

At 6:00 p.m. on March 4, 2014 Mayor David Anderson, Council President Rick Alonzo, Council Members Ron Smith, Connie Wells, and Tom Mayo, Clerk Kris Larson, Fire Chief Pat Warkentin, Firemen Doug Ladely, Ken Baker, and Brian Strong toured the fire hall. The group discussed the advantages the city has for fighting fire at the Kootenai River Inn. At 6:45 p.m. the group returned to city hall for the regularly scheduled council meeting.

Mayor David Anderson called the regularly scheduled council meeting of March 4, 2014 to order at 7:00 p.m. Present for the meeting were Mayor Anderson, Council President Rick Alonzo, Council Members Ron Smith, Connie Wells, and Tom Mayo, Clerk Kris Larson, City Administrator Stephen Boorman, City Attorney Andrakay Pluid, Police Chief David Kramer, Fire Chief Pat Warkentin, Water Department Operator Doug Ladely, Jr., Economic Development Coordinator David Sims, and Deputy Police Chief Foster Mayo. Also present were Robert Boone, Cheryl Boone, Al Brown, Barbara Hanson, Vikki Snider, Doug Ladely, Sr., Jessica Tingley, Adam Arthur, Jennifer VanEtten, Wendy Hawks, Tamera Hiatt, Mario DeLeon, Ruth Sutton, Dale Simpson, Darrell Kerby, Rodd Owens, Megan Owens, Danny Rosen, John Becker, Nathan Havens-Boone, Carolyn Testa, and Ken Baker.

Vikki Snider from Department of Lands spoke regarding Arbor Day and presented information regarding grant funding for Arbor Day events. She would like to see an event in the city parking lot this year with the hope that it would continue in future years. Grant funding is only available two years in a row and the City of Bonners Ferry got \$300 last year for planting a tree at the golf course. Vikki offered her assistance to anyone wanting to create an event for Arbor Day. She asked that the city review the information and determine if they are interested. Arbor Day is the last Friday in April every year.

David Sims said the Chamber of Commerce is interested in having Kootenai River Days and one of the issues that came up was insurance. It was suggested that perhaps the City and County take on Kootenai River Days as a function so he invited Darrell Kerby, ICRMP Agent, and the Chamber to this meeting. Darrell Kerby explained that ICRMP is a pool of local governments statewide created by statute. It is a mutual agreement between governments to self-insure and because of that it is a municipality rather than an insurance company so it follows the rules and laws of the State of Idaho as well as the State Constitution. The Constitution of the State of Idaho prohibits lending of credit from any municipality to any non-municipality. He said in order to name someone as an additional insured it is considered the same as lending of credit and is in violation of Idaho State Constitution. Unlike private insurance companies that offer additional insured status to other entities it is not possible by law for ICRMP to do. When the city or county are asked to provide insurance coverage for a function, the governing boards can make the decision to do that and notify ICRMP of their intent. The city's or county's liability or involvement in the function will be covered but in no way will the outside entity, such as the Chamber, be covered. If the city or county take on the function and they authorize volunteers putting on the function to be acting on behalf of the city or county as approved by the governing board of the city or county is the only way these individuals will have coverage. Darrell said the governing boards need to be informed of all the events and volunteers. David Sims asked if the Chamber could advertise as a Chamber event. Darrell said the Chamber would not necessarily

be able to advertise as a Chamber event because it would be the city's event unless the Chamber has their own insurance. Stephen asked what an event policy would cost. Darrell said the minimum premium would be about \$700 to \$3,000 depending on the length of the event and what all is involved. He said the coverage is generally for spectators and not the participants. He said generally waiver of liability forms should be signed by all participants. The board would be covered for physical injury and property damage. City cannot extend coverage to a non-municipality. John Becker spoke regarding some of the events that may be part of Kootenai River Days including lawn mower races, raft race, family fun night, and poker run and asked if they would all have to be named as volunteers. Darrell said the boards of the city and county would definitely want to know what events and who is authorized to act. David asked if the city and county were to do this how it would affect their premium. Darrell said the events would not have a direct impact on the city or county unless there was a large loss or if the underwriters thought the events needed additional coverage. Ron Smith asked about shared risk with the county. Darrell said this would be better. Megan Owens asked how it would work if an event begins outside the city limits such as the raft race. She also asked about a landowner allowing the event on their property. He said there would not be coverage for the property owner unless the city signed an agreement with the landowner and then the coverage is only for liability or actions of the city. Council thanked Darrel for the input, and he left the meeting.

