

Commissioners' Meeting Minutes - Week of August 21, 2023

***Monday, August 21, 2023, at 9:00 a.m., Commissioners met in regular session with Chairman Tim Bertling, Commissioner Wally Cossairt, Commissioner Ben Robertson, Clerk Glenda Poston, and Deputy Clerk Michelle Rohrwasser.

Commissioners said the Pledge of Allegiance.

9:00 a.m., City of Moyie Springs Mayor Steve Economu, City Council member Deborah Rauth and Boundary Economic Development Council Director David Sims joined the meeting to continue their discussion on the City's request for ARPA funds for the city's sewer project. The City of Moyie Springs was awarded additional funding by the Department of Environmental Quality (DEQ) in the amount of \$2,484,000.00, according to Mr. Sims. The amount to finance now is estimated to be \$600,000.00 to \$700,000.00, but that could shift depending on contingencies. Mr. Sims said right now sewer rates are \$45.00 per month and they know that will have to increase due to more labor and testing the effluent. DEQ's thought is that if the City of Moyie Springs is using all DEQ loan funds, they felt the monthly rate should be \$91.04. Mayor Economu said what's important is the number of households associated with this funding and to pay these funds back. Chairman Bertling asked about Jim Ball's sewer hookups with his duplexes. Commissioner Cossairt questioned if it's one hookup or two. Mayor Economu said at first it was two hookups for three buildings, he thinks, but that was before they got started into a commercial rate. Mr. Ball would like to connect to the system. Mr. Sims said there is also discussion about expansion and talk of 100 connections at this point. If there was more funding, the city could do another unit and it would take it from servicing a total of 200 households and increase it another 200, but that is more funding and additional steps through DEQ. Mr. Sims discussed details pertaining to expanding. Ms. Rauth said it is really good news that they are receiving these funds, but if they weren't, the City of Moyie Springs would be in non-compliance. This helps what they're trying to do now and they're looking for additional donations to help bring that proposed monthly rate of \$91.04 down. Mayor Economu said people in Moyie Springs are on a low income and they're elderly and can't even do a \$5.00 increase. O & M and debt service equates to \$91.04 per month for a sewer rate, which is what DEQ feels rates should be. The city wants to make sure they have the means to pay back the funds. Originally, \$800,000.00 was the amount to give in loan funds. Mr. Sims said he doesn't think DEQ will provide more funds, but he's not sure about the US Army Corps of Engineers. Ms. Rauth said the Corps won't provide funds for a while; they won't even look at the application. Chairman Bertling said Commissioners will need to check on the remaining ARPA funds they have.

The meeting with Mr. Sims, Mayor Economu and Ms. Rauth ended at 9:16 a.m.

Commissioners tended to administrative duties until their next meeting at 9:30 a.m.

Commissioner Cossairt moved to sign Certificates of Residency for Kieley Little, Seth Fuller, Emmitt Helms, Jessica Hart, Evan Barajas, and Sydnee Blevins. Commissioner Robertson second. Motion passed unanimously.

9:30 a.m., County Civil Attorney Tevis Hull joined the meeting to provide an update on various matters he's working on. Attorney Hull discussed the matter of looking into the ability to increase the levy amount for the Ambulance District and consulting with the Idaho State Tax Commission on it. Due to when the Ambulance Service District was formed it didn't meet one condition so the District cannot levy .0006%. Originally, the Ambulance Service District levied .0004%, but as property rates increased it decreased to .0002%. It was asked if an election needs to be held to go back to .0004%. Attorney Hull said this statute provides that Commissioners are authorized to go up to .0004%, so they don't need to hold an election, but they still need to go through the budget process. Clerk Poston said she still questions this and she mentioned the levy amount increased based on the code pertaining to the three highest years and the District has done that every year. Clerk Poston said she isn't sure the District can levy .0004%. Attorney Hull said he will formulate the question to the State Tax Commission.

9:36 a.m., Bonners Ferry Herald Staff Writer Emily Bonsant joined the meeting.

Attorney Hull said Road and Bridge Department Co-Superintendent Renee Nelson sent him a property diagram from Idaho Forest Group and they weren't aware of what the county was thinking as far as a land swap. Those present discussed the issue between neighbors involving an easement on Labrosse Hill Road. Attorney Hull said it's clearly established that the easement is a 50-foot prescriptive right-of-way and the county doesn't own the dirt under it. There is a landowner that owns a boot heel-shaped portion of property that runs to where the water meter is sitting. Attorney Hull said Harlan Mastre wants the county to say it has control over this land, but we can only say that we're the county and we have a 50-foot prescriptive right-of-way and this is what the county has control over. Attorney Hull added that he's still researching this.

The meeting with Attorney Hull ended at 9:42 a.m.

Commissioner Cossairt moved to approve the minutes of August 7 & 8, 2023. Commissioner Bertling second. Motion passed unanimously.

Commissioner Cossairt moved to sign Request for Reimbursement #31 for Airport Improvement Project #017 for the Environmental Assessment project. Commissioner Robertson second. Motion passed unanimously.

Commissioner Cossairt moved to sign the Airport Improvement Project #3-16-0004-023-2023 Grant Offer. Commissioner Robertson second. Motion passed unanimously.

Commissioner Robertson moved to sign the Guardian RFID Agreement for the Sheriff's Office. Commissioner Cossairt second. Motion passed unanimously.

Commissioner Cossairt moved to sign the plat map for Lowell Graber, for Section 1 62 North, 1 East. Commissioner Robertson second. Motion passed unanimously.

10:00 a.m., Commissioner Cossairt moved to recess as the Boundary County Board of Commissioners and convene as the Boundary County Ambulance Service District Governing Board. Commissioner Robertson second. Motion passed unanimously.

Boundary Ambulance Service Chief Jeff Lindsey joined the meeting at 10:03 a.m.

Chief Lindsey spoke of the low call volume for the month of July. Boundary Volunteer Ambulance is working on the fires in north Idaho and he explained the schedule of time and shifts spent on fires. Working these fires provides funding for Boundary Ambulance Service.

It was said the Ambulance Service District cannot do a budget levy override due to not meeting one of the requirements when forming the District. Chief Lindsey asked if Commissioners are able to levy at a higher rate? Clerk Poston said the levy rate is a little over .0002%. The county is looking to see what it can do. Clerk Poston said the proposed budget has been posted in the newspaper and the budget hearing is on September 5th so she doesn't think there is enough time. Chief Lindsey asked if an increase could happen next year if there isn't enough time this year and Commissioners said they could look at that. When the Ambulance Service District was formed the levy rate was .0004%. Clerk Poston explained levying the 3% and new construction. Market values have increased, but had market values not increased, the Ambulance Service District would probably be at a levy rate of 0004%. The budget increased 3%, plus 90% of new construction so we've stayed in compliance of what is allowed for budgeting. When the Ambulance Service District was established, the first-year levy amount was \$330,000.00 and that was the rate of .0004%. Now the amount is \$486,000.00 with the 3% increase and new construction. Clerk Poston said we still don't have final values from the state. Chief Lindsey said if Commissioners wanted to levy the highest legal amount, would the amount increase? Clerk Poston said the county has the ability for .0004% and with the current market the value would increase.

Chairman Bertling asked Chief Lindsey about Boundary Ambulance Service's budget shortfall. Chief Lindsey said the month of July didn't help their situation and if it continues like that, not counting July, but just staying at level, the shortfall by the end of the year would be most likely \$50,000.000 to \$60,000.00, without hiring an additional paramedic. Chief Lindsey explained that he's one paramedic short and he added that there is one shift that operates with one paramedic so that person has to do everything. In that case, Boundary Ambulance would need to bring in EMT's if assistance is needed, which is a different level of care. EMT's cannot administer medication. Chairman Bertling asked if paramedics have to run on the calls for transfers. Chief Lindsey said if the transfer calls for advanced life support, the paramedic has to go out on that transfer, otherwise they're out of compliance. Chief Lindsey said they have to hire another paramedic, but they don't

really have those funds sitting available. Contracting on the fires helps fund the shortfall. Chief Lindsey spoke of staffing issues.

