

CITY of ROBERTS  
March 2, 2023  
Emergency City Council Meeting

The Roberts City Council met for a hearing at the regular place of meeting, after having been notified of said meeting of said council.

Robert (BJ) Berlin.....Mayor	April Galbraith.....Clerk/Treasurer
Connie Surerus.....Council	Ron Grant.....Maintenance
Ben Poston.....Council	Julie Garcia.....Library Director (Absent)
Edidt Sanchez.....Council (by phone)	Vacant.....City Attorney
Shauna Lounsbury.....Council	Craig Sturman.....Certified Operator

Also present: Donald Ellis, Jaden Jackson, Daniel Simper, Patty Simper, Raela Ledvina, Antonia Ledvina, Robert Loftis and Matt Foster with Mountain West Environmental, Rebecca Squires with Jefferson County Emergency Management, and Kelsey Carter with Department of Environmental Quality (DEQ).

Mayor Berlin opened the meeting at 1:00 pm.

**Discussion Regarding Emergency Declaration:** Mayor Berlin said that it looks like the current Emergency Declaration (on February 25, 2025) will go beyond the initial seven (7) day. He recommended to council extend the emergency declaration. Mayor Berlin read the declaration allowed:

**City of Roberts  
Emergency Declaration  
Resolution # 2023-0302**

**WHEREAS**, there is an imminent threat to the public health and safety of residents of the **CITY OF ROBERTS, JEFFERSON COUNTY, IDAHO**, as the result of the discovery of E.COLI in the municipal water system February 25, 2023; and

**WHEREAS**, the Idaho Department of Environmental Quality has declared the municipal water unsafe for culinary uses; and

**WHEREAS**, a Boil Water Order has been issued for the City of Roberts; and

**WHEREAS**, City resources have been activated to flush, cleanse and recover the municipal water system; and

**WHEREAS**, a disaster emergency as defined in Section 46-1002, Idaho Code, is in existence in **CITY OF ROBERTS**, due to the imminent threat to life and well-being; including local governments' ability to provide essential public services; and

**WHEREAS**, Section 46-1011, Idaho Code, authorizes the Mayor and council of the **CITY OF ROBERTS**, Idaho to declare a disaster emergency to authorize the furnishing of aid and assistance, and activate all applicable disaster emergency plans thereunder.

**NOW THEREFORE**, be it resolved, and declared by the council of the **CITY OF ROBERTS**, Idaho, as follows:

1. A disaster emergency is hereby declared to exist within the **CITY OF ROBERTS**, causing an imminent threat to life and well-being, UNTIL such time that the mayor or council declare the emergency has ended.
2. These conditions require the activation of the response and recovery aspects of all applicable local disaster emergency plans.
3. Such disaster may require assistance to supplement local efforts to protect life and well-being, preserve the essential functions of government, and alleviate the damage to the local economy in a multi-agency, coordinated effort to mitigate, avert, and lessen the threat and impact of the disaster.

Adopted in this \_\_\_\_ day of \_\_\_\_\_, 2023 by those subscribing their names hereto.

Mayor Berlin asked Council if they had any questions or comments. Shauna said that she thought it should be extended.

Ben said he was in favor of extending.

**Vote to Extend Emergency Declaration:** Mayor Berlin entertained a motion to adopt the Emergency Declaration Resolution #2023-0302.

Ben made a motion to adopt the Emergency Declaration Resolution #2023-0302, seconded by Connie, all ayes.

Roll call vote was taken by Clerk, Connie aye, Ben, aye, Edidt aye, and Shauna aye.

Motion passes.

**Discussion and Vote Regarding Mountain West Environmental:** Mayor Berlin said the back in June of 2022 the City had contracted with Idaho Rural Water Association (IRWA) to temporarily be the City's certified operator. At that time Craig Sturman became the operator for the drinking water and end wastewater. In the past few months, the City was approached by Mountain West Environmental (MWE) offering services that would take over for Craig. They provided us with a list of obligations for the city and for them.

Mayor Berlin invited MWE representatives, Robert Loftis and Matt Foster to speak. Roberts said that they would answer any questions the council may have.

Mayor Berlin read the obligations aloud:

Mountain West Environmental LLC obligations:

1. In-scope services drinking water.
  - A. Provide the appropriate level and redundant licenses the city needs to comply with DEQ regulations.
  - B. Responsible for collecting all drinking water samples transported or shipped to a state-approved lab for processing.
  - C. Bi-monthly onsite rounds by our licensed operators.
2. In-scope services wastewater
  - D. Provide the appropriate level and redundant licenses the city needs to comply with DEQ regulations.
  - E. Responsible for collecting all wastewater samples following the issued NPDS permit and transporting or shipping them to a state-approved lab for processing.
  - F. Weekly onsite rounds by our licensed operators.
3. Out-of-scope services
  - A. Any work outside of sections # 1 and # 2
  - B. Any staff or materials needed to perform repairs or extra oversite as requested by the city.
  - C. After-hour response to emergencies requiring immediate on-site attention that requires MWE staff.
  - D. Provide a state of Idaho Licensed backflow tester for the city use.
  - E. Cost of materials to do any work or repairs, processing, and shipping fees for samples outside of the regular routine bacteria samples for water and the listed samples on the NDPS permit for wastewater.
  - F. Milage costs outside of routine scheduled visits.
4. City of Roberts obligations:
  - A. Provide Mountain West Environmental unrestricted access to all water and wastewater facilities, including well houses, tanks, wastewater building, lift stations, sampling sites, and other system parts needed to perform in-scope and out-of-scope work.

- B. Provide unrestricted access to any SCADA.
  - C. Provide up-to-date maps and documents for MWE Employee training as needed to help oversee the system and complete the work asked.
  - D. Upon the City of Roberts using any MWE license with the State, Roberts must inform Mountain West Environmental via phone, text, or email immediately upon becoming aware of any waterline breaks, system repairs, and loss of water pressure events. As well as any wastewater issues. The lack of immediate notification from Blackfoot regarding any of the above issues is grounds for immediate termination of the contract with Mountain West Environmental.
  - E. The City of Roberts will comply with all state and federal regulations governing its water and wastewater system. Unwillingness to comply with State and Federal regulations will be grounds for termination of this contract with Mountain West Environmental.
5. Compensation
- A. Sections #1 and #2 will be billed at \$1900 monthly.
  - B. Section #3 A-B-D will be billed at \$85.00 per hour.
  - C. Section # 3 C will be billed at \$115.00 per hour. After hours is defined as after 6 pm to 7 am on the weekdays and any hours on weekends or holidays)
  - D. Section #3 E Materials plus 30%
  - E. Section # 3 F \$0.62 a mile
  - F. A monthly admin fee of \$75.00
6. Payment and Billing
- A. Mountain West Environmental is expected to invoice for the previous month's work on the first of each month.
  - B. Owner will have a net of 30 from the invoice date to pay the invoice.
  - C. Lack of payment for more than two consecutive invoices can result in termination of the contract and revocation of license use.
  - D. All invoicing will be done paperless.

Mayor Berlin said that he believes that working with MWE would benefit the city. Currently the City contracts with IRWA for certified operators and Scott Barry for wastewater. After adding up the cost of the two contracts there would be a little bit of a financial increase but the city would get more services. By contracting with MWE it would free Ron up for non-water and sewer things and reducing fuel costs and wear and tear to the city's vehicle.

Mayor Berlin asked the council if they had any questions or comments.

Connie asked MWE for clarification regarding the drinking and wastewater testing intervals. Robert explained that the test frequency in the proposal are the required standard tests.

Ben believes contracting with MWE is the best solution for the next 2-3 years while Ron is getting his certifications.

Edidt asked if the contract would fit into the budget with the increase. Mayor Berlin said he believed it is within the City's current budget and that if the city was to contract it would eliminate the contracts with IRWA and Scott Barry which add up to approximately \$1400 per month.

Edidt asked if this is a contract or for a certain amount of time. Mayor Berlin said that the proposal is not the contract itself and that a contract would need to be worked out with the CEO (Dustin Parkinson) of MWE.

Connie asked what the time line would be. Mayor Berlin asked Robert if he had any idea. Robert said that MWE, DEQ, and the City could probably meet next week.

Mayor Berlin asked Kelsey Carter of the Department of Environmental Quality if she had any comments. Kelsey said that the DEQ is ready to meet with MWE at any time.

Mayor Berlin asked Craig Sturman what his thought were. Craig said that he felt that MWE could devote more time the City than he could and that he thought it would be a good thing for the City.

Patty Simper asked for clarification. She said she thought that Mayor Berlin said that regarding the contract would be temporary. Mayor Berlin explained that the contract with MWE is not temporary but that the contract with IRWA was meant to be. Patty also asked if Mayor Berlin intended for Ron to continue training for certification under MWE. Mayor Berlin said he was unsure at this time and would know more after meeting with MWE.

Donald Ellis said that his water was back to being what it was when the city had the over chlorination issue, yellow and smelled of chlorine. He said he was concerned because when the over chlorination happened residents were told not to boil the water, now we have an order to boil the water. Mayor Berlin said that Mr. Ellis had called city hall, April had called Kelsey (DEQ) to address your question. Kelsey said that yesterday DEQ had come to Roberts and tested 5 different locations and all the test were at 0.1, which is well below unsafe levels. The discoloration could be from something else. Don asked when the tests would be posted. Kelsey said that the tests are on the DEQ website. Don asked if Ron was a certified water operator. Mayor Berlin said Ron was not. Craig and Robert from MWE explained to Don that Ron does not need to be certified as long as the city has a certified operator. Kelsey agreed with Craig and Robert.

Mayor Berlin asked if there were any other questions.

Kelsey said that she works with MWE a lot and have helped her out a lot in Island Park and at Mack's in and with Blackfoot recently.

Don Ellis asked what is happening in regards to testing and lifting the boil order. Kelsey said that the boil order is still in place. Samples that Craig took on Tuesday and were absent for E.coli and then 5 samples were done yesterday and the results were not in and take over night. Don asked if the tests come back absent would the order be lifted. Kelsey said not necessarily and the at this point the DEQ is not prepared to lift the boil order do to water quality and that the order will most likely not be lifted tomorrow either.

Shauna asked if there was a home test that Don could do at his home for to test the chlorine levels. Kelsey offered test Don's water at home.

Don asked if the new chlorinator is in. Craig said yes.

Mayor Berlin asked council if there was any further discussion regarding the contract for MWE.

Ben made a motion to authorize the mayor to enter into negotiations with Mountain West Environmental, seconded by Shauna, all ayes.

Roll call vote was taken by Clerk, Connie aye, Ben, aye, Edidt aye, and Shauna aye.

Motion passes.

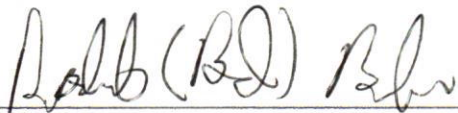
Mayor Berlin thanked everyone that has helped with the situation including Jefferson County Emergency Management, DEQ, staff, council members, volunteers, the Church of Jesus Christ of Latter Day Saints, and Jefferson County Weed Control.

Water distribution will continue and volunteers are needed.

**Adjourn:** Mayor Berlin entertained a motion to adjourn.

Connie made a motion to adjourn, seconded by Ben, all ayes.

Meeting adjourned.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk