

Welcome to tonight's City Council meeting!

The elected officials of the City of Bonners Ferry are appreciative of an involved constituency. Testimony from the public is encouraged concerning issues when addressed under the Public Hearing portion of the agenda. Any individual who wishes may address the council on any issue, whether on the agenda or not, during the Public Comments period. Normal business will preclude public participation during the business portion of the meeting with the discretion left to the Mayor and Council.

Vision Statement

Bonners Ferry, "The Friendliest City", strives to achieve balanced growth, builds on community strengths, respects natural resources, promotes excellence in Government, and values quality of life.

**AGENDA
CITY COUNCIL MEETING
Bonners Ferry City Hall
7232 Main Street
267-3105
January 19, 2016
7:00 p.m.**

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

Special Use Permit Hearing for Medical Clinic at 6530 Washington Street in Residential A Zone

Decision on Special Use Permit for Medical Clinic at 6530 Washington Street

PUBLIC COMMENTS

Each speaker will be allowed a maximum of five minutes, unless repeat testimony is requested by the Mayor/Council

GUESTS

Tony Rohrwasser – Simulcast System

REPORTS

Police/Fire/City Administrator/Economic Development Coordinator/Urban Renewal District/Water & Sewer

CONSENT AGENDA

1. Call to Order/Roll Call
2. Approval of Bills and Payroll
3. Treasurer's Report
4. Approval of December 23, 2015 Special Council Meeting Minutes and January 5, 2016 Council Meeting Minutes

OLD BUSINESS

NEW BUSINESS

5. City – Discuss Boundary Volunteer Ambulance Commercial Lease Agreement Renewal (attachment)

6. Water – Authorize Mayor to Sign Welch Comer Contract Addendum #1 to Amendment #16 (attachment)
7. Street – Approve Augusta Street Project Pay Request #2 for HMH Engineering and Authorize Mayor to Sign Documents (attachment)
8. City – Discuss Special Event Policy (attachment)
9. Police – Approve Step Pay Increase for Christian Frye
10. City – Discuss Volunteer Policy (attachment)
11. Electric/Water/Sewer – Award Bid for Excavator (attachment)
12. Water – Discuss Drilling a Test Well (attachment)
13. Planning & Zoning – Approve Mayor’s Recommendation to Reappoint Chris Rawlings, Sue Larson, and Wally Cossairt to the Planning and Zoning Committee with Terms Expiring on December 31, 2019
14. Traffic Safety – Approve Mayor’s Recommendation to Reappoint Dean Satchwell, Don Lindsay, and John Marquette to the Traffic Safety Committee with Terms Expiring December 31, 2017
15. Golf – Approve Mayor’s Recommendation to Reappoint Brion Poston, Dick Staples, and Linda Hiatt to the Golf Committee with Terms Expiring December 31, 2017
16. Executive Session per Idaho Code 74-206 (1) (b) 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.
17. Executive Session per Idaho Code 74-206 (1) (f) 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.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE 74-206, SUBSECTION 1

- (a) Consider hiring a public officer, employee, staff member or individual agent.
- (b) 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.
- (c) Conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency.
- (d) Consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code.
- (e) Consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.
- (f) 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.
- (i) Engage in communications with a representative of the public agency’s risk manager or insurance provider to discuss the adjustment of a pending claim or prevention of a claim imminently likely to be filed.

ADJOURNMENT

NEXT MEETING DATE

INFORMATION

18. Electric – Project Share Donation Letter from Cable Huston (attachment)

NOTICE OF PUBLIC HEARING

Notice is hereby provided that the Bonners Ferry City Council will hold a public hearing to consider a special use permit to run a medical clinic at 6530 Washington St. in the Residential A zoning district. The applicant proposes to use an existing building to provide pregnancy care, resources, and counseling to expecting families.

A hearing, pursuant to I.C. 67-6509 and Bonners Ferry City Code has been set for ***JANUARY 19, 2016 AT 7:00PM*** before the City Council. All interested public is welcome and encouraged to attend or provide written response greater than 1-page six (6) days prior to the meeting. Written material less than 1-page may be read into the record the day of the hearing. Public wishing to speak at the public hearing may do so in compliance with Resolution 2014-06-01, a copy of which is located at City Hall.

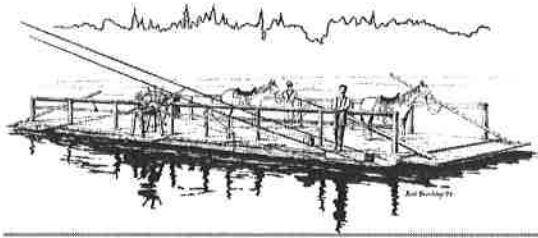
The deadline for submitting written comment and/or material is *5 p.m. January 13, 2015*. Written comment can be mailed to City of Bonners Ferry, Planning and Zoning, P.O.Box 149, Bonners Ferry, ID 83805, or faxed to (208) 267-4375.

A complete file is available for viewing by the public at City Hall, located at 7232 Main, during regular business hours. Anyone requiring special accommodation due to disability should contact the City Clerk at (208) 267-3105 at least two days prior to the meeting.

City of Bonners Ferry Planning and Zoning

ATTEST: Christine McNair

PUBL: *December 31, 2015*



CITY OF BONNERS FERRY

7232 Main Street
P.O. Box 149
Bonners Ferry, Idaho 83805
Phone: 208-267-3105 Fax: 208-267-4375

STAFF REPORT FOR PROVIDENCE BIBLE PRESBYTERIAN CHURCH SPECIAL USE PERMIT – FOR A MEDICAL CLINIC AND PROFESSIONAL OFFICE IN THE RESIDENTIAL A ZONE

Prepared by: Lisa M. Ailport
Contract Planner
219 Pine Street
Sandpoint, Idaho 83864

Project Description: The applicant is requesting a special use permit on behalf of the Providence Bible Presbyterian Church to run a medical clinic known as A Blessed Beginning at 6530 Washington St. and a homeschooling network/resources center in the Residential A zoning district. The applicant proposes to use an existing building to provide pregnancy care, resources, and counseling to expecting families and a resource call center for homeschooling families and teachers.

Location: The site is located at 6530 Washington Street

Parcel size: 0.4960 acres; 21,605.76 square feet.

Applicant: Providence Bible Presbyterian Church
6530 Washington St.
Bonners Ferry, ID 83805

Applicant's Representative: Sherry Bushnell
672 Meadow Creek Road
Bonners Ferry, Idaho 83805

Application Filed with City: September 17, 2015

Notice Provided: Mailed: December 30, 2015
Site Posted: January 5, 2016
Published in Paper: December 31, 2015

Hearing Date: Planning and Zoning: December 10, 2015
City Council: January 19, 2016

APPLICABLE CITY CODES:

§11-5-3, Limitations
 §11-5-5 General Standards
 §11-13-2 Parking provisions
 §11-13-4 & 5 Off Street Parking
 §11-14-7 Special permitted signs

§11-5-4 Application filing contents
 §11-5-6 Conditions and Safeguards
 §11-13-3 Design and Maintenance
 §11-14 et. seq. Signs, sign setbacks
 §11-2-3C; Table of Uses

**FINDINGS OF FACT-
 PLANNING AND ZONING****PROJECT OVERVIEW/BACKGROUND**

Sherry Bushnell is requesting approval of a special use permit to operate A Blessed Beginnings, a pregnancy care, resource and counseling center for expecting families and National Challenged Homeschoolers Associated Network (NATHHAN) resource call center for home schooling families and teachers in the Bonners Ferry and North Idaho area. The site is located at 6530 Washington Street in the Residential A zoning district. Mrs. Bushnell proposes to use a 1,700 square-foot portion of an existing 3,400 square foot building to conduct the business.

According to Bonners Ferry definitions (Appendix A), a medical clinic is a building used for the care, diagnosis and treatment of persons who seek medical/surgical attention. The applicant proposes to provide pregnancy care that includes, but is not limited to, pregnancy testing, midwifery care and counseling of mothers to be. There is also an opportunity to assist mothers and mothers to be that are "*in crisis*" and are in need of immediate assistance or products such as diapers, clothing etc. According to the website operated by Sherry Bushnell (www.sherrybushnell.com) current midwifery care can include services such as the following:

- Monitoring the physical, psychological, and social well-being of the mother throughout the childbearing cycle
- Providing the mother with individualized education, counseling, and prenatal care, continuous hands-on assistance during labor and delivery, and postpartum support
- Minimizing technological interventions
- Identifying and referring women who require obstetrical attention

Hours of operation of A Blessed Beginnings mimic other professional office hours, but offers in addition to normal business hours, emergency hours and after hour evening classes. According to testimony by Mrs. Bushnell the site will not include a birthing center but may assist as a meeting area before heading to a birthing facility, such as the local hospitals.

In addition the application states that the site will be used as a homeschoolers network resource center, otherwise known as NATHHAN (National Challenged Homeschoolers Associated Network). According to the application, the space dedicated to this use may include up to one employee who will take phone calls from home schooling families and teachers to assist with connecting them to curriculum, other local families and resources related to homeschoolers of challenged children.

NATHHAN is most appropriately placed under Professional Offices, which is also specially permitted

in the A zone district (see Title 11, Use Table Appendix). A professional office is defined in Appendix A as "Offices and related spaces maintained and used as a place of business, such as doctors, dentists, engineers, attorneys, architects, accountants and other persons providing professional services."

Per §11-13-5, medical clinics are required to provide one parking space for every examination or treatment room, one space for every 200 square feet of waiting area, and one space for each employee. The application does not provide a floor plan defining how much square footage would specifically be dedicated to waiting area. In the case that all 1,700 square feet of space was considered waiting area, 11 parking spaces – 9 based on square footage, 2 based on number of employees – would be required.

Professional office spaces shall require 1 space per 250 square feet of area. It is anticipated that the area devoted to NATHAN will include no more than 250 square feet.

The most recent site plan shows 17 off street parking spaces currently on site to serve the entire property, church and medical clinic.

The church currently uses the same parking area every Sunday from 9:00am-3:00pm. The applicant's narrative limits the operating hours of the proposed medical clinic to 10:00am-4:00pm, Monday – Friday. Evening classes may be held once a month in the evening from 7:00pm-8:30pm. Hours of operation may include emergency operation on a case by case basis for clients needing emergency care or counseling. Given the hours of operation of the church and the medical clinic it appears that the uses will rarely overlap, however a condition seeks to limit the site to parking off-street only so as to limit the impacts of traffic overflows onto Washington Street.

According to records at the City, there are currently no other medical uses in the area but other professional uses exist nearby. Roger Fraser operates a professional office south of the property. Additionally, Robina and Joseph Scarlett operate Aspen Care, a professional office which is also south of the property.

At the Planning and Zoning Public Hearing held on December 10, 2015, condition #7 was recommend by the Planning and Zoning Commission to restrict signage on site to 12 square feet as established by §11-14-7. However, testimony was provided from Leonard Pine that the existing sign advertising Providence Bible Church is approximately 4'x7'.

Since the recommendation by the Planning and Zoning Commission, staff reviewed city records and determined that BP4007-011-11 was approved in May of 2011 for a sign up to 4'x8'. Mr. Pine also included a photo of the sign in a December 11, 2015 email to staff showing the sign was constructed differently than was what approved, noting that the area of the sign is approximately 4'x7' or 28 square feet (see 12/11/2015 email). Due to this additional information, staff has amended condition #7 to limit signage to the foot print of the existing approved sign area of up to 4'x8' or 32 square feet (See amended condition #7).

PROPERTY DESCRIPTION

- A. Site Acreage: 0.4960 or 21,605.76 square feet, known as Assessor Parcel #RPB0820001006EA
- B. Access: The site is served by Washington Street.
- C. Services: The site is served by City sewer and water. The site is also within the City fire district and is served by City police.

Compass	Comp Plan Designation	Current Zoning	Surrounding uses/Densities
Site	Residential	Residential A	.496 acre lot, existing 2500 square-foot existing structure, 1700 square-foot existing structure, current use as church
North	Residential	Residential A	0.2-0.5 acre residential lots
South	Residential	Residential A	0.2-0.5 acre residential lots
East	Residential	Residential A	0.2-0.6 acre residential lots
West	Residential	Residential AA	0.2-0.6 acre residential lots

AGENCY COMMENTS

On October 23, 2015, the application was sent to the following departments and/or agencies for review and comments; City of Bonners Ferry Street Department, City of Bonners Ferry Fire Department, City of Bonners Ferry Utility (Sewer/Water), Boundary County School District, Idaho Department of Transportation, Traffic Safety Committee.

The Traffic Safety Committee reviewed the application during a meeting on November 2, 2015 and responded that they did not foresee any traffic issues based on the information submitted with the application.

Both the Idaho Transportation Department (on November 4, 2015) and the City of Bonners Ferry Fire Department (on October 30, 2015) responded that they had no comment on the application.

No other agency comments were received to the file.

PUBLIC COMMENTS

Jan Klopfenstien commented to the file on January 11, 2016 that she was netural to the proposed request. Her written comments stated: *"I am happy the pregnancy center will be getting a larger building to provide services. However, it will increase the traffic on the road. This may be a concern especially in the summer when the pool is in use. Individuals already don't seem to want to obey the speed limit in this area. This is the second medical building in my neighborhood. Seems strange for a residential zone."*

Gayle W. Mormon commented to the file on January 11, 2016 that she is in favor of the proposed use. No other additional comments were provided.

Leonard Gilliam submitted a response to the file indicating he was not in support of the request for the following reasons: *"As property owners of a residence on Washington Street in Bonners Ferry, I*

am opposed to a business being established in a residential area.”

A public comment from L.D. and Geraldine Gillham was received on December 7, 2015 indicating that they are opposed to the use. No additional information was given.

At the public hearing on December 10, 2015, Granite Allinger, Tom Allinger, Jessica Allinger, and Stu Willis indicated that they were in favor of the use. Ruth Allinger, who is a volunteer with A Blessed Beginning, spoke in favor of the use. There were no comments neutral or in opposition to the use.

A public comment was received from Rob and Clarice McKinney on November 24, 2015 indicating the use seemed appropriate for the existing building and therefore they had no objections to the proposed request (see comment form).

PLANNING AND ZONING RECOMMENDATION: The Planning and Zoning Commission held a public hearing on December 10, 2015. At the hearing the commission recommended approval to the City Council. Since the public hearing, staff has received additional evidence into the file and has amended condition #7 relating to signage on the property. With the new information, staff has also provided additional standards review for consideration at the Council meeting (see standards review table below). However, even after consideration of the new information no additional conditions are proposed.

STANDARDS REVIEW: Pursuant to Bonners Ferry City code, sufficient evidence must be found in the record to make conclusions as set forth at §11-5-5. The following table attempts to include evidence in the record that satisfies the standards of special use permits listed at §11-5-5 Bonners Ferry Code.

Standards Review Table – Bonners Ferry City Code (see applicable codes above)	Evidence Provided for in Record
Special Use is provided for in City Code	The site is zoned Residential A, §11-2-3C provides for authority of special uses; §11-2-3 provides for medical clinics and professional offices as specially permitted uses in the Residential A zoning district.
Existing Uses	The site currently has an approximately 2,500 square-foot church building on it, a parking area, and an approximately two story 3,400 square foot building. Only the first floor and approximately 1,700 square feet of the building proposes to be used as a medical clinic.
Public Facilities that serve the site	The site is served by City sewer and water. Washington Street is the paved city right-of-way which serves the existing facility. The site is also within the City fire district, and is served by City police.
Extension of public services/facilities to the site.	All services are existing; the application does not anticipate any additional public services to service the site.

Vehicular approaches – so designed as to not interfere with traffic	Access to off street parking will be via Washington Street.
Hazardous activities	The application does not list any hazardous activities as proposed as part of the request.
Natural/historic features maintained	The existing site is not listed as a historic building or maintained on any historic registers (Idaho State Historical Society, Historic register). No other preservation plans or scenic area plans are known to have been adopted by the City limiting growth in the manner requested with this application.
Parking requirements	<p>§11-13-5 requires Medical Clinics to provide 1 space for every examination or treating room, 1 space for every 200 square feet of waiting area, and 1 space for each employee.</p> <p>Professional Offices require 1 parking space for every 250 square feet.</p> <p>The applicant's site plan shows seventeen (17) parking spaces currently on site.</p>
Drainage Plan, required	No new parking lot is proposed as part of the application, therefore no drainage plan is required as part of this special use permit.
Signage – allowable square footage	<p>§11-14-7A states that any sign advertising a commercial enterprise in a residential district shall not exceed 12 square feet in area and shall advertise only the names of the owners, trade names, products sold and/or the business or activity conducted on the premises.</p> <p>The applicant proposes one 4'x8' wall sign and one 2'x2' or 4'x4' window decal.</p> <p>Condition #12 has been modified from the recommendation of P/Z that limited signage to the existing 12 square foot standard of §11-14-7 and replaced it with a condition that requires that signage for the property not exceed the existing approved 4'x8' or 32 square feet of sign area.</p>

DRAFT MOTION(S) BY THE COUNCIL

Motion to Approve: I move to approve this file SUP-004-15, for a special use request to operate a medical clinic and professional office at 6530 Washington Street in the Residential A District, finding that it is in accordance with the general and specific goals and standards of City of Bonners Ferry Comprehensive Plan and City of Bonners Ferry zoning code pertaining to special uses as enumerated in the following findings of fact and conclusions of law. I further move to adopt the following findings of fact and conclusions of law (READ ALL CONCLUSIONS OR MAKE STATEMENT THAT YOU FIND IN THE AFFIRMATIVE FOR ALL) and including the conditions of approval (as amended, or as submitted) and enumerated in the staff report.

The actions to be taken to obtain the special use permit is to complete the conditions of approval as adopted.

Motion to Deny: I move to deny this file SUP-004-15, for a special use request to operate a medical clinic and professional office at 6530 Washington Street in the Residential A District finding that it is not in accord with the following conclusions of law [READ CONCLUSIONS OF LAW AND SPECIFY WHICH CONCLUSIONS OF LAW FAIL TO MEET THE REQUIREMENT] as outlined in the staff report and the testimony received at the public hearing. Furthermore, I move to adopted the following findings of fact and conclusions of law (read conclusions 1-9 – noting the findings that support your claim – which conclusions does it fail to meet).

The actions to be taken to receive approval is

1. Submit a new petition that meets the standards of the City of Bonners Ferry special use permit applications; or
2. Pursue such remedies as provided for at Title 67 Chapter 65, Idaho Code.

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**CONCLUSIONS OF LAW**

**\*The above staff report and subsequent evidence in the record provides for the findings of fact required in order to make any conclusion of law. Based upon those findings, the following conclusions are adopted by the Commission/City Council.**

**Conclusion 1:**

The proposal was reviewed for compliance with City of Bonners Ferry Code Sections: §11-5-3, §11-5-4, §11-5-5, §11-5-6, §11-13-2, §11-13-3, §11-13-4 & 5, §11-14-7 & 8, §11-2-3C; Therefore, the proposal **is/is not** in accordance with the applicable standards.

**Conclusion 2:**

The special use **is/is not** a special use, as allowed for in the zone district in which it is located:

Finding: The site is zoned Residential A (Current City Zoning Map).

Finding: Appendix B of the City code provides for "S" [Special Use] for both medical clinics and professional offices under Residential A zoning (City of Bonners Ferry Code §11-2-3C Appendix B).

**Conclusion 3:**

The use **is/is not** in general conformance with the general or specific objective of the comprehensive plan and zoning ordinance:

Finding: The residential A zoning provides for medical clinics and professional offices as special uses (City of Bonners Ferry Code §11-2-3C Appendix B).

Finding: The proposed use complies with standards of special use permit requirements of Bonners Ferry City Code (see applicable sections of BFCD, listed above).

Finding: Surrounding properties consist of residential uses (see above uses/density table)

**Conclusion 4:**

The use **will/will not** be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity. Therefore, the use **will/will not** change the essential character of the area.

Finding: The site is zoned Residential A (current zoning map).

Finding: The application narrative states that the existing building will retain the same design and will be maintained to be harmonious and appropriate in appearance with the existing character of the general vicinity.

Finding: The site is located in an area of single family residences (current city zoning map).

Finding: The current lot is approximately 0.5 acres. Surrounding lots range in size from approximately 0.2 acres to 0.6 acres.

Finding: Condition #8 limits on-street parking

Finding: Condition #9 encourages the business owner to work with the church to not overlap operation times so as to reduce the impact on neighboring property owners.

**Conclusion 5:**

The use **will/will not** be hazardous or disturbing to existing neighboring uses.

Finding: The residential A zoning provides for medical clinics and professional offices as a special use (City of Bonners Ferry Code §11-2-3C Appendix B).

Finding: The application does not list that hazardous materials or hazardous items will be stored onsite.

Finding: The proposed use complies with standards of special use permits and parking requirements of Bonners Ferry City Code (see applicable sections of BFCD, listed above)

Finding: Surrounding properties consist of residential uses. (See above uses/density

table).

Finding: Applicant proposes hours of operation to Monday – Friday, 10am-4pm, evening classes on an “as-needed basis” and on case by case emergency basis.

**Conclusion 6:**

The use **is/is not** served by adequate public facilities and services which **will/ will not** create excessive additional requirements at public cost for public facilities and services and **will/will not** be detrimental to the economic welfare of the community.

Finding: The site is currently served by City water and sewer.

Finding: Washington Street will provide the physical access to the property.

Finding: Off street parking via Washington Street will be provided.

Finding: The applicant does not propose to extend any additional utilities to serve the proposed use.

Finding: In their agency comment, the Traffic Safety Committee did not foresee any traffic issues based on the information submitted with the application.

**Conclusion 7:**

The use **will/will not** involve activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor, or other factors determined to be nuisances.

Finding: The applicant is limiting hours of operation to Monday – Friday, 10am-4pm and on a case by case emergency basis. 3 – 4 cars are expected at a time.

Finding: Condition #8 limits on-street parking

Finding: Condition #9 encourages the business owner to work with the church to not overlap operation times so as to reduce the impact on neighboring property owners.

**Conclusion 8:**

The use **will/will not** have vehicular accesses that create interferences with traffic on surrounding public thoroughfares.

Finding: The use will be by Washington Street. Off-street parking will also be served via Washington Street.

Finding: The Traffic Safety Committee commented that they did not foresee any traffic issues based on the information submitted with the application.

**Conclusion 9:**

The use **will/will not** result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

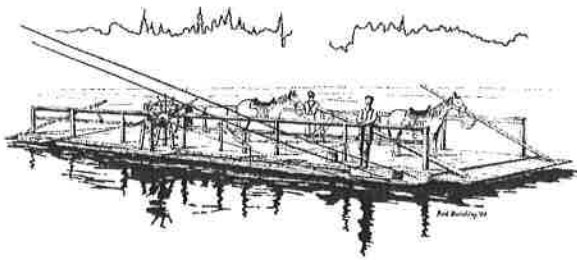
Finding: The site is not located on a known historic register (Idaho State Historical Office, register list).

Finding: The site is not known to be located on any maps or plans identifying the area as a natural or scenic preserve.

**CONDITIONS OF APPROVAL**

1. The Special Use shall not be valid until recorded by the City, pursuant to §11-5-10.
2. All applicable conditions of approval shall be met or maintained prior to issuances of the Special Use Permit by the City. Any condition that runs with the land shall stay in affect while the use is in operation. Failure to meet any condition of approval may be grounds for revocation of the permit by the city.
3. The use shall be developed and operated in accordance with the approved application, site plan, or conditions as approved with this application. Failure to comply within the bounds of this permit, may result in revocation of the permit by the City.
4. The special use permit shall not supersede any deed restriction(s).
5. Pursuant to I.C. 67-6512D2-3, the city may regulate the timing and duration of development. Therefore, this special use permit shall expire if not recorded by the City within 2 years of the date of approval. In the event of expiration a new permit may be required in order to commence the use.
6. The use shall run only with Providence Bible Presbyterian Church and shall not extend outside the recorded legal description as provided for with Instrument #256917. Subsequent owners of the parcel shall be required to apply for a special use permit if they desire to continue the use or if the use is moved to a different location.
7. Signage for the property shall not exceed 32 square feet or a maximum sign dimension of four (4) feet by eight (8) feet as approved with Building Permit 4007-011-11.
8. No on-street parking shall be allowed as part of this use.
9. The business owner shall use caution when overlapping business operation times while the church is in operations so as to reduce the impact to neighboring residential property from traffic and/or noise.
10. The Conditional Use Permit shall not be valid until recorded by the City, pursuant to §11-5-10.





# City of Bonners Ferry

## Public Hearing Comment Form

Meeting Date: January 19, 2016

Name Jan Klopfenstein

Address PO Bx 21 Bonners Ferry ID 83805

Hearing: Special Use Permit to run a medical clinic at 6530 Washington Street.

Please indicate one of the following:

I **Support** the proposal

I wish to speak

I am **Neutral**

I do not wish to speak

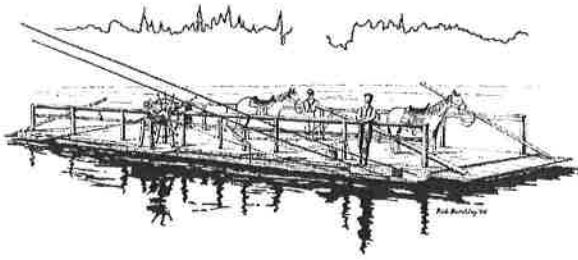
I am **Opposed** to the proposal

Please provide any comments below:

I am happy the pregnancy center will  
be getting a larger building to  
provide services

However it will increase the traffic  
on the road. This may be a concern  
especially in the summer when the pool  
is in use. Individuals already don't  
seem to want to obey the speed  
limit in this area.

This is the 2<sup>nd</sup> medical building in  
my neighborhood seems strange for a  
residential zone



# City of Bonners Ferry

## Public Hearing Comment Form

Meeting Date: January 19, 2016

Name Gayle W. Morrison

Address 6503 Washington St  
Bonnors Ferry Idaho 83805

Hearing: Special Use Permit to run a medical clinic at 6530 Washington Street.

Please indicate one of the following:

I **Support** the proposal

I wish to speak

I am **Neutral**

I do not wish to speak

I am **Opposed** to the proposal

Please provide any comments below:

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RECEIVED  
JAN 19 2016  
CITY OF BONNERS FERRY ID



The Planning and Zoning public hearing scheduled for December 10, 2015 was called to order at 5:30pm by Chairwoman Glenda Poston. Present for the meeting were: Planning and Zoning members Andy Howe, Brad Hanson, Chris Rawlings, Sue Larson, Wally Cossairt, Dave Gray, Planning and Zoning Administrator Lisa Ailport, Assistant Planner Lisa Adair and Office Clerk Christine McNair. Members of the public present: Tom Allinger, Granite Allinger, Jessica Allinger, Ruth Allinger, Stu Willis, Sherry Bushnell, Tom Bushnell, Dennis Lamphere, Linda Lamphere and Len Pine.

Glenda opened the public hearing for the special use permit SUP004-15 to run a medical clinic at 6530 Washington Street in the Residential A zoning district.

Glenda asked if there were any conflicts of interest. There were no conflicts.

Lisa Adair gave the staff presentation. The proposed hours of operation will be 10am – 4pm Monday – Friday and on a case by case basis. Along with evening classes once a month for up to 8 people. The business will use the existing church parking lot and doesn't expect any conflicts. The traffic safety committee didn't have any concerns. Idaho Transportation Department and City Fire responded with no comment. Written comment was received prior to the hearing from Rob & Clarice McKenney stating they are neutral, but it seems like a reasonable use of an existing building. LD & Geraldine Gillham stated they are opposed to the proposal.

Lisa Ailport read the definition of a medical clinic into the record. A medical clinic as defined under Bonners Ferry City Code says a building used for the care, diagnosis and treatment of persons who seek medical or surgical attention. Which does not include medical care facilities providing board, room or hospital care and services.

Brad, Dave and Glenda stated they were confused about how the nationally challenged homeschool part fit under the definition of a medical clinic. Lisa said the applicant should be able to address that issue in their presentation

Sherry Bushnell gave her presentation. She has been in business since 2011. She will be combining Lavender & Roses and A Blessed Beginnings in an effort to provide more services. She will be providing ultra sound services. The nationally challenged homeschool has been her and Tom's non-profit business for 25 years and it is basically all phone counselling. She said they find adoptive homes for babies with special needs, such as downs syndrome and spina bifida. She feels it dovetails very nicely with her other businesses. Sherry asked if they could use their 4' x 8' sign for A Blessed Beginnings, since they are 100' back from the highway. She would like to attach it to the building. She would also like to put a sign in the window for Lavender & Roses. Glenda clarified that Sherry rents from Pam Svec not from her. Sherry agreed.

Brad asked which business she performs most during the course of a day. She said Lavender & Roses.

Glenda asked if this location will be used as a birthing center. Sherry said, no. She has a birthing center two blocks from the hospital in Libby, MT.

Lisa Ailport explained that the size of the sign (12 square feet) is not something that can be varied from since it is a standard for the residential district.

Glenda read the comments into the record that were provided at the public hearing.

Granite Allinger is in support. I believe this clinic will be very positive for not only Bonners Ferry, but the county and beyond.

Jessica Allinger is in support. This is a beneficial service for our community. Pre-natal care and support is important.

Stu Willis is in support. Stated use will not interfere or add to any of the current use by the church (owner). As representative of the church, I cannot foresee how the stated use will negatively impact the surrounding properties. Approval of the requested use will allow funding to complete the needed construction of the building which will otherwise go vacant for an unforeseeable period of time (the current owner-the church- will not have the necessary funds for quite a while).

Tom Allinger is in support. I support the clinic as a needed service in the community.

Ruth Allinger spoke in support. She has been an employee of nationally challenged homeschool and a volunteer of A Blessed Beginnings, both of those are great. On the nationally challenged homeschool, she has counseled people all across the country that are pregnant and expecting a baby that is going to have medical needs and getting the help themselves or having an adoptive family found for them. As a volunteer at A Blessed Beginnings, she has helped with giving diapers to moms, who just simply cannot go and buy them. She has gone to Safeway with the mom and bought diapers for her. Those are the kinds of things the community needs, but the building by Safeway is way too small at this point.

No uncommitted testimony.

No opposition testimony.

Glenda closed the public hearing at 5:55pm.

Brad asked for clarification about who the special use permit will be issued to if it is approved. Lisa Ailport said that the landowner and the business owner are tied together in the permit. If the business owner leaves the landowner cannot find someone else to continue a business there. The special use permit would cease to exist.

Glenda asked about the rest of the building being utilized. Lisa Ailport said if the use requires a special use permit. They would have to follow the same procedure.

Glenda is concerned about a commercial sign being allowed in a residential zone.

Brad is not in favor of special allocation made for a sign that is not already allowed in Residential A.

Lisa Ailport read code 11-14-7, which states a commercial sign in a residential zone shall not exceed 12 square feet.

Brad moved to approve the file SUP004-15, for a special use request to operate a medical clinic at 6530 Washington Street in the Residential A District, finding that it is in accordance with the general and specific goals and standards of the City of Bonners Ferry Comprehensive Plan and the City of Bonners Ferry zoning code pertaining to special uses as enumerated in the following findings of fact and conclusion of law. Finding in the affirmative for all and including the conditions of approval and enumerated in the staff report. The actions to be taken to obtain the special use permit is to complete the conditions of approval as adopted. This action does not result in a taking of private property. Dave seconded the motion. Motion passed with all in favor.

The next meeting date is January 21, 2016.

Dave moved to adjourn. Chris seconded the motion. Motion carried with all in favor.

---

Glenda Poston, Chairwoman

Attest: \_\_\_\_\_  
Christine McNair, City Office Clerk

# Addendum to Previous Application

## City of Bonners Ferry Special Use Permit Addendum Application

**FOR OFFICE USE ONLY:**

|        |                                                                                   |
|--------|-----------------------------------------------------------------------------------|
| FILE # | RECEIVED: <b>RECEIVED</b><br>SEP 17 2015<br>3:32pm<br>Cm<br>CITY OF BONNERS FERRY |
|--------|-----------------------------------------------------------------------------------|

**APPLICANT INFORMATION:**

|                                                        |           |                 |
|--------------------------------------------------------|-----------|-----------------|
| Landowner's name: Providence Bible Presbyterian Church |           |                 |
| Mailing address: 6530 Washington St.                   |           |                 |
| City: Bonners Ferry                                    | State: ID | Zip code: 83805 |
| Telephone: 208-267-3327                                | Fax: same |                 |
| Email: lenpine@gmail.com                               |           |                 |

**REPRESENTATIVE'S INFORMATION:**

|                                        |                   |                 |
|----------------------------------------|-------------------|-----------------|
| Representative's name: Sherry Bushnell |                   |                 |
| Company name: A Blessed Beginning      |                   |                 |
| Mailing address: 672 Meadow Creek Road |                   |                 |
| City: Bonners Ferry                    | State: ID         | Zip code: 83805 |
| Telephone: 208-946-0640                | Fax: 208-549-7009 |                 |
| E-mail: sherry@launderandroses.org     |                   |                 |

**PARCEL INFORMATION:**

|                                                                                                                                                                 |                                  |           |                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|-----------|------------------------|
| Section #: 27                                                                                                                                                   | Township: 62N                    | Range: 1E | Parcel acreage: 0.4960 |
| Parcel # (s): Lots 4, 5, 6 B1K1                                                                                                                                 |                                  |           |                        |
| Legal description: 6530 Washington Street<br>Bonners Ferry, ID 83805                                                                                            |                                  |           |                        |
| Current landowner's name: Providence Bible Presbyterian Church                                                                                                  |                                  |           |                        |
| Current zoning: Residential                                                                                                                                     | Current use: Church Congregation |           |                        |
| Directions to site:<br>Turn left onto Madison off Hwy 95.<br>Providence Bible Presbyterian church, Suite B<br>Corner of Madison + Washington Street off Hwy 95. |                                  |           |                        |

**APPLICANT NARRATIVE:**

A Special Use Permit is a permit for a use which is specifically listed use within a zoning district as Special Use. If the use is not listed as either allowed or special, then the use is prohibited. All special uses in the City of Bonners Ferry shall seek approval of the use by recommendation by the Planning and Zoning Commission and approval of the City Council. Any modification of a special use requires an additional hearing by the City Council to approve the modification. The applicant shall to the best of their abilities provide the Council with accurate information about the special use they are seeking. The council may at its discretion approve, approve with conditions or deny an application, pursuant to I.C. 67-6509.

**PROJECT DESCRIPTION**

The applicant is requesting a Special Use or Modification to a Special Use (circle one) for:  
Describe in detail the use—number of employees, hours of operation, size of buildings, etc. Use additional paper if necessary:

A Blessed Beginning Pregnancy Resource Center, (Mon-Fri 10-4 pm)  
900 square feet in Suite "B". (Bottom Floor only) - 1 volunteer  
lavender and Roses Mothering Center + National Challenged  
Homeschoolers Network - 1 employee

Does the proposed use seek to extend any services, such as roads, sewer and/or water? If so, please explain what services are proposed to be extended: no

Will land be offered for dedication as a result of this application? If so explain in detail:

no

Describe surrounding land uses (ex: residential housing, commercial, manufacturing, etc):

North Residential (church) South Residential  
East Residential West Residential (Hwy 95)

Describe adjacent zoning and densities (ex: Single Family (R-1) Platted 10k sq.ft., Commercial lots etc):

North Single family South single family  
East " " West Residential

**SITE INFORMATION:** Please provide a general description of the lay of the land (ex: is the property flat, have any bodies of water or wetlands present, what existing structures and uses are present etc.)

Flat, large parking area, no wetlands.  
Church Building has a 2 story building beside it,  
which is considered Suite A + B. we wish to use  
suite B, downstairs.

Directions to site (Please be specific)

(From City Hall) Turn left onto Madison off Hwy 95 at  
top of South Hill. Church is on the corner of Washington +  
Madison. Two story building. Downstairs

STANDARDS FOR REVIEW (KCZC§4-1D)

Explain how the proposed use constitutes an allowable special use established by Bonners Ferry Zoning Code:

church property / ministry crisis pregnancy  
+ resources for expecting families

Explain how the proposed use will conform to the zone district in which it is located (Example, the applicant is meeting all the zoning requirements, such as signage, lighting and landscaping that is required of it in the zone district that it is located?):

Property already meets zoning requirements.  
ABB signage will conform to city rules.  
Lavender + Roses signage will conform to city rules.

How will the proposed use be compatible and harmonious with adjacent properties? What measures is the applicant taking to insure the use will be compatible with surrounding property owners? (Example, is the applicant proposing to limit the operating hours to reduce noise during the evening or morning hours to adjacent landowners?)

Operating hours fits well with church's needs for parking  
on Sunday. Church hours on Sunday  
ABB + L + R hours Monday - Friday 10-4 PM  
3-4 cars at a time

Explain how the proposed use will utilize existing utilities, or how the applicant proposes to extend services to the site?

Use existing utilities presently installed

How does the proposed use comply with the applicable standards Bonners Ferry City Zoning Code?

current church use meets Bonners Ferry City  
zoning code.  
Proposed pregnancy center use fits within ministry of  
church allowable standards

Explain how the proposed use is in general compliance with the goals of the Comprehensive Plan (attached additional paper if necessary):

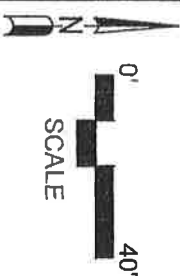
See  
Exhibit  
B

I hereby certify that all the information, statements, attachments and exhibits submitted herewith are true to the best of my knowledge. I further grant permission to the City and its representatives to enter upon the subject land to make examinations, post the property or review the premises relative to the processing of this application.

Applicant's signature: Shery Bushnell Date: 9/17/15

Landowner's signature: ASULLY Date: 9/17/15

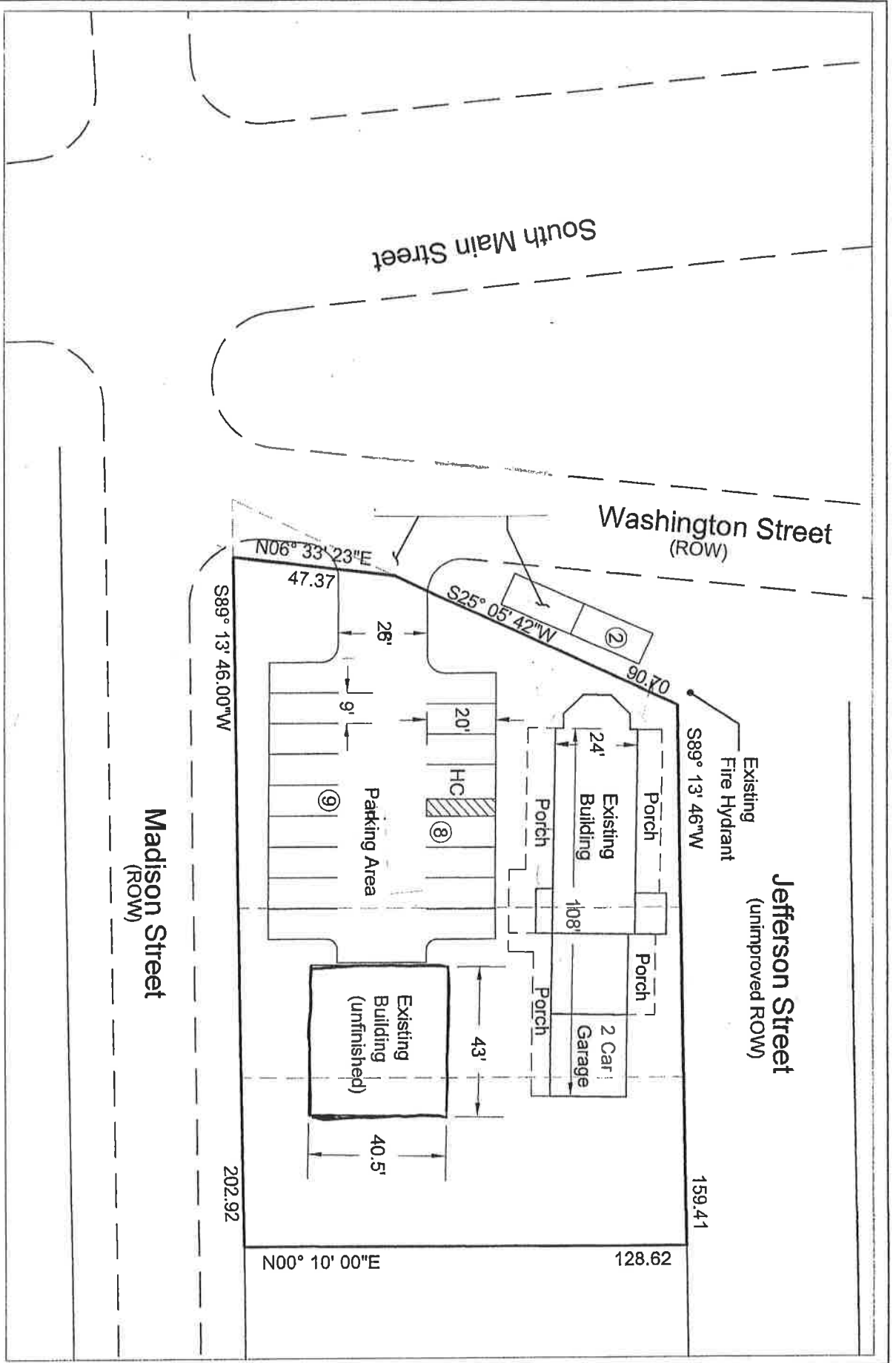
Clerk of Session  
Providence Bible Presbyterian Church



**Property Legal Description:** Lot 4, 5, and 6, Block 1, Park Addition to Bonners Ferry, according to the plat thereof recorded in Book 1A of Plats, Page 19, records of Boundary County, Idaho.



**Site Plan for  
6530 Washington Street  
City of Bonners Ferry, Idaho**



The present 2 story building will remain the same design and will be maintained to be harmonious and appropriate in appearance with the existing character of the general vicinity. A Blessed Beginning, as a pregnancy center, has come and go traffic in small amounts, during the day, Monday through Friday. The existing utilities already in use will be appropriate as is. Very few changes will be noticeable, and the present traffic pattern and parking is very adequate.

A Blessed Beginning will be in a supportive role for the economic development of Bonners Ferry, as we create stronger families through our resources and support referrals.

The church uses the existing parking lot on Sunday from 9:00 AM to 3:00 PM.

It is not anticipated that many conflicts would occur over parking.

Sherry Bushnell

Sherry Bushnell

10/15/2005

Hours of operation may include emergency operation (1 hr) for clients needing care, emergency diapers, counseling.

Sherry Bushnell

once a month  
Childbirth Class  
7: PM - 8:30 PM  
up to 8 people.

SUP 003-15





The present 2 story building will remain the same design and will be maintained to be harmonious and appropriate in appearance with the existing character of the general vicinity. A Blessed Beginning, as a pregnancy center, has come and go traffic in small amounts, during the day, Monday through Friday. The existing utilities already in use will be appropriate as is. Very few changes will be noticeable, and the present traffic pattern and parking is very adequate.

A Blessed Beginning will be in a supportive role for the economic development of Bonners Ferry, as we create stronger families through our resources and support referrals.

EXHIBIT  
B



Washington Street  
(ROW)

N06° 33' 23"E

S25° 05' 42"W

47.37  
S89° 13' 46.00"W

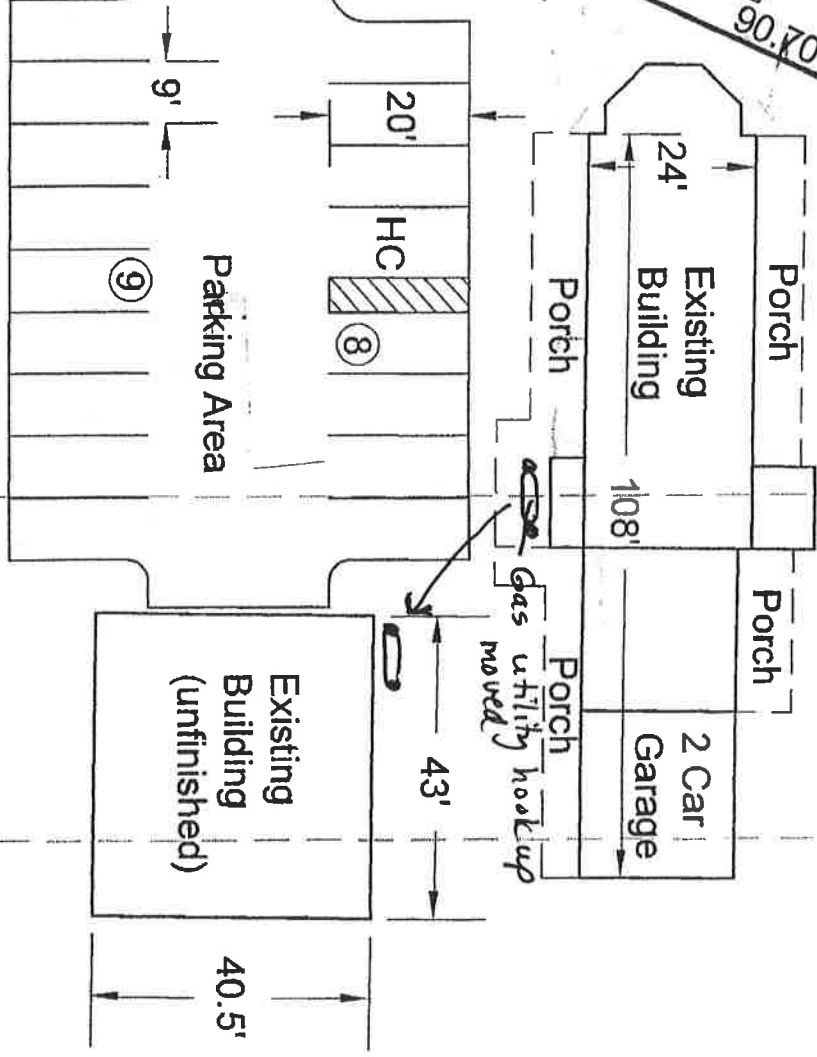
90.70

S89° 13' 46"W

Existing  
Fire Hydrant

Jefferson Street  
(unimproved ROW)

159.41



Madison Street  
(ROW)

EXHIBIT  
D

**EXHIBIT  
F**

**Madison Street  
(ROW)**

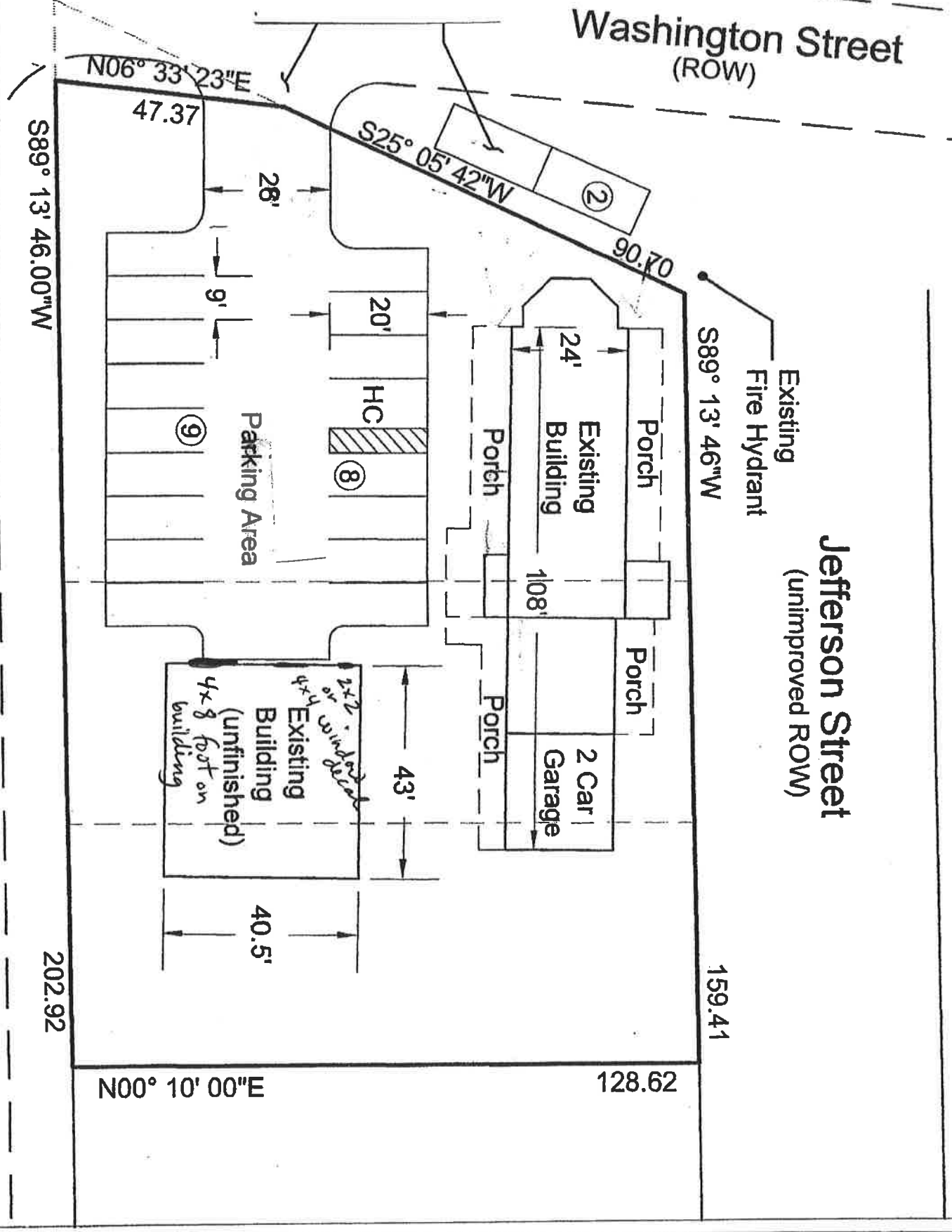




EXHIBIT  
F



EXHIBIT  
F

A BLESSED BEGINNING  
SHERRY OR THOMAS BUSHNELL / LINDA LAMPHERE  
P.O. BOX 310  
MOYIE SPRINGS, ID 83845

2259  
92-7195/1231

Date  
10-6-15

Pay to the Order of  
City of Bonners Ferry — \$ 1500<sup>00</sup>

One Hundred Fifty & — NO Dollars

Security Features on Back



For Penna Fee

Linda J. Lemphers MP

⑆ 123171955⑆ 0835500002330⑆ 02259

Permade Clarke

| PARCEL_ID       | MAIL_NM                      | MAIL_A1                  | MAIL_CT       | M/MAIL_ZP |
|-----------------|------------------------------|--------------------------|---------------|-----------|
| RPB00000279160A | TRUESEDELL, ERICKA A         | 6959 FRESNO STREET       | BONNERS FERRY | ID 83805  |
| RPB0920002004BA | UNRUH, JAMES D               | 311 FRONTIER VILLAGE RD  | NAPLES        | ID 83847  |
| RPB0920003011AA | MOYER, STEVEN R              | 6518 WASHINGTON STREET   | BONNERS FERRY | ID 83805  |
| RPB0920003008AA | MORMAN, GAYLE W              | 6503 WASHINGTON          | BONNERS FERRY | ID 83805  |
| RPB0920003005BA | KREZMAN, PATRICK             | PO BOX 28                | BONNERS FERRY | ID 83805  |
| RPB0920003002AA | BRAZELL, MICHAEL JAMES       | 6599 CHIPPEWA DR         | BONNERS FERRY | ID 83805  |
| RPB09200030010A | GILLHAM FAMILY TRUST         | 6324 ARIZONA STREET      | BONNERS FERRY | ID 83805  |
| RPB0920003012AA | BRAZELL, MICHAEL JAMES       | 6599 CHIPPEWA DR         | BONNERS FERRY | ID 83805  |
| RPB1040001001AA | MCKENNEY, ROBERT CARLOS GENE | 6449 BAXTER STREET       | BONNERS FERRY | ID 83805  |
| RPB1040001001BA | HOUGH, ANITA M               | 6453 BAXTER ST           | BONNERS FERRY | ID 83805  |
| RPB1040001001CA | CC&P ENTERPRISES LLC         | PO BOX 538               | BONNERS FERRY | ID 83805  |
| RPB0820010006AA | TESTA, CAROLYN L             | PO BOX 1781              | BONNERS FERRY | ID 83805  |
| RPB0820010004AA | DILLARD, BRONSON             | 695 SCHOOL RD            | MCKINLEYVILLE | CA 95519  |
| RFB0820001003AA | NEUMEYER, STEVE EDWARD       | 6473 MADISON STREET      | BONNERS FERRY | ID 83805  |
| RPB0820002004AA | LOVE, ADAM-JON J             | 6484 MADISON STREET      | BONNERS FERRY | ID 83805  |
| RPB08200020050A | FISHER, BARRY                | PO BOX 1108              | SANDPOINT     | ID 83864  |
| RPB0820002006BA | KLOPFENSTEIN, LEE            | PO BOX 21                | BONNERS FERRY | ID 83805  |
| RPB0820002008CA | FRASER, ROGER W SR.          | 6977 MAIN STREET         | BONNERS FERRY | ID 83805  |
| RFB0820002016AA | LUTZ, MARSHA E               | 6473 MONROE STREET       | BONNERS FERRY | ID 83805  |
| RPB0820002015AA | PANHANDLE LLC                | PO BOX 538               | BONNERS FERRY | ID 83805  |
| RPB0820002013BA | HANSON, EDWARD               | 6487 MONROE STREET       | BONNERS FERRY | ID 83805  |
| RPB08200020110A | BAKER, GERTRUDE E            | PO BOX 617               | BONNERS FERRY | ID 83805  |
| RPB0820002009BA | BANK OF FAIRFIELD            | 6963 MAIN ST             | BONNERS FERRY | ID 83805  |
| RPB0820009005AA | JACOBSON, DAVID W            | 6532 MADISON STREET      | BONNERS FERRY | ID 83805  |
| RPB0820009003AA | RIEKENA, RICHARD B           | PO BOX 1301              | BONNERS FERRY | ID 83805  |
| RPB0820009002AA | RINGERING, BRENT A           | 35267 PHEASANT LOOP ROAD | LEWISTON      | ID 83501  |
| RPB0820009016AA | FALCON, GARY T ETUX          | PO BOX 1147              | BONNERS FERRY | ID 83805  |
| RPB058000B0010A | PEREIRA, CVNTHIA A           | 12864 BISCAYNE BLVD #329 | NO MIAMI      | FL 33181  |
| RPB058000A002AA | KRILL, BRYAN LOUIS           | 289 GARDEN POND LN       | SAGLE         | ID 83860  |
| RPB058000A004AA | MOSSING, DAVID P             | PO BOX 3177              | BONNERS FERRY | ID 83805  |
| RPB09200020020A | RIVERVIEW PARK               | PO BOX 149               | BONNERS FERRY | ID 83805  |
| RPB0920003010AA | BONNERS FERRY, CITY OF       | PO BOX 149               | BONNERS FERRY | ID 83805  |
| RPB0920003015BA | NEUMEYER, STEVE EDWARD       | 6473 MADISON             | BONNERS FERRY | ID 83805  |

*06 Box 26*

*9293 Esqueva Rd Durham 9 9738 CA  
7391 Comanche Ct*

*in 762 Wilson Apt. 5*

10/6/15



E



RPB0820001006EA PROVIDENCE BIBLE PRESBYTERIAN  
RPB0820002012AA HANSON, EDWARD  
RPB08200100010A STATE OF IDAHO HWY DEPT

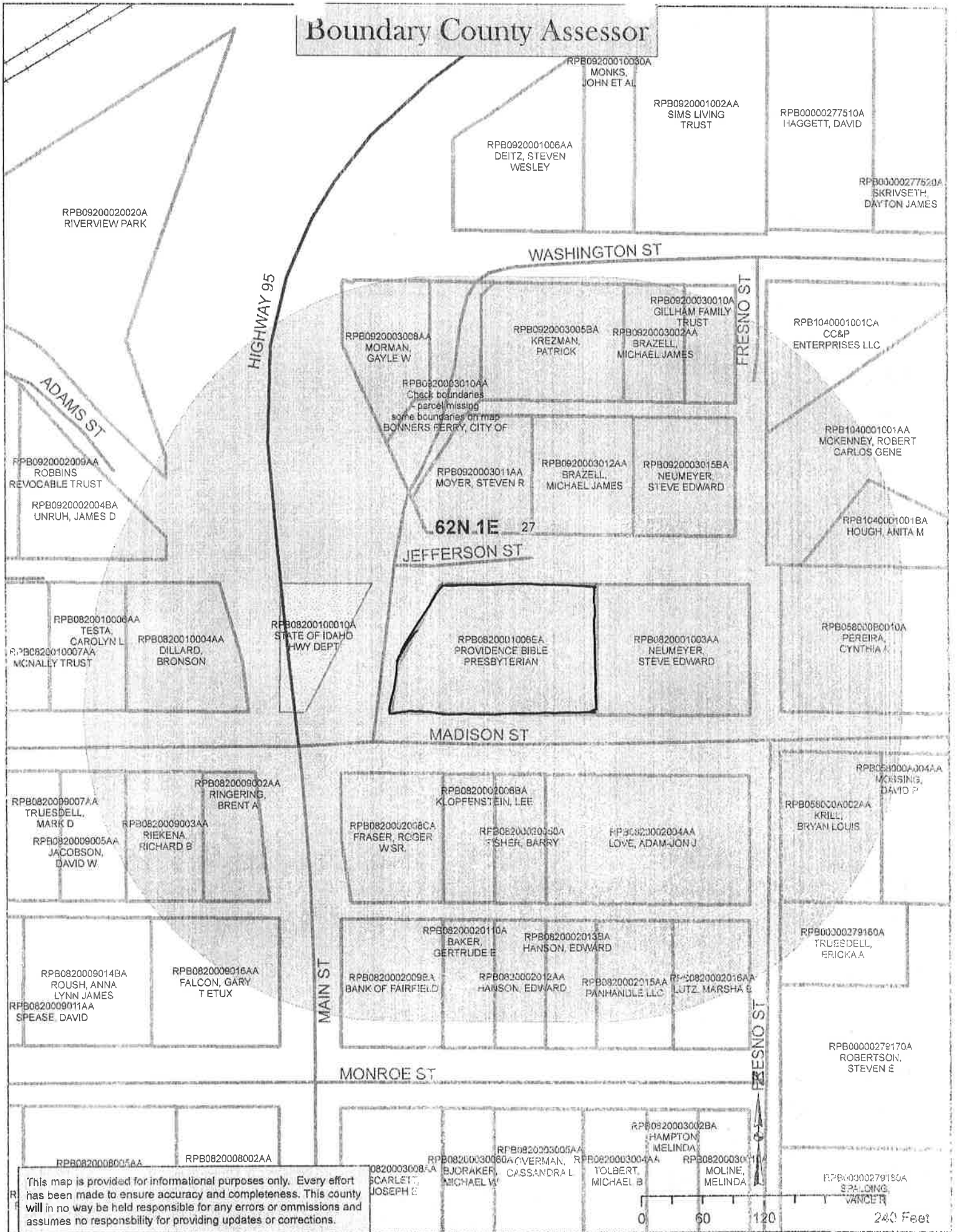
6530 WASHINGTON STREET  
6487 MONROE STREET

BONNERS FERRY  
BONNERS FERRY  
BOISE

ID 83805  
ID 83805  
ID 83701

*600 W. ~~Washington~~  
Prairie Ave  
IDA 83815*

# Boundary County Assessor



RPB09200020020A  
RIVERVIEW PARK

RPB09200010030A  
MONKS,  
JOHN ET AL

RPB0920001002AA  
SIMS LIVING  
TRUST

RPB00000277510A  
HAGGETT, DAVID

RPB0920001006AA  
DEITZ, STEVEN  
WESLEY

RPB00000277520A  
SKRIVSETH,  
DAYTON JAMES

WASHINGTON ST

HIGHWAY 95

FRESNO ST

RPB0920003008AA  
MORMAN,  
GAYLE W

RPB0920003005BA  
KREZMAN,  
PATRICK

RPB09200030010A  
GILLHAM FAMILY  
TRUST  
RPB0920003002AA  
BRAZELL,  
MICHAEL JAMES

RPB1040001001CA  
CC&P  
ENTERPRISES LLC

ADAMS ST

FPB0920002009AA  
ROBBINS  
REVOCABLE TRUST

RPB0920002004BA  
UNRUH, JAMES D

RPB0920003010AA  
Check boundaries  
- parcel missing  
some boundaries on map  
BONNERS FERRY, CITY OF

RPB0920003011AA  
MOYER, STEVEN R

RPB0920003012AA  
BRAZELL,  
MICHAEL JAMES

RPB0920003015BA  
NEUMEYER,  
STEVE EDWARD

RPB1040001001AA  
MCKENNEY, ROBERT  
CARLOS GENE

**62N 1E** 27

JEFFERSON ST

RPB1040001001BA  
HOUGH, ANITA M

RPB0820010008AA  
TESTA,  
CAROLYN L  
R, P B C B 20010007AA  
MCNALLY TRUST

RPB0820010004AA  
DILLARD,  
BRONSON

RPB08200100010A  
STATE OF IDAHO  
HWY DEPT

RPB0820001006EA  
PROVIDENCE BIBLE  
PRESBYTERIAN

RPB0820001003AA  
NEUMEYER,  
STEVE EDWARD

RPB05803005010A  
PEREIRA,  
CYNTHIA K

MADISON ST

RPB0820009007AA  
TRUESDELL,  
MARK D

RPB0820009002AA  
RINGERING,  
BRENT A

RPB0820009003AA  
RIEKENA,  
RICHARD B

RPB0820009005AA  
JACOBSON,  
DAVID W

RPB0820002006BA  
KLOPFENSTEIN, LEE

RPB0820002008CA  
FRASER, ROGER  
WSR

RPB082000200350A  
FISHER, BARRY

RPB0820002004AA  
LOVE, ADAM JON J

RPB0580000002AA  
KRILL,  
BRYAN LOUIS

RPB0580000004AA  
MCNISING,  
DAVID P

RPB0820009014BA  
ROUSH, ANNA  
LYNN JAMES  
RPB0820009011AA  
SPEASE, DAVID

RPB0820009015AA  
FALCON, GARY  
T ETUX

RPB08200020110A  
BAKER,  
GERTRUDE E

RPB0820002013BA  
HANSON, EDWARD

RPB0820002009EA  
BANK OF FAIRFIELD

RPB0820002012AA  
HANSON, EDWARD

RPB0820002015AA  
PANHANDLE LLC

RPB0820002016AA  
LUTZ, MARSHA E

RPB00300279160A  
TRUESDELL,  
ERICKA A

MONROE ST

MAIN ST

FRESNO ST

RPB00000279170A  
ROBERTSON,  
STEVEN E

RPB0820008005AA

RPB0820008002AA

RPB0820003008AA  
SCARLETT,  
JOSEPH E

RPB0820003006AA  
BJORAKER,  
MICHAEL W

RPB0820003005AA  
ACVERMAN,  
CASSANDRA L

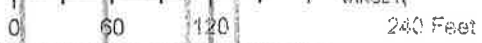
RPB0820003002BA  
HAMPTON,  
MELINDA J

RPB0820003000AA  
TOLBERT,  
MICHAEL B

RPB0820003001AA  
MOLINE,  
MELINDA

RPB00000279150A  
SPALDING,  
VANCE R

This map is provided for informational purposes only. Every effort has been made to ensure accuracy and completeness. This county will in no way be held responsible for any errors or omissions and assumes no responsibility for providing updates or corrections.





**RUEN-YEAGER & ASSOCIATES, INC.**  
ENGINEERS ♦ PLANNERS ♦ SURVEYORS

September 21, 2015

Providence Bible Presbyterian Church  
6530 Washington St.  
Bonners Ferry, ID 83805

**Re: Bonners Ferry Special Use Permit Application SUP004-15 Providence Bible Presbyterian Church**

Dear Landowner:

The City of Bonners Ferry is in receipt of a Special Use Permit application for the Providence Bible Presbyterian Church located at 6530 Washington St. Based on my review, the application is missing or is insufficient based on the following information:

1. A plan of the proposed site for the special use showing the location of all buildings, parking and loading area, traffic access and traffic circulation, open spaces, landscaping, refuse and service areas, utilities, signs, yards, lot dimensions, property corners, all easements of record, proposed easements and their beneficiaries, outside storage areas and lighting plans (City of Bonners Ferry §11-5-4F).
2. Page 3 of the City of Bonners Special Use Permit Application is incomplete. A narrative statement explaining how the proposed use is in general compliance with the goals of the Comprehensive Plan is required (City of Bonners Ferry §11-5-4G).
3. Current Deed (City of Bonners Ferry §11-5-4B). 256917
4. Preliminary Utility Plan, if applicable – should show the future or proposed sewer and/or water service lines and connections. The plans can be conceptual, but should show logical connections to existing utility lines within existing right-of-ways or easements. If right-of-way or easements are proposed to be dedicated, then the plan should note this (City of Bonners Ferry Special Use Permit Application Check List).
5. Names and addresses of property owners within 300 feet of proposed property – if the names and addresses of adjoining landowners are over 30-days old, the City may request an updated list (City of Bonners Ferry Special Use Permit Application Check List).
6. Parking and signage plan, pursuant to Title 11 Chapter 13 and Chapter 14 of the Bonners Ferry City Code.
7. \$150 deposit towards the actual cost of publication. \$500 special use permit application fee. For a total of \$650 (City of Bonners Ferry Resolution 2015-07-01).

Please remit the following items in order to conclude your application is complete. Once a complete application has been determined, staff will route your application to agencies for comment.

If you have any questions relating to the above, you may contact the Sandpoint office provided below.

Sincerely,

**RUEN-YEAGER & ASSOCIATES, INC.**

A handwritten signature in cursive script that reads "Lisa M. Ailport, AICP". The signature is written in black ink and is positioned above the typed name.

Lisa M. Ailport, AICP  
Contract City Planner

Cc: City of Bonners Ferry; Sherry Bushnell (representative) (via electronic mail)

LAVENDER & ROSES BIRTH AND MOTHERING  
SHERRY BUSHNELL, LM, CPM  
672 MEADOW CREEK RD. PH. 208-946-0640  
BONNERS FERRY, ID 83805

TER

1567

92-7195/1231

10-15-15

Date

Pay to the  
Order of

City of Bonners Ferry  
five hundred dollars

\$ 500<sup>00</sup>

Dollars



Security  
Features  
Details on  
Back.



**Mountain  
West Bank**  
Division of Glacier Bank  
800-641-5401 | MOUNTAINWESTBANK.COM

For

special use permit

Sherry Bushnell MP

⑆ 1 23 1 7 1 9 5 5 ⑆ 0 8 3 5 5 0 0 0 0 2 0 0 4 ⑆ ⑈ 0 1 5 6 7

**V-YEAGER & ASSOCIATES, INC.**  
ENGINEERS ♦ PLANNERS ♦ SURVEYORS

Batch:11959  
Transaction:9

Reference Number: BLESSED BEGINNING SU

Name: A BLESSED BEGINNING Church

Address: 6530 WASHINGTON ST [BF ID 83805]

Item(s) Description:

P&Z SPECIAL USE PERMIT FEE 150.00

Check # 2259 150.00

Cash Paid

Credit Paid

Less Change Given ( )

TOTAL: 150.00

**Use Permit Application SUP004-15 Providence Bible**

receipt of a Special Use Permit application for the Providence  
located at 6530 Washington St. Based on my review, the application  
is based on the following information:

site for the special use showing the location of all buildings,  
roads, traffic access and traffic circulation, open spaces, landscaping,  
utilities, signs, yards, lot dimensions, property corners, all  
proposed easements and their beneficiaries, outside storage areas  
in accordance with City of Bonners Ferry §11-5-4F).

The Bonners Special Use Permit Application is incomplete. A narrative  
statement explaining how the proposed use is in general compliance with the goals of the  
Comprehensive Plan is required (City of Bonners Ferry §11-5-4G).

3. Current Deed (City of Bonners Ferry §11-5-4B).
4. Preliminary Utility Plan, if applicable – should show the future or proposed sewer and/or  
water service lines and connections. The plans can be conceptual, but should show  
logical connections to existing utility lines within existing right-of-ways or easements. If  
right-of-way or easements are proposed to be dedicated, then the plan should note this  
(City of Bonners Ferry Special Use Permit Application Check List).
5. Names and addresses of property owners within 300 feet of proposed property – if the  
names and addresses of adjoining landowners are over 30-days old, the City may request  
an updated list (City of Bonners Ferry Special Use Permit Application Check List).
6. Parking and signage plan, pursuant to Title 11 Chapter 13 and Chapter 14 of the Bonners  
Ferry City Code.
7. \$150 deposit towards the actual cost of publication. \$500 special use permit application  
fee. For a total of \$650 (City of Bonners Ferry Resolution 2015-07-01).

Please remit the following items in order to conclude your application is complete. Once a  
complete application has been determined, staff will route your application to agencies for  
comment.

Page 2

If you have any questions relating to the above, you may contact the Sandpoint office provided below.

Sincerely,  
**RUEN-YEAGER & ASSOCIATES, INC.**

A handwritten signature in black ink that reads "Lisa M. Ailport, AICP". The signature is written in a cursive style with a large initial "L".

Lisa M. Ailport, AICP  
Contract City Planner

Cc: City of Bonners Ferry; Sherry Bushnell (representative) (via electronic mail)

# City of Bonners Ferry Special Use Permit Addendum Application

**FOR OFFICE USE ONLY:**

|        |                                                                                                                                             |
|--------|---------------------------------------------------------------------------------------------------------------------------------------------|
| FILE # | RECEIVED: <b>RECEIVED</b><br><div style="text-align: right; font-size: 1.2em;">3:32pm<br/>Cm</div> SEP 17 2015<br><br>CITY OF BONNERS FERRY |
|--------|---------------------------------------------------------------------------------------------------------------------------------------------|

**APPLICANT INFORMATION:**

|                                                        |           |                 |
|--------------------------------------------------------|-----------|-----------------|
| Landowner's name: Providence Bible Presbyterian Church |           |                 |
| Mailing address: 6530 Washington St.                   |           |                 |
| City: Bonners Ferry                                    | State: ID | Zip code: 83805 |
| Telephone: 208-267-3327                                | Fax: same |                 |
| E-mail: lenpine@gmail.com                              |           |                 |

**REPRESENTATIVE'S INFORMATION:**

|                                        |                   |                 |
|----------------------------------------|-------------------|-----------------|
| Representative's name: Sherry Bushnell |                   |                 |
| Company name: A Blessed Beginning      |                   |                 |
| Mailing address: 672 Meadow Creek Road |                   |                 |
| City: Bonners Ferry                    | State: ID         | Zip code: 83805 |
| Telephone: 208-946-0640                | Fax: 208-549-7009 |                 |
| E-mail: sherry@lavenderandroses.org    |                   |                 |

**PARCEL INFORMATION:**

|                                                                                                                                                              |                                  |           |                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|-----------|------------------------|
| Section #: 27                                                                                                                                                | Township: 62N                    | Range: 1E | Parcel acreage: 0.4960 |
| Parcel # (s): Lots 4, 5, 6 B1K1                                                                                                                              |                                  |           |                        |
| Legal description: 6530 Washington Street<br>Bonners Ferry, ID 83805                                                                                         |                                  |           |                        |
| Current landowner's name: Providence Bible Presbyterian Church                                                                                               |                                  |           |                        |
| Current zoning: Residential                                                                                                                                  | Current use: Church Congregation |           |                        |
| Directions to site: Turn left onto Madison off Hwy 95.<br>Providence Bible Presbyterian church, Suite B<br>Corner of Madison + Washington Street off Hwy 95. |                                  |           |                        |



**APPLICANT NARRATIVE:**

A Special Use Permit is a permit for a use which is specifically listed use within a zoning district as Special Use. If the use is not listed as either allowed or special, then the use is prohibited. All special uses in the City of Bonners Ferry shall seek approval of the use by recommendation by the Planning and Zoning Commission and approval of the City Council. Any modification of a special use requires an additional hearing by the City Council to approve the modification. The applicant shall to the best of their abilities provide the Council with accurate information about the special use they are seeking. The council may at its discretion approve, approve with conditions or deny an application, pursuant to I.C. 67-6509.

**PROJECT DESCRIPTION**

The applicant is requesting a Special Use or Modification to a Special Use (circle one) for:  
Describe in detail the use—number of employees, hours of operation, size of buildings, etc. Use additional paper if necessary:

A Blessed Beginning Pregnancy Resource Center, (Mon-Fri 10-4 PM, 900 square feet in Suite "B", (Bottom Floor only) - 1 volunteer Lavender and Roses Mothering Center + National Challenged Homeschoolers Network - 1 employee

Does the proposed use seek to extend any services, such as roads, sewer and/or water? If so, please explain what services are proposed to be extended: no

Will land be offered for dedication as a result of this application? If so explain in detail:

no

Describe surrounding land uses (ex: residential housing, commercial, manufacturing, etc):

North Residential (church)

South Residential

East Residential

West Residential (Hwy 95)

Describe adjacent zoning and densities (ex: Single Family (R-1) Platted 10k sq.ft., Commercial lots etc):

North Single family

South single family

East " "

West Residential

**SITE INFORMATION:** Please provide a general description of the lay of the land (ex: is the property flat, have any bodies of water or wetlands present, what existing structures and uses are present etc.)

Flat, large parking area, no wetlands. Church Building has a 2 story building beside it, which is considered Suite A + B. We wish to use suite B, downstairs.

Directions to site (Please be specific)

(From City Hall) Turn left onto Madison off Hwy 95 at top of South Hill. Church is on the corner of Washington + Madison. Two story building. Downstairs

STANDARDS FOR REVIEW (KCZC§4-1D)

Explain how the proposed use constitutes an allowable special use established by Bonners Ferry Zoning Code:

church property / ministry crisis pregnancy  
+ resources for expecting families

Explain how the proposed use will conform to the zone district in which it is located (Example, the applicant is meeting all the zoning requirements, such as signage, lighting and landscaping that is required of it in the zone district that it is located?):

Property already meets zoning requirements.  
ABB signage will conform to city rules.  
Lavender + Roses Signage will conform to city rules.

How will the proposed use be compatible and harmonious with adjacent properties? What measures is the applicant taking to insure the use will be compatible with surrounding property owners? (Example, is the applicant proposing to limit the operating hours to reduce noise during the evening or morning hours to adjacent landowners?)

Operating Hours fits well with church's needs for parking  
on Sunday Church hours on Sunday  
ABB + JL + R hours Monday - Friday 10-4 PM  
3-4 cars at a time

Explain how the proposed use will utilize existing utilities, or how the applicant proposes to extend services to the site?

Use existing utilities presently installed

How does the proposed use comply with the applicable standards Bonners Ferry City Zoning Code?

current church use meets Bonners Ferry City  
zoning code.  
Proposed pregnancy center use fits within ministry of  
church allowable standards

Explain how the proposed use is in general compliance with the goals of the Comprehensive Plan (attached additional paper if necessary):

I hereby certify that all the information, statements, attachments and exhibits submitted herewith are true to the best of my knowledge. I further grant permission to the City and its representatives to enter upon the subject land to make examinations, post the property or review the premises relative to the processing of this application.

Applicant's signature: Shery Bushnell Date: 9/17/15

Landowner's signature: ASULL Date: 9/17/15

Clerk of Session  
Providence Bible Presbyterian Church



**Boundary Volunteer Ambulance Service, Inc.**

6447 RAILROAD STREET

P.O. BOX 441 BONNERS FERRY, IDAHO 83805

Phone: (208) 267-2604 Fax: (208) 267-9408

**PROPOSED LETTER:**

To Whom it May Concern:

I am Ken Baker, President of Boundary Volunteer Ambulance Service, Inc.'s ("BVA"). I understand the Bonners Ferry City Council has slated to discuss our existing firehouse lease this coming Tuesday, January 19, 2016.

**Renew Existing Lease**

This letter constitutes BVA's formal request that the lease agreement between BVA and the City of Bonners Ferry for the firehall space currently leased be renewed on the same terms and conditions as presently are in force with these two modifications:

1. Increase in monthly utility to \$100 from the current \$83;
2. A provision be added providing the City Street Superintendent for the City of Bonners Ferry with the right, power and authority to direct where and when BVA vehicles may be parked in and around the firehall, including the public streets adjacent to the firehall along with a provision that states BVA's management will take steps to ensure that all of its personnel understand where the designated parking locations are and that BVA's personnel must comply with all directions from the City Street Superintendent to relocate vehicles as that may be necessary for the City's purposes.

**Future Discussions**

In addition, please know that BVA is interested, at some future date in 2016, in exploring with the City the possibility of an expansion of the leased space (for additional rent money) to permit BVA to park inside the firehall an ambulance and chase vehicle and BVA is willing to pay for and cause to be constructed at the firehall #2 location a carport (to the City's reasonable specifications) to house the older "parade use" firetruck that currently occupies the additional space that BVA would like to lease from the City.

In addition, please know that BVA is interested, at some future date in 2016, in exploring with the City the possibility of expanding the lease of the second floor space (for additional rent money) to permit BVA to perform some additional administrative functions in the second floor. The current space BVA has for conducting administrative functions is cramped and BVA requires additional space for performing its administrative activities. No permanent physical changes should be required to the upstairs space to accommodate BVA's expected additional uses and space needs. As a part of this, in addition to the increased rent, BVA is willing to increase its utility payment to offset additional City costs and also perform all janitorial work with respect to the kitchen and bathroom facilities.



Thank you for your attention to this matter.

Sincerely,

*Kenneth V Baker*

*1/14/16*

Kenneth V. Baker

President

P.O. Box 441

Bonnors Ferry, Idaho 83805-0441

## COMMERCIAL LEASE AGREEMENT RENEWAL

This renewal of the Commercial Lease Agreement ("Renewed Lease") is made this \_\_\_\_\_ day of January, 2016, by and between City of Bonners Ferry, Idaho, with an address of 7232 Main Street, Bonners Ferry, Idaho ("Landlord") and Boundary Volunteer Ambulance Service, Incorporated, a corporation organized and in good standing under the laws of the State of Idaho with its principal place of business at 6447 Railroad Street, Bonners Ferry, Idaho ("Tenant"), and shall take effect immediately upon signing.

Landlord is the owner of land and improvements commonly known and numbered as 7137 First Street, Bonners Ferry, Idaho, that is commonly referred to as the City Fire building (First Station # 1), and legally described as:

### [to be Supplied as Exhibit A]

together with all improvements thereon (the "Property").

Landlord desires to lease, on a non-exclusive basis, portions of the second floor of the Property that consist of: (i) a common area that measures approximately 30' by 60' (the "Common Area"), (ii) an office that measures approximately 12' by 16' (the "Office Area", (iii) a kitchen that measures approximately 10' by 10' (the "Kitchen"), and (iv) two bathrooms (the "Bathroom"). Collectively, the Common Area, Office Area, Kitchen and Bathroom constitute the "Leased Premises."

Landlord desires to lease the Leased Premises to Tenant, and Tenant desires to lease the Leased Premises from Landlord for the term, at the rental and upon the covenants, conditions and provisions as set forth in the following paragraphs.

In consideration of the mutual promises herein, contained and other good and valuable consideration, it is agreed:

1. Renewal Term. Landlord hereby renews the lease of the Leased Premises to Tenant, and Tenant hereby continues the lease of the Leased Premises from Landlord beginning **January 1, 2016** (the "Commencement Date") and ending **December 31, 2016** (the "First Renewed Term").
2. Landlord Right to Terminate. Landlord shall have the right to terminate this Lease with no further obligation hereunder on 60 days written notice to Tenant.
3. Renewed Term. Tenant may renew the Lease at Tenant's sole and exclusive option a maximum of two (2) additional times, with each such extension period equal to one (1) year(s) each (each such successive one (1) year term shall be referred to hereinafter as the "Renewed Term"). Tenant shall exercise such renewal option, if at all, by giving written notice to Landlord not less than thirty (30) days prior to the expiration of the First Renewed Term, as the case may be. The Renewed Term shall be at the rental set forth below and

otherwise upon the same covenants, conditions and provisions as provided in this Lease. After the end of the last Renewed Term, if any, the Lease may continue from month-to-month at the rental set forth below and otherwise upon the same covenants, conditions and provisions as provided in this Lease.

4. Rent Amount During First Renewed Term. Tenant shall pay to Landlord during the First Renewed Term rental of **one thousand two hundred dollars (\$1,200.00)** per year, payable in monthly installments of **one hundred dollars (\$100.00)**, or at **Tenant's sole option, larger annual payments of \$1,200.00 or semi-annual payments of \$600.00 on January 1 and July 1.** All currency figures are lawful United States' money. Each installment payment shall be due in advance on the first day of each calendar month during the Term to Landlord at Landlord's address noted above or at such other place designated by written notice from Landlord or Tenant.
5. Rent Amount During Additional Renewed Term. In the event Tenant exercises its option to extend the term of this Lease, the fixed rent which Tenant shall pay during such Additional Renewed Term shall be the rent as provided for the Initial Term, plus any negotiated increase. If the parties are not able to successfully negotiate the increase, then the increase shall be five percent (5.00%) of the then-current fixed rent. On any successive exercises of options beyond the First Renewed Term, the same calculations shall be made and the Rent adjusted accordingly.
6. Security Deposit. Tenant shall make a security deposit in the amount Landlord may require not to exceed **two hundred dollars (\$200.00)** (the "Security Deposit"). Tenant shall be entitled to the return of the Security Deposit only if the Tenant has complied with all the terms of this Lease. The Tenant shall not apply or deduct any portion of the Security Deposit from the last month's rent or use or apply such Tenant's Security Deposit at any time in lieu of payment of rent. If Tenant fails to comply with this provision, the entire Security Deposit shall be forfeited and the Landlord may recover the rent due as if the deposit had not been applied or deducted from the rent due.
7. Non Exclusive Lease. This Lease provides Tenant with certain non-exclusive rights to the Leased Premises. Landlord does not guarantee to Tenant quiet enjoyment of the Leased Premises because both Landlord and other groups have access to and will be making use of the Leased Premises. Tenant understands that there may be uses made of the Leased Premises that are incompatible with Tenant's uses and needs. Landlord agrees that Landlord will not lease or rent out the Office Area to others while this Lease is in effect and the Tenant will be the only non-Landlord user of the Office Area during such time.
8. Use. Tenant shall be free to make non-exclusive use of the Leased Premises **only** during the evening and night time hours from 7:00 p.m. to 7:00 a.m. for the purpose of overnight sleeping of on-call or on-staff EMT's affiliated with Tenant. At no time shall the number of Tenant's EMT's inside the Leased Premises exceed three (3) in number. Tenant acknowledges and agrees that the Leased Premises are only to be used for sleeping, eating and maintenance of personal hygiene. Tenant agrees that Tenant and it's EMT's will not

engage in sexual relations of any kind, either alone or with other persons at the Leased Premises. Tenant's EMT's will not permit entry to, nor entertain persons who are related by blood, marriage or otherwise at, the Leased Premises. Furthermore, no friends or other visitors of EMT's are permitted at the Leased Premises. Tenant shall not use the Leased Premises for the purposes of storing, manufacturing or selling any explosives, flammables or other inherently dangerous substance, chemical, thing or device, unless absolutely necessary to Tenant's business uses. EMT's shall clear the Bathroom and Kitchen after each night's use.

9. EMT's Personal Property. EMT's affiliated with the Tenant may store personal belongings only in the Office Area where Tenant may place one or more beds. No toiletries may be left in the Bathroom and food be stored only in the designated cupboards or in the refrigerator in the Kitchen. All such storage of personal belongings or food is at the EMT's sole risk and Landlord shall have no liability for the loss, disappearance or theft of such items.
10. Leased Premises Supplied As Is. At the Commencement Date, Tenant shall accept the Lease Premises, including the building, improvements and any equipment on or in the Leased Premises, in their existing condition.
11. Landlord Roof, Electrical, Plumbing and HVAC Responsibilities. The Landlord shall, during the First Renewed Term and any future Renewed Term of this Lease, at its sole expense, keep the roof of the Leased Premises, as well as any heating, electrical, air conditioning and/or plumbing system that was a part of the Leased Premises on the Commencement Date, in as good order and repair as it is at the Commencement Date, reasonable wear and tear and damage by accidental fire or other casualty excepted.
12. Tenant Responsibilities for Maintenance and Repairs. The Tenant shall, during the First Renewed Term and any Renewed Term of this Lease, at its sole expense, keep the Leased Premises in as good order and repair as it is at the Commencement Date, reasonable wear and tear and damage by accidental fire or other casualty excepted. Tenant shall be responsible to keep the Leased Premises clean at all times.
13. Responsibility for Sidewalks and Parking. Landlord and Tenant shall work together to keep the sidewalk on the west end of the Leased Premises free of snow, ice, refuse, rubbish, trash, and other obstructions.
14. Sublease and Assignment. Tenant shall not sublease all or any part of the Leased Premises, or assign, transfer or otherwise dispose of its rights and obligations under this Lease, in whole or in part, without Landlord's express, written consent, which Landlord may grant or reasonably or unreasonably withhold in its sole and absolute discretion.
15. Alterations and Improvements. Tenant, at Tenant's sole expense, shall have the right following Landlord's consent to make reasonable remodeling of, redecorating of, additions to, improvements of and replacements of the interior of the Leased Premises from time to time as Tenant may deem desirable, including electrical, cable and internet wiring of the Leased Premises and the Property, provided the same are made in a workmanlike manner and

utilizing good quality materials, subject to Landlord's prior written approval, which may be unreasonably withheld by Landlord.

16. Taxes and Assessments. Landlord shall be responsible for all real estate taxes, if any, on the Leased Premises and the Property. Tenant shall be solely responsible for paying all personal property taxes, if any, with respect to Tenant's personal property at the Leased Premises.
17. Landlord's Insurance. Landlord shall keep the Leased Premises insured throughout the Lease against the following:
  - A. Loss or damage by fire and such other risks as may be included in the broadest form of extended coverage insurance from time to time available, in an amount sufficient to prevent the Landlord or the Tenants from becoming a co-insurer within the terms of the applicable policies and, in any event, in an amount not less than eighty percent (80%) of the then full insurable value.
18. Tenant's Insurance. Tenant shall keep the Leased Premises insured throughout the First Renewed Term and all Renewed Term's of this Lease against the following:
  - A. Claims for personal injury or property damage under a comprehensive general liability insurance, with such limits as may be reasonably requested by the Landlord from time to time, but not less than \$300,000/\$1,000,000 in respect to bodily injury and \$100,000 for property damage. Tenant shall be solely responsible for insurance with respect to its activities in the Leased Premises with the premiums thereon fully paid on or before due date, issued by and binding upon an insurance company approved by Landlord.
  - B. Against such other hazards and in such amounts as the holder of any mortgage to which this Lease is subordinate may require from time to time. Landlord shall be listed as an additional insured on all required insurance policies.
  - C. If the Leased Premises is damaged by fire or other casualty resulting from any act of negligence of Tenant or any of Tenant's agents, employees or invitees, rent shall not be diminished or abated while such damages are under repair, and Tenant shall be responsible for the costs of repair not covered by insurance.
  - D. Tenant shall also be responsible for insuring Tenant's personal property in the Leased Premises.
19. Utilities. Landlord shall supply and pay for all charges, if any, for water, sewer, electricity and natural gas for the Leased Premises.
  - A. Water and Sewer. Tenant shall reimburse Landlord each month forty six dollars and twenty seven cents (\$46.27) for water and twenty-eight dollars and five cents (\$28.05) for sewer to assist Landlord in offsetting Landlord's water and sewer costs.



- B. Natural Gas; Thermostats. Tenant shall not adjust upward the thermostat in the Common Area, Bathrooms or Kitchen. Landlord currently keeps the heat in the Office Area at room temperature and Landlord covenants to continue that practice during the term of this Lease. Tenant may not adjust the thermostat in the Office Area without prior notice to and the consent of the Landlord's Fire Chief.
- C. Internet. Tenant shall NOT be granted access to Landlord's internet service in the Leased Premises but, instead, shall be required to supply its own internet access (if needed) wirelessly from Tenant's primary location west of the Leased Premises in the Boundary County extension building. Landlord may assist Tenant with this work if Landlord so desires in Landlord's sole discretion but Landlord shall not be required to make any alterations or accommodations to Tenant to permit Tenant to wirelessly receive an internet or network signal from Tenant's primary location.
- D. Electrical Usage. Tenant shall reimburse Landlord each month twenty-five dollars and sixty-eight cents (\$25.68) to assist Landlord in offsetting Landlord's electrical costs. Landlord and Tenant recognize that the primary use Tenant intends to make of the Leased Premises is for sleeping and resting and, for that reason, do not anticipate that much additional electrical usage will occur. Tenant shall turn off all lights in the Leased Premises when not in use by the Tenant (or users authorized by the Landlord to be in the Leased Premises). Landlord shall monitor electrical usage in the Leased Premises and compare it to three (3) year historical averages for the Leased Premises. If, after Tenant has occupied the Leased Premises for more than six (6) months, Landlord notices a significant increase in electrical usage that Landlord reasonably believes has been caused by Tenant's usage, the parties agree to sit down and negotiate any additional appropriate monthly electrical surcharge for Tenant to pay for Tenant's use of the Leased Premises. If the Landlord and Tenant cannot work out an agreeable compromise, this Lease shall be terminated and Tenant shall vacate the premises.
20. Landlord's Property in Office Area. Landlord agrees to clean out Landlord's property stored in the Office Area prior to the Lease start date. Tenant agrees to locate and purchase and deliver to the Leased Premises, at Tenant's sole expense, temporary partitions (*i.e.*, cubicle walls) at least five feet in height (and preferably higher) and erect the same in the northeast corner of the Common Area for purpose of storing Landlord's property currently located in the Office Area. Tenant agrees that the temporary partitions shall remain in the Leased Premises at the end of the Lease at no expense to Landlord and shall, on inception of the Lease, become the property of the Landlord for Landlord to use or dispose of in Landlord's sole judgment.
21. Key to City Fire Building, Leased Premises and Office Area. Landlord agrees to provide Tenant a key to the exterior doors of the City Fire Building, as well as the Leased Premises, and also a separate key to the Office Area so that Tenant may lock the Office Area when not in use by Tenant.

22. City Fire Chief Rules and Regulations. Tenant agrees to abide by such reasonable rules and regulations and requirements as may be verbally or in written form supplied by Pat Warkentin, City Fire Chief, or his designee, concerning Tenant's use and occupancy of the Leased Premises.
23. Signs. Tenant shall have no right to place anywhere inside or outside of the Leased Premises any signs (or lettering).
24. Parking. The Street Superintendent for the City of Bonners Ferry shall have the right, power and authority to direct where and when Tenant's vehicles may be parked in and around the Leased Premises, including the public streets adjacent to the Leased Premises. Tenant's management shall take steps to ensure that all of its personnel understand where the designated parking locations are and all Tenant's personnel must comply with all directions from the City Street Superintendent to relocate vehicles as that may be necessary for the City's purposes.
25. Damage and Destruction. If the Leased Premises or any part thereof or any appurtenance thereto is so damaged by fire, casualty or structural defects, the Landlord shall, at such time and upon the conditions hereinafter set forth, restore, repair, replace, rebuild or alter the same as nearly as possible to the condition such property was in immediately prior to such damage or destruction. Such restoration, repair, replacement, rebuilding or alteration shall be commenced as soon as practical after the receipt by the Landlord of the insurance money to be paid on account of such damage or destruction, and after such work has been commenced it shall be prosecuted with reasonable diligence. If Landlord has not commenced such restoration, replacement, rebuilding or alteration within thirty (30) days of the date of damage or destruction, Tenant shall have the option to terminate this Lease by serving notice upon Landlord of Tenant's desire to do so. The Tenant's obligation to pay the basic rent and all other charges and to perform all other terms and conditions of this Lease shall not be affected by any such damage to or destruction of the Leased Premises, or any part thereof, or the machinery, fixtures and equipment used in the operation and maintenance thereof, except that Tenant's obligations shall cease upon Tenant's exercise of its option to terminate as set forth above.
26. Surrender of Leased Premises. At the expiration of any Renewed Term, Tenant shall surrender the Leased Premises in as good condition as it was at the Commencement Date, reasonable use and wear and tear and damage by the elements excepted.
27. Brokers. Neither Tenant nor Landlord are represented by any broker or other real estate agent or agency.
28. Binding Effect. The provisions of this Lease shall extend to and be binding upon Landlord and Tenant and their respective legal representatives, heirs, executor, administrators, trustees, successors and assigns. This Lease concerns an interest in real estate and Tenant may file this Lease or an affidavit of interest to make the same public record.

29. Final Agreement. Only a further writing that is duly executed by both parties may modify this Lease.
30. Invalid Provision. In the event any provision of this Lease is held to be void, invalid, illegal or unenforceable, then the remaining provisions hereof shall continue in full force and effect.
31. Landlord's Policies and Rules. Tenant agrees to be bound by and adhere to all Landlord's rules and policies as the same may now exist or be promulgated or modified hereafter from time to time.

*[Remainder of Page Left Intentionally Blank; Signature Page Follows]*

**IN WITNESS WHEREOF**, the parties have executed this Lease as of the day and year first above written.

**LANDLORD, by and through its authorized representatives:**

**City of Bonners Ferry:**

\_\_\_\_\_  
By: David Sims, Mayor

\_\_\_\_\_  
Attest: Kris Larson, City Clerk

**TENANT, by and through its authorized representatives:**

\_\_\_\_\_  
Boundary Volunteer Ambulance Service, Incorporated  
By: Ken Baker, President

# **Exhibit A to Lease Agreement**

**(Real Estate Legal Description)**

Lots 7, 8, 9 and 10, Block 6 of the Bonnerport First Addition, Boundary County, Idaho.



- ii. Complete drafting of record drawings based on record drawing information provided by the City and submit one hard copy to Owner for review and signature. Once Owner has reviewed and stamped record drawings, Engineer will submit record drawings to IDEQ.
- 6) Construction surveying - *Amended to read as follows:*
- i. Engineer will provide one trip for construction surveying. Any additional trips required by Contractor's work schedule will be paid for at Contractor's expense.
  - ii. Offsets for pressure sewer and appurtenances: Set a hub and lath reference point at tie in points, approximately 100 feet on tangents, valves, angle points, and hydrants at an offset distance necessary to facilitate construction. The lath will be marked with the plan station and offset distance to the centerline of the pipe. The station and offset distance will be written to the nearest one-tenth of a foot.
- 7) Resident Project Representative – *Eliminated from Agreement*

3. *Compensation for Modifications:*

For the services corresponding to each Phase (identified herein) the following Lump Sum amounts:

|                                | Original Amount | Change                   | Modified Amount |
|--------------------------------|-----------------|--------------------------|-----------------|
| Design Phase Services          | \$14,600        | No change                | \$14,600        |
| Bidding Services               | \$3,400         | Moved to Hourly Services |                 |
| Construction Phase Services    | \$10,700        | Moved to Hourly Services |                 |
| <b>Total Lump Sum Services</b> | <b>\$28,700</b> | <b>(\$14,100)</b>        | <b>\$14,600</b> |

OWNER shall pay ENGINEER for the services corresponding to each Part (identified herein) an amount equal to the cumulative hours charged to the Project by each class of ENGINEER's employees times Hourly Rates for each applicable billing class for all services performed on the Project, including Reimbursable expenses. The total compensation for professional services is estimated as follows:

|                                 | Original Amount      | Change            | Modified Amount |
|---------------------------------|----------------------|-------------------|-----------------|
| Bidding Services                | Lump Sum of \$3,400  | (\$1,900)         | \$1,500         |
| Construction Phase Services     | Lump Sum of \$10,700 | (\$6,450)         | \$4,250         |
| Construction Staking            | \$4,500              | (\$2,100)         | \$2,400         |
| Resident Project Representative | \$17,500             | (\$17,500)        | \$0             |
| <b>Total Hourly Services</b>    | <b>\$22,000</b>      | <b>(\$13,850)</b> | <b>\$8,150</b>  |

4. *Exclusions and Special Conditions - No Changes*

5. *Timeline – Modified as follows:*

- 1) Bidding will be completed within the Sidewalk Project, and is anticipated to occur in March, 2016.
- 2) Construction phase will be completed within the Sidewalk Project, and is anticipated to begin the week of June 13th, 2016.

6. *Fee Summary*

|                       |            |
|-----------------------|------------|
| Amendment #16         | \$50,700   |
| Addendum #1           | (\$27,950) |
| Total Contract Amount | \$22,750   |

The foregoing Agreement Summary is for reference only and does not alter the terms of the Agreement, including those set forth in Exhibit C.

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is \_\_\_\_\_, 2016.

OWNER:

ENGINEER:

\_\_\_\_\_

\_\_\_\_\_

By: David Sims

By: Philip F. Boyd, P.E.

Title: Mayor

Title: President

Date Signed: \_\_\_\_\_

Date Signed: 1/6/16





**IDAHO TRANSPORTATION DEPARTMENT**

600 W. Prairie Ave.  
Coeur d'Alene, ID 83815-8764

(208) 772-1200  
[itd.idaho.gov](http://itd.idaho.gov)

---

1/05/2016

City of Bonners Ferry  
PO Box 149  
Bonners Ferry, ID 83805

Dear Mayor Anderson,

Please find the enclosed Invoice # 18809-02; Progress report #2 for KN 18809; Augusta Street Sidewalks from HMH, LLC. We have reviewed the invoice for accuracy.

If you agree, please sign on page 2 of 2 of Form 771, in the space labeled: "Second Reviewer," and pay HMH, LLC \$15,684.59.

Upon issuance of the check, please email the packet back to us with a copy of your check to HMH, LLC and we will reimburse you your portion.

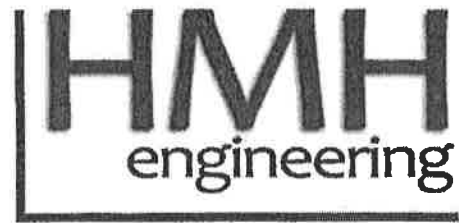
If you have any questions, please feel free to contact me directly.

Thank you,

*G. Brands*

Gregory Brands, P.E.  
208-772-1274  
[Gregory.Brands@ITD.Idaho.gov](mailto:Gregory.Brands@ITD.Idaho.gov)  
[Jenny.klein@itd.idaho.gov](mailto:Jenny.klein@itd.idaho.gov)

---



December 28, 2015

Greg Brands, PE  
ITD District 1  
600 West Prairie Ave  
Coeur d'Alene, ID 83815

RE: AUGUSTA ST SIDEWALK, BONNERS FERRY  
Project A018(809); Key No. 18809

Subject: Invoice Number 18809-02

Dear Greg,

Enclosed in Invoice Number 18809-02 for professional services rendered for the above referenced project. This invoice also includes backup for the justification of the charges.

The current invoice amount is \$15,684.59. The total amount invoiced to date is \$40,437.26 (99.96%) out of the budget of \$40,454. The scope set forth in Professional Services Agreement #93719 is substantially complete and Supplemental #1 is pending as was anticipated when the PSA was executed. Thank you for the opportunity to serve you on this project and if you have any questions on this subject, please contact me at 651-4152.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Olson".

Eric Olson, PE  
Project Manager

A small, handwritten mark or signature in the bottom right corner of the page.



# Professional Agreement Invoice and Progress Report

ITD 0771 (Rev. 11-11)

Idaho Transportation Department

itd.idaho.gov

**This page must be filled out monthly by the Consultant and forwarded to the Agreement Administrator with the monthly invoice. If necessary, attach additional sheets for continuation.**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                |                                               |                                                             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-----------------------------------------------|-------------------------------------------------------------|
| Key Number<br>18809 ✓                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Project Number<br>A018(809)    | Project Name<br>AUGUSTA STREET, BONNERS FERRY | Date<br>12/28/15                                            |
| Agreement Administrator<br>Greg Brands, PE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                | Progress Report Number<br>02 ✓                | Agreement Number<br>93719 ✓                                 |
| Consultant's Name<br>HMH Engineering, llc                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                |                                               | Report/Billing Period (From and To)<br>10/9/15 - 11/16/15 ✓ |
| Certification of Payment Submitted<br><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Certification Date<br>12/28/15 | PSA Number<br>01                              | Invoice Number<br>18809-02 ✓                                |
| Describe Work Accomplished During the Month (List DOH Major Activities that were in progress during this period and estimate the remaining time for each.)<br>Task 2.1 Project Charter - template filled out<br>Task 2.3 Materials Group - Materials Memo 17B completed<br>Task 2.4 Roadway Group - Typical Sections 90% complete, Plan & Profile sheets have been developed, design 75% complete<br>Task 2.5 Drainage Group - Drainage basins analyzed and drain pipes sized; Initial coordination with ITD/US95 project completed<br>Task 2.6 Utility Group - Continued coordination with City water, sewer, power<br>Task 2.7 Public Involvement - Public hearing completed<br>Task 2.8 Cost Estimate - Preliminary cost estimate completed |                                |                                               |                                                             |
| Summarize Work Completed to Date (Milestones Completed and Dates) (List DOH Major Activities that were completed, including completion dates.)<br>Project Charter Template and Materials Memo 17B submitted on 10/28/15; Public Hearing held on 11/18/15;<br>Project design is at a point between preliminary and final.                                                                                                                                                                                                                                                                                                                                                                                                                       |                                |                                               |                                                             |
| List Information Required from ITD to Avoid Delays<br>Schedule has been delayed due to need for public hearing and new environmental evaluation. Supplemental #1 discusses schedule revisions. ITD will need to be prompt with completion of environmental evaluation to keep schedule on track.                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                |                                               |                                                             |
| List Changes in Scope or Complexity that Requires a Supplemental Agreement or Time Adjustments<br>Review of 2009 Cat-Ex document has shown it to be inadequate. A new environmental evaluation is required. A supplemental is in progress.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                |                                               |                                                             |

Distribution: DRI (Original) - Project File

Copy - Prime Consultant

JK

# Professional Agreement Invoice and Progress Report

ITD 0771 (Rev. 11-11)

Idaho Transportation Department

itd.idaho.gov

|                            |                          |                                                                                                               |
|----------------------------|--------------------------|---------------------------------------------------------------------------------------------------------------|
| Printed Name<br>Eric Olson | Title<br>Project Manager | Consultant's Signature<br> |
|----------------------------|--------------------------|---------------------------------------------------------------------------------------------------------------|

JK

# Professional Agreement Invoice and Progress Report

ITD 0771 (Rev. 11-11)

Idaho Transportation Department

itd.idaho.gov

## Status Report This page must be completed by the Agreement Administrator

A completed status report must accompany all Agreement invoices recommended for payment. The requested percentage of progress measurements for this report/billing period are required.

|                                                                                                           |                                |                                           |                                                   |
|-----------------------------------------------------------------------------------------------------------|--------------------------------|-------------------------------------------|---------------------------------------------------|
| Key Number<br>18809                                                                                       | Program Number<br>T151650      | Progress Report Number<br>2               | Agreement Number<br>93719                         |
| Agreement Time<br>252                                                                                     | Time Passed<br>100             | Percent of Agreement Time Elapsed<br>40 % | Percent of Work Completed<br>99.9 %               |
| Original Agreement Amount<br>\$ 40454.00                                                                  | Supplemental(s)<br>\$ 0.00     | Current Agreement Amount<br>\$ 40,454.00  | Payments (Including this Payment)<br>\$ 40,437.26 |
| Percent of Agreement Dollars Paid<br>99.9 %                                                               |                                |                                           |                                                   |
| Certification of Payment Submitted<br><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Certification Date<br>12/28/15 | Fixed Fee<br>\$ 1651.26                   | This Invoice<br>\$ 3321.03                        |
|                                                                                                           |                                | To Date<br>\$ 4854.48                     | Negotiated                                        |
| If There is a Significant Variance Between the Percentages, Please Explain                                |                                |                                           |                                                   |
| Consultant Invoice Number<br>18809-02                                                                     |                                | This Payment Amount<br>\$ 15,684.59       |                                                   |
| Report Reviewed By<br>G. Brands                                                                           |                                |                                           | Review Date<br>1-4-16                             |

## Consultant Performance To Be Completed Monthly by the Agreement Administrator

|                                                                                                                   |                                                                                                                   |                                                                                                              |
|-------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| Work planned for this period was completed<br><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Quality of work was completed satisfactory<br><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Discussed performance with Consultant<br><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Explain                                                                                                           |                                                                                                                   |                                                                                                              |
| Performance: Describe the Consultants performance during this period                                              |                                                                                                                   |                                                                                                              |

- Progress Payment:