Chief Lindsey discussed splitting his time between Bonner County and Boundary County. Chief Lindsey explained the shift schedules and he explained difficulties in taking care of phone calls, paperwork, and budgeting if the chief were to run on calls when his position is to work 20 hours per week or less.

Commissioner Robertson asked if Chief Lindsey is the employee of the Board of Commissioners for Boundary Ambulance Service. Chief Lindsey said yes and he explained that there are only two administrative positions and they're less than 20 hours per week and that includes himself and one other person and everyone else is operational. Chief Lindsey said there is always an operational staff member, but when it comes to administrative, that is his job with someone who helps him. There is always someone here who is in charge. Chief Lindsey said he's not in Bonner County all of the time, but there is always someone in charge 24/7.

Commissioner Robertson asked what has changed from 2014 to 2023. Chief Lindsey explained that in 2014, Boundary Ambulance was provided basic life support (BLS) and they were in the process of trying to hire paramedics. The state requires three paramedics in order to run an advanced life support (ALS) system. Chief Lindsey said he joined Boundary Ambulance Service in year 2015 and he was responsible to get the ALS license and a lot has changed in the way of service. In 2014, when you called 911 the average time to get an ambulance on the road was about 15 minutes and now it's approximately one minute 40 seconds. In 2014, Boundary Ambulance had volunteers and they were paid a stipend, but now everyone is paid for what they do and the call volume has almost doubled since then. In the past, Boundary Ambulance Service used to wait for other agencies to come up to Boundary County to do a transport. Fiscally, the cost of running an ambulance service is through the roof. Chief Lindsey said the cost of medical-related equipment and medications is ridiculous, but they're required to carry it and once it's expired, they need to order new supplies. The cost of medical supplies has gone through the roof and ambulance units are \$40,000.00 to \$50,000.00 higher than before. Earlier payroll for Boundary Ambulance Service was very low since it was just three paramedics, but they now have to have paid staff due to call volumes. Boundary Ambulance still only receives approximately half of what is billed to Medicare/Medicaid. Chief Lindsey commented that he wants to be as transparent as possible so he welcomes these questions.

Chief Lindsey asked about the request for funding from Boundary Ambulance for a new ambulance unit. Chairman Bertling said personally he is not in favor of purchasing an ambulance using ARPA funds and he commented on other agencies that are requesting these same funds. Chief Lindsey informed Commissioners that the building behind the Courthouse that Boundary Ambulance used to use is now empty.

10:30 a.m., Chief Lindsey left the meeting.

Commissioner Cossairt moved to approve the Boundary County Ambulance Service Governing Board meeting minutes of July 17, 2023. Commissioner Robertson second. Motion passed unanimously.

10:31 a.m., Commissioner Cossairt moved to adjourn as the Boundary County Ambulance Service District Governing Board and reconvene as the Boundary County Board of Commissioners. Commissioner Robertson second. Motion passed unanimously.

Commissioners did not have a meeting Kootenai Valley Resource Initiative Facilitator Theresa Wheat or Forest Service District Ranger Kevin Knauth.

10:50 a.m., Ed Atkins and Dewey Hall with Paradise Valley Water Association joined the meeting to discuss ARPA funds for proposed water line improvements.

Mr. Hall mentioned learning about ARPA funds being given to assist water associations with improvements or repairs. Mr. Hall presented Commissioners with proposals submitted by the Paradise Valley Water Association and he said they would like to replace one mile of their water line. Commissioners reviewed the quotes for proposed improvements. Comments were made about the water association needing more members and a water line that was just capped off instead of fixed. Paradise Valley Water Association has approximately \$120,000.00 in the bank for repairs and they do have old lines they will need to repair. Chairman Bertling suggested getting more bids due to the discrepancy in price of the quotes he's reviewed.

Chairman Bertling and Commissioner Cossairt said they didn't have any issues with providing \$25,000.00 to Paradise Valley Water Association and they've provided that amount to other water associations. Commissioner Robertson said he would abstain because he does have a water hookup.

Commissioner Cossairt moved to approve providing \$25,000.00 in ARPA funds to the Paradise Valley Water Association for water line improvements. Chairman Bertling yielded the chair to second. Commissioners voted as follows: Chairman Bertling "aye", Commissioner Cossairt "aye" and Commissioner Robertson "abstain". Motion passed.

Mr. Hall and Mr. Atkins left the meeting at 11:13 a.m.

11:30 a.m., Assistant Landfill Superintendent Richard Jenkins met with Commissioners to discuss needed truck repairs for Solid Waste Department roll-off trucks and packer trucks. Chairman Bertling said we need to get the #85 packer truck up and running as best as we can. Mr. Jenkins said his thought is to take the packer truck and have it gone through to get a cost estimate for that work. Chairman Bertling said he would like to see the compactor truck going and the bins put back out at the Naples for household and compacting. It was said that the plan is to do that with all three monitored sites. Commissioner Robertson said if this change was asked to be done next week, is that doable? Mr. Jenkins said it's doable, but he would need to get the work done. Chairman Bertling spoke of wood waste and metal and he commented on just starting with compacting

household garbage. Mr. Jenkins said he would like to confirm with his mechanic that they can do this. Truck #75 has more of the issues and if we just get truck #85 going and truck #75 goes down, we're shooting ourselves in the foot. It was suggested getting truck #85 going first and put 10-yard containers at the Naples site. It will not be a quick and easy fix and it will take time to get this in place. It was said fixing truck #77 makes sense, but it would be nice to have a backup. Mr. Jenkins said he will look at the time line to get truck #85 going and address the must fix issues.

The meeting with Mr. Jenkins ended at 11:55 a.m.

Commissioners recessed for lunch at noon.

1:30 p.m., Commissioners reconvened for the afternoon session with Chairman Tim Bertling, Commissioner Wally Cossairt, Commissioner Ben Robertson, Clerk Glenda Poston, and Deputy Clerk Michelle Rohrwasser.

1:30 p.m., Road and Bridge Department Co-Superintendents Renee Nelson and Randy Morris joined the meeting to give the department report. A written report was provided. Mr. Morris said he thinks the crusher is working. Mr. Morris reviewed work listed in the report.

Ms. Nelson spoke of wanting to convert the Road and Bridge shop to an office and she has received a quote for it. The cost to do this would come out of this current budget. Ms. Nelson discussed an unpermitted approach on Hillcrest Road. This approach was to be an easement for a water line; not an access. Ms. Nelson discussed the State's inspection report and she commented on Klockman Road being mentioned in the report in that the landowners next to this road need to move their vehicles. Ms. Nelson asked about budget in relation to hiring two equipment operators and an office manager. Chairman Bertling said he doesn't have a problem seeking applications, but the successful applicant couldn't start until the next budget year. Ms. Nelson discussed grant programs and she said the Naples Bridge and Naples area came to mind. There is a grant program called the Raise Design Grant and Ms. Nelson said she is researching this grant as there may be another opportunity in November to apply for funds for the Naples corridor area. The other application is the Strategic Initiatives grant and Boundary County can only apply for Category 2. There needs to be impacts to a highway or a highway project to qualify, so it also might work for the Great Northern Road since it's a part of the project.

Those present discussed going out to bid for the county's fiscal year 2023-2024 fuel supply.

Commissioner Cossairt moved to go out to bid for the fiscal year 2023-2024 county fuel supply.

Commissioner Robertson second. Motion passed unanimously.

Commissioner Cossairt moved to sign the Findings and Decision for Boundary County Road Standards Variance Application #7-2023 for Applicant Joseph Fischer. Commissioner Robertson second. Motion passed unanimously.

Ms. Nelson provided an update on Epic Land Solutions' role in the Riverside Road Improvement Project and an amendment needed to their agreement.

Commissioner Cossairt moved to sign the Amendment to the Epic Land Solutions Professional Services Agreement once it's been approved by the county civil attorney. Commissioner Robertson second. Motion passed unanimously.

Commissioner Cossairt moved to sign the Reimbursement Agreement for Commercial Driver's License (CDL) Cost and Wages for two county employees. Commissioner Robertson second. Motion passed unanimously.

County Civil Attorney Tevis Hull joined the meeting.

2:09 p.m., Commissioner Cossairt moved to go into executive session pursuant to Idaho Code 74-206(1)f, to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated; and Idaho Code 74-206(1)b, to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student. Commissioner Robertson second. Commissioners voted as follows: Chairman Bertling "aye", Commissioner Cossairt "aye" and Commissioner Robertson "aye". Motion passed unanimously. The executive session ended at 3:00 p.m. No action was taken.

Attorney Hull, Ms. Nelson and Mr. Morris left the meeting.

There being no further business, the meeting recessed until tomorrow at 9:00 a.m.

***Tuesday, August 22, 2023, at 9:00 a.m., Commissioners met in regular session with Chairman Tim Bertling, Commissioner Wally Cossairt, Commissioner Ben Robertson, Clerk Glenda Poston, and Deputy Clerk Michelle Rohrwasser.

9:00 a.m., Kennon McClintock with The Nature Conservancy joined the meeting to discuss conservation easements and a Forest Legacy Program Application. Mr. McClintock informed Commissioners that he had submitted an application for a conservation easement in July. Those present reviewed information provided by Mr. McClintock regarding log supply by ownership for year 2021 and the amount of acreage ownership within Boundary County by the Forest Service, Idaho Department of Lands and private ownership. Private lands are eroding and that is going to hurt our supply and our mills so it's important to protect working forest lands, according to Mr. McClintock. Those present reviewed the Forest Legacy Application for the North Idaho Grizzly Forest Legacy Project. The total project consists of 1,460 acres. Project details were reviewed. Mr. McClintock explained that an easement is written and a specialized appraiser will appraise the land prior to the easement and then again after. The difference is the development rights. The Natural Resource

Conservation Service also has conservation easement programs. These easements are monitored each year to check on compliance, according to Mr. McClintock.

Mr. McClintock mentioned the opinion of a prior Commissioner pertaining to conservation easements and he said he is also not in favor of these easements being perpetual. Commissioner Robertson commented on some of these public funds going into private grounds. Commissioner Robertson asked about industry ground in relation to motorized access. Mr. McClintock spoke of open roads or gated roads and signage stating what usage is allowed and he said you can always walk or rides bikes on these properties. Commissioner Robertson asked about Falls Creek, which has been opened traditionally. Mr. McClintock explained that easement was not The Nature Conservancy's. Stimson Lumber is a family owned company and there has been discussion about damage done by snowmobilers and road damage off of Ruby Creek Road and garbage being left. The other issue is that four wheelers go everywhere now and most people follow the rules, but the 10% of people who don't follow the rules ruin it for everyone. Chairman Bertling spoke of trying to address that issue and include a law enforcement presence. Commissioner Robertson spoke of the private millionaires who purchase these lands and keep the public out.

Chairman Bertling said he has no problem with the application. Commissioner Cossairt said the county would like the main roads opened and the Idaho Department of lands could help with signage and the county could help with enforcement.

Commissioner Cossairt moved to write a support letter for the North Idaho Grizzly Forest Legacy Project. Chairman Bertling yielded the chair to second. Commissioners voted as follows: Chairman Bertling "aye", Commissioner Cossairt "aye" and Commissioner Robertson "nay". Motion passed.