David Kramer gave the police report. He said there have been four warrant arrests, two thefts, one burglary, one petit theft, four vehicle accidents, one injury accident, credit card fraud, one drug charge, one minor in possession, one unattended death, a bomb threat at the high school, a semi-truck verses car accident, sheltering of a child, and three evidentiary search warrants related to a fraud case. There are two officers off on medical leave. The group viewed the video of the truck accident on the bypass near the Kootenai River Inn last week.

Pat Warkentin gave the fire report. He said they responded to the bomb threat, the truck accident, and a chimney fire on the Northside. Pat is still very concerned about the hot ammonia nitrate trucks coming through our community. He said Paradise Valley Fire Chief Doug Ladely closed Highway 95 near Peterson Hill last week due to a vehicle accident and some trucks were lined up waiting. Pat said there is urgency with the trucks hauling ammonia nitrate traveling from the Tri-Cities to Canada as they need to get to their destination before the ammonia nitrate cools. Pat said if a heavy loaded truck or a truck hauling chemicals were to have an accident similar to the one last week near the Kootenai River Inn it would be a horrible event. He is working with Gary Marcort for training with emergency services to deal with such an event.

Stephen Boorman gave the city administrator report. He said there is a terrible water leak on Lincoln Street and we are having difficulty finding the source. It is from an old service that fed the cleaners and was capped off but has now been leaking. He said comments are welcome on the Kootenai River Restoration Project.

David Sims said the Urban Renewal Agency signed the bond paperwork. Checks will be issued to the developers. He thanked council for approving document storage for the Urban Renewal Agency and said a contract will be ready for the next meeting.

Connie Wells moved to approve the consent agenda. Tom Mayo seconded the motion and it passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”. The consent agenda contained the following: roll call; approval of accounts payable and payroll; and approval of the February 18, 2014 council meeting minutes.

Tom Mayo moved to have the third reading by title only of the ordinance amending Title 5, Chapter 3, Article B of Bonners Ferry City Code pertaining to dogs. Ron Smith seconded the motion and it passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”. Andrakay read the title of the ordinance.

Tom Mayo moved to adopt the ordinance amending Title 5, Chapter 3, Article B of Bonners Ferry City Code pertaining to dogs (clerk’s note: Ordinance #539). Connie Wells seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Rick Alonzo moved to read by title only the ordinance amending Title 5, Chapter 4 of Bonners Ferry City Code concerning curfew of minors. Ron Smith seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”. Andrakay read the ordinance by title only.

Tamera Hiatt told council that July 25, 26, 27, 2014 would be Kootenai River Days. Friday would be family fun night with movies, family events, and an ATV poker run or similar event from Myrtle Creek to Snow Creek opened to dirt bikes and ATVs. John Becker informed council of the ATV run. Saturday is a softball tournament, live music, sidewalk sale, and jail and bail for the Cancer Society. Danny Rosen spoke about the raft race and said there would also be a hike and bike event that day. The raft race would begin at Crossport and end at the Waterways building. Tamera said on Sunday there would be a pancake breakfast and a worship service at the fairgrounds. Rick Alonzo asked about a beer garden. Tamera said the people could purchase tokens and then go to any of the bars in town. Wendy Hawks said the idea is to have most of the events downtown rather than having the events at the fairgrounds so the local businesses get participation. Ron Smith asked what a poker run is. John Becker explained the event and said it is not a timed event. He will ask if there is a way for the bikes to be using the county roads that day. Tamera said the biggest concern is the liability insurance. Ron Smith thinks Kootenai River Days is a good idea. Mayor Anderson said the city was involved in the All Class Reunion last year. He asked what hours and what streets would be blocked off. Wendy said Main Street would be closed from noon until closing. She said there are several different entities involved in getting the event going. Rick Alonzo thinks it is a good idea. Rick Alonzo moved to sponsor the event and get it under our insurance as long as it is good with our legal. Rick said having tokens for the beer is better than the beer gardens. Wendy asked if open containers would be allowed similar to the All Class Reunion. Tom Mayo said if there is beer allowed he wanted to know which events would be happening at that time. Ron Smith seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”. Wendy Hawks, Tamera Hiatt, Jennifer VanEtten, Rodd Owens, Megan Owens, John Becker, and Mario DeLeon left the meeting.

Mayor Anderson introduced Robert Boone to council. He said the police chief interview process was long and arduous. He thanked Dave Kramer for going the extra distance to get the word out so we got a good pool of applicants. Rick Alonzo moved to hire Robert Boone as police chief at \$52,904.02 annually. Ron Smith seconded the motion. Tom Mayo said he spoke to someone today that thought Mr. Boone was a good choice because she knew his wife. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Mayor Anderson administered the oath of office to Robert Boone.

The Farmers Market contract was discussed. Barbara Hanson said she had concerns because the banners did not get removed until February and there was some damage. Stephen said it is in the contract that a reminder should be given by the Farmers Market to the city to take down the banners. Connie Wells moved to authorize the Mayor to sign a contract with the Farmers Market for 2014. Rick Alonzo seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”. Barbara Hanson left the meeting.

The group discussed the sewer capitalization fee waiver for a resident previously on the North Water and Sewer system that has a septic system but has paid sewer charges for years. Tom Mayo thinks there may be more people being charged for sewer that are not on the sewer system. Doug Ladely said we do not know how long the resident was paying North Water and Sewer. Tom asked how many services in the city limits are not on sewer. Doug said there are twelve or so. Rick Alonzo moved to waive the capitalization fee for Nancy Carrington at 6787 Chippewa Drive. Tom Mayo seconded the motion and it passed – Rick Alonzo “yes”, Ron Smith “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Doug Ladely informed council of the need for new geotextile bags at the lagoons. He said the sun deteriorates the bags so they only last a couple years. Stephen said the bags are filled up with solids and when it dries more is added. Tom Mayo moved to purchase the geotextile bags. Connie Wells seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Connie Wells said she is not in favor of standby. She thinks there should be a plan so one person does not get called out all the time. She said maybe we could pay the person being called out double time but not pay standby as it adds up quickly. Stephen said our current standby policy for the power plant is for one hour per day and then two hours on the weekends. He said Doug is the one that gets called the most and it is not a fair balance of the workload. He said if we expect someone to be ready for the after hour calls and not drink or to limit their activities we need to compensate them. Tom Mayo asked how this will change what we are doing now. Stephen said we will schedule so all employees will take their turn. Doug said everyday there is work done at the plant, even on the weekends. He said once the chores are done on the weekend then the person with weekend duty can leave town or drink if they want to. Doug said the water/sewer department wants to have the person with weekend duty take Friday night through Sunday night on standby. Then on Monday through Thursday the others would take a night. He said since this has not been done before the water/sewer department is looking at scheduling. Rick Alonzo asked about weekend duty and if standby would apply. Stephen said it would because the

weekend duty is actual hours worked and that is different than standby as it would be additional hours. Connie said we are trying to build up the funding for the water and sewer departments and when we add standby it takes away from what we are trying to build. Tom Mayo thinks there may be a supervising problem if only one or two people are being called out. Doug said previously no one wanted to have standby but things are changing. Council will discuss the issue in executive session.

Doug has been working on the boiler for the swimming pool. He said the current boiler was purchased in 1994 and it is a commercial boiler but not a pool boiler and those prices are much different. A new pool boiler is much more expensive than a commercial boiler but Doug does not have final figures yet. Council tabled this until pricing comes in.

Doug spoke regarding the ADA lift for the swimming pool. Andrakay said there is not a way around this and we need to get this remedied as soon as possible. Doug has looked into this but only has prices from last year. It is a fixed lift that can be removed at the end of the season. Stephen said the lift is battery operated. Doug said the disabled person can operate the lift themselves with a remote. Andrakay said there is the requirement of the person being able to operate the lift themselves. Doug said the price was \$8,000 last year. He is waiting for updated pricing this year.

The Hazel Street waterline/sewer line project was discussed. The bid prices do not include paving costs. Connie Wells moved to award the bid to KG&T Septic for \$89,648.33. Tom Mayo seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Mayor Anderson spoke of contracting with a planning and zoning administrator. He said this would be similar to our building inspection contract. He said if we would have had this expertise we would not have had problems with our annexation. There is an advantage to having the planning and zoning administrator from out of the area as they don't know the people involved. He said we are a large operation and this would take one of the duties off the city administrator's plate. Ron Smith said this person would basically be advising the planning and zoning. Stephen said he will still field routine questions but this person would be handling the planning and zoning issues. The contractor would handle all the planning and zoning meetings and hearings and our comp plan is up for revision and this person would handle that. Rick thinks this would be good to have an expert handle the issues and he likes it that they are from out of the area. Connie asked where the costs would be paid from. It would be paid out of the general fund. Tom Mayo thinks this would be positive. Tom Mayo moved to contract with Ruen Yeager and Associates for planning and zoning services. Rick Alonzo seconded the motion and it passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

The modified duty policy was discussed. Dave Kramer said this policy is currently in affect for the police department and it is the recommendation of the department heads to have this adopted city wide. Mayor Anderson asked about medical privacy and asked Andrakay her opinion. Andrakay said the employee would have to give permission. Dave Kramer said it is ICRMPs opinion that it is a decision of the city for a difference in pay for someone on light duty. He said

if the reduction of pay is considered it may be an incentive for the person to come back to regular duty sooner. If council chooses to go forth with the modified duty policy Andrakay will rewrite the policy to fit the entire city. Dave Kramer said if the city adopts the modified duty policy then the police will refer to it rather than having a separate one. Rick Alonzo moved to take the modified duty assignment for the Police Department and manipulate the verbiage to fit the entire city. Tom Mayo seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Stephen Boorman spoke regarding a cash reserve policy. He said we need to have a rationale for the amount of reserves that we carry. Our current reserves are lower than what is anticipated in the reserve policy. His chart is explanatory considering failures for Acts of God, equipment failure, cash flow, rate stabilization, and bond funding requirements to gage the amount held in cash reserves. Stephen said no decision is necessary tonight but it is there for consideration. He said the enterprise funds run independently and the city has the ability to borrow in-house and pay interest. A balance point is needed in each fund.

Power plant unit three rebuild change order number three was discussed. This is for the lower guide that sits under the generator. The bearings were not part of the change order as it is part of the base bid. Stephen said there were several bearings that did not need work and some that did. The machine is running smooth. Connie said this contractor has done a good job. Connie Wells moved to approve change order three for the power plant project in the amount of \$11,480. Rick Alonzo seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Mayor Anderson would like to see the Kootenai River Restoration Project proceed. Connie and Tom agreed. Mayor Anderson thinks the project will help our dike work. Rick thinks it is good also.

The drug and alcohol testing policy definition of safety sensitive employees was discussed. Andrakay read the definition and said it would also cover the lifeguards and janitors as well as our employees that were covered previously. Rick Alonzo moved to amend the City of Bonners Ferry Drug and Alcohol Policy definition of safety sensitive employees. Ron Smith seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

The group discussed Family Medical Leave Act (FMLA). Tom Mayo said it is applied by different entities differently. Ron Smith moved to amend the city personnel policy to include the FMLA policy. Tom Mayo seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Rick Alonzo moved to reappoint Linda Hiatt to the golf committee. Connie Wells seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Boundary Area Transportation Team (BATT) was discussed. Mayor Anderson said we would like to get more attendance at the BATT meetings and asked if a council member would be

willing to be the city representative at this meeting. Mayor Anderson is also going to ask the Chamber of Commerce if they will send someone. Connie Wells volunteered to attend the BATT meetings for the city.

Connie Wells moved at 8:55 p.m. to go into executive session per Idaho Code 67-2345 (1) (c) (e). Ron Smith seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”. Connie Wells amended her motion to include subsection (f) also. Ron Smith agreed and seconded the amended motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”. At 9:35 p.m. executive session ended. No action was taken.

The meeting adjourned at 9:35 p.m.

David K. Anderson, Mayor

Attest:

Kris Larson, City Clerk