spoke regarding Idaho Transportation Department (ITD) projects. One project from mile marker 504 to north city limits has slipped back to ITD for more planning and this is the only project in our area except resurfacing the Moyie Bridge. David Sims spoke regarding a five lane highway through town or a bypass around town according to Jason at ITD. Andrea said it would be about 30 year process for a bypass. Andrea thought a three lane highway through town would be more feasible but right of way will be a problem. State law requires that a highway is maintained through town but sidewalks or trails are not ITD's to maintain. Stephen said it is time to have long term planning discussions on the highway. Andrea Storjohann said the ITD Board is not doing any expansion projects at this time because there is no funding for expansion projects at this time. ITD is maintaining the projects that they have. The Board would have to agree that an expansion project is necessary. Andrea said there is a lot of work to be done on the sidewalks and drainage that is needed but if ITD touches any sidewalk then they are required to bring the sidewalks up to current ADA standards according to the law. She said this is the reality and ITD cannot afford this. Andrea said if there is an expansion project or bypass that donated right of way helps the projects. David said Don Davis has indicated that there is a study being done for a bypass around Bonners Ferry. She said this could happen but the funding is not there and it will probably not take place in our lifetime. David said ITD is telling us that in twenty years we need to have a five lane road through town and she is telling us there is no money. Andrea said the needs do not mesh up with the funding. For all five counties there are three projects put in the STIP this year.

Mayor Anderson said the Governor proposed an increase in the gas tax and then the Legislature studied this and a lot of time has passed and he asked if this will be considered again. Andrea said raising gas tax or registration fees are options. She said the federal government has not passed a transportation bill and we are still living on the transportation bill from three years ago. Because of the stop gaps in the transportation bill the funding does not go to the states as it

should have. Mayor Anderson asked what requirements ADA has for a slope such as our south hill. Andrea said we would probably have to do a section of sidewalk and then a landing.

Dan Dinning asked where we are on the McArthur project. Andrea said the McArthur project is in preliminary development and ITD will keep the environmental study current. Andrea said ITD has been pretty lucky for some of the older projects to be ready for construction. The Transportation Board meeting is on July 18-19 in Coeur d'Alene and written or personal comments are welcome.

Andrea said the north hill path is another ADA problem. All the railing would have to be anchored and would have to be brought up to ADA standards and so it is too expensive. David said we have asked if we could do it ourselves and have been told it would be rolled into another project. Walt Kirby said it was axed by ITD previously. Andrea said she would get the costs. Stephen said there are questions on interpretation. Andrea said it is black and white as to what to do for ADA. Dan Dinning asked if we could get a waiver. Andrea said we cannot.

Larry Comer from Welch Comer Engineers said they are working with City of Moyie Springs on their sewer. He asked if there was any interest in a regional sewer system from Moyie to Three Mile and then to Bonners Ferry. He also asked if Bonners Ferry is working on their master plan. David Sims said we use a waste water lagoon system and we have added aeration to the ponds and currently meet our discharge requirements by EPA. He said even though we are meeting our discharge permit levels we are at capacity according to the EPA's calculation. For the foreseeable five years we are okay with our lagoon system according to our discharge permit but after that EPA may tighten the restrictions down. If we were at a point where we were in need of expansion, it would make sense to take more customers but now we are meeting our requirements and don't need the expansion. Stephen said if we can postpone a mechanical plant it is good because a lagoon system is much cheaper to operate. David said there was a lawsuit with the State of Idaho on anti-degradation rules and we have a quota that we are meeting. Larry Comer said Moyie cannot consider a discharge system due to the degradation rules. He spoke of the former study that was done by Welch Comer several years ago to bring sewer up the north hill. Larry will look at options for short term fixes at a minimal cost that will not preclude Moyie from joining a regional system if the need arises in the future. He said this would benefit economic prospects. Larry said Moyie will need to look at the costs that would not prohibit them from joining a regional system if it should arise in ten or twenty years. Stephen Boorman said land application could be an option and that would be a whole different type of system than the lagoon system next to the river. Doug Evans said we should strive toward a regional system and agreed that an economic engine needs to be present. Larry will look at a fix for Moyie and will bring that to Moyie at their next meeting.

Dan Dinning spoke regarding the caribou. The comment period ended on May 21 and there will be a 30 day waiting period. He said this issue is pertinent to all entities here this evening. Mayor Anderson said Bonners Ferry commented on the caribou issue especially since our watershed is

in the designated habitat area. Ron Smith said there were excellent comments that came in at the last public hearing on the caribou. Ron said Ben Connard commented that there were excellent comments and was thinking that the critical area would be changed. Dan said the economic portion of the habitat hearings is completed but it would be good to comment again.

Dan said there are a lot of places in Boundary County that cell coverage is not available and many places roam to Canada. He would like to take any comments or assistance to get the cell coverage in Boundary County. Elaine Marcotte said there are limits placed on the cell towers in the United States but Canada is not regulated like the United States. Elaine Marcotte said she will speak to her Verizon representative to see if there is someone who would be willing to speak to the commissioners. She said there are ways to shut off data to prevent roaming on the phones. David Sims said there was a Verizon representative here a year or so ago that was going to speak to the Sheriff about towers. Stephen said there is the option to put a tower in on the United States side of the border. Elaine will get a representative's name for the commissioners.

Ron Smith said there were public hearings for the ambulance district that was established. He said at the night of the formation of the district it was said there would be no funding until it was decided that the district would work. There was a meeting also held with Boundary Volunteer Ambulance Association (BVA) and it was a good meeting. If taxes were to be levied, it would be December, 2013 before taxes would come in. The BVA sent a letter to commissioners requesting \$36,000 for Mary Jane runs where they go on a call and the person refuses services. They also wanted funding from June to the end of September and then funding for October through the next fiscal year. In order to give them \$32,000, it would have to come from other funds. Commissioners agreed to give BVA \$40,000 but BVA asked for the maximum levy limit for the ambulance district and to build them a building and if there was no land that commissioners would have to buy land for the building. Commissioners told BVA that this was not possible. Ambulance service will terminate on June 13, 2012 according to a letter received from BVA. A budget was provided to the county for next fiscal year for \$172,000. There are members from South Boundary Fire District that are willing to help with the ambulance service if necessary. Ron said Boundary County provides space for the ambulance equipment and if BVA ceases to provide services, BVA will have to remove their equipment from county property. There is also an option from Bonner County for ambulance services. The ambulance issue will be discussed next Tuesday at the commissioners meeting. Dan said the EMTs do a great job on BVA and it is at a financial point and the commissioners according to Idaho Code have to provide ambulance services. These types of issues also tie to economic development for people looking at our county. Ron Smith said the county may have to go out for request for proposals for ambulance services. Mayor Anderson asked what the date is for the county to put the levy on for the ambulance. Ron said it is in September. The three percent increase at the county totals about \$130,000 countywide. If there is an ambulance district the maximum levy limit is .04. Doug Evans said he heard if South Boundary were to take over the ambulance that it

would not be legal. Ron said their attorney would have to guide them but there has been no formal talk about this.

Dan Dinning said he can remember about ten years ago when the different entities did not communicate and he said this communication (joint meetings) is really important and wants to see it continue. Walt and Doug Evans agreed.

Mike Sloan said there is private funding in the amount of \$4 million coming forward to take the fiber project to the Canadian border. There is a private investor ready to go. Pressure is being put on Blackfoot Communications to see if they are going to bring the fiber through Bonners Ferry to the border. He said the fiber project looks positive. Ron Smith spoke of the \$14 million in bonds that will be repaid by the fiber users. If the user income does not meet the debt requirements then Panhandle Area Council will pay the bond debt. Mike said the project is getting closer.

Mike Sloan said the IWAY program is bringing a transportation system from Bonners Ferry to Sandpoint to Coeur d'Alene and then on to Boise is being worked on. There are two routes being proposed from Bonners Ferry to Sandpoint and Coeur d'Alene and then return on the same day. He said if the bus is under 12 passengers then special licenses are not required. He said this would help many people in our area.

Police Chief Steve Benkula said the Bonners Ferry Police Department is looking at a drop off program for discarded pharmaceuticals. He said the program will be a no questions ask program for prescriptions. A fixed site is also being looked at but there are problems to be worked out. Steve said it is a nationwide program to have two times per year for drop offs. Mayor Anderson said problems are caused by people flushing their unused prescriptions in the sewer system. Tom Mayo said the Sheriff's Office has looked at a disposal program in the past but it has not taken place yet. Stephen Boorman said there was an incinerator looked at in Spokane. Rick Alonzo said Coroner Mick Mellett had looked into an incinerator but it was prohibited by Idaho Code. Chief Steve Benkula thought an entity could purchase an incinerator but not an individual and he did not know where the Corner would fit in. Steve said we can dispose of 140 pounds of pharmaceuticals for \$11.55 at the State.

Ron Smith asked about a memorandum of understanding being put together for the fireworks celebration. Stephen said the attorneys will have to get an agreement written.

Ron Smith asked about special event permits for events at the fairgrounds. He asked if an event is held on county property if the people have to give the city an insurance policy naming the city as additional insured. Stephen Boorman explained that the insurance policy can name both the city and the county as additional insured and that the city has stuck to a standard form. Ron also asked if there is a cleanup fee charged for events at the fairgrounds. It was explained that the cleanup fee is normally charged if there is manure or signs posted on our power poles. Mayor Anderson said the city is looking at possibly simplifying the indemnity clause.

Steve Economu asked about a 45 mile per hour speed limit from the Moyie Store across the Moyie Bridge. Andrea Storjohann said cities used to be able to set low limits through their cities but that legislation has been reversed for cities to set limits on federal or state highways. She said a speed limit study is now required. ITD is looking at all speed limits within the district. Ron Smith asked about a speed limit study on county roads and he understands that this must also go through ITD. Andrea said all speed limits are reviewed by the State of Idaho to make sure speed limit studies have been done. Rick Alonzo asked who set the 45 mile per hour speed limit in Sagle. Andrea said ITD set the limit due to the new highway rebuild through Garwood. Stephen explained the process of a speed limit study. Walt Kirby commented about the 60 mile per hour speed limit through Three Mile area. He also commented about the driveways that are on the highway where the 60 mile per hour speed limit is located. Andrea said enforcement becomes a problem. She said encroachments are taken into account when a speed limit study is done. Walt does not think the State thinks this is important. Andrea said that is why a speed study is required now. She agreed that all entities need to work on speed limits together but a speed study must be done. Dan Dinning said because the speed limit is 60 through Three Mile people drive that and it is unsafe. Andrea said State Police are spoken to when a speed study is done.

Mayor Anderson said this is the first time we have invited the Kootenai Tribe to a joint city/county meeting and hopes they will join us again.

The meeting adjourned at 7:32 p.m.

David K. Anderson, Mayor

Attest:

Kris Larson, City Clerk