Commissioner Cossairt commented that he just wants the main roads opened; the side roads can be closed.

The meeting with Mr. McClintock ended at 9:50 a.m.

Commissioner Cossairt moved to adopt Resolution 2023-53 ARPA. ARPA appropriation to the Paradise Valley Water Association. Commissioner Robertson second. Motion passed unanimously. Resolution 2023-53 ARPA reads as follows:

RESOLUTION 2023-53 ARPA

Boundary County

ARPA Appropriation to the Paradise Valley Water association

WHEREAS, Boundary County has received ARPA funds to be used in payment, among other things, for Covid related expenses, and

WHEREAS, Boundary County has received \$2,378,448.00 from the American Rescue Plan Act (ARPA)

WHEREAS, the Boundary County Commissioners deem it in the best interest of the general public of Boundary County to aid with the Paradise Valley Water Association as they provide the area drinking water in this area of Boundary County. ARPA funds are expressly available for what the provider needs.

WHEREAS, the Boundary County Commissioner received a request for funds for assistance to remediate drainage issues on access easement to the Brown Creek water shed by redirecting flow of seasonal stream, to repair a 4" line, repair approx. 20 water meters and to replace one mile of the old 4" mainline. These funds will aid in their requests for needed improvements to their system.

WHEREAS, the addition or distribution of this revenue does not affect the tax levy for Boundary County, and

WHEREAS, it is appropriate to release the funds to the Paradise Valley Water Association in the amount of \$25,000.00 for aid to this association.

NOW THEREFORE, upon motion duly made, seconded and unanimously carried,

IT IS RESOLVED, that the amount of \$25,000.00 to be disbursed from the ARPA Trust Account #107 and that these funds shall then be remitted to Paradise valley Water Association.

IT IS FURTHER RESOLVED that the Clerk is instructed to deliver certified copies of this resolution to the Boundary County Treasurer and the Boundary County Auditor.

DATED this 22nd day of August, 2023

COUNTY OF BOUNDARY
BOARD OF COUNTY COMMISSIONERS

s/_____

Tim Bertling, Chairman

s/_____

Wally Cossairt, Commissioner

s/_____

Ben Robertson, Commissioner

ATTEST:

s/_____

Glenda Poston, Clerk of the Board of County Commissioners

Recorded as instrument #295151

10:00 a.m., University of Idaho Extension Educator Amy Robertson joined the meeting to update Commissioners on various Extension programs. Ms. Robertson reviewed courses being offered.

Ms. Robertson informed Commissioners that fair sales generated \$389,000.00, which is an increase of \$50,000.00 from last year, but with about the same number of animals, except for sheep. Ms. Robertson said she's still looking for someone to fill the 4H Friday Friends program and she may not be able to keep the program running this year if she cannot find someone.

The meeting with Ms. Robertson ended at 10:20 a.m.

Commissioner Cossairt moved to approve the minutes of August 14 & 15, 2023. Commissioner Robertson second. Motion passed unanimously.

Bonnors Ferry Herald Staff Writer Emily Bonsant joined the meeting at 10:40 a.m.

10:47 a.m. Road and Bridge Department Co-Superintendents Renee Nelson and Randy Morris joined the meeting.

Ms. Bonsant left the meeting at 10:53 a.m.

Commissioner Cossairt moved to sign the Promissory Note for the amount of \$4,531.20. Commissioner Robertson. Motion passed unanimously.

Those present discussed a matter regarding the development of private roads in relation to what the county's Land Use Ordinance states. Ms. Nelson said Road and Bridge doesn't need to approve the construction of private roads.

The meeting with Ms. Nelson and Mr. Morris ended at 11:15 a.m.

There being no further business, the meeting adjourned at 11:17 a.m.

TIM BERTLING, Chairman

ATTEST:

GLENDIA POSTON, Clerk

By: Michelle Rohrwasser, Deputy Clerk

Date:

Wednesday, August 30, 2023 - 15:00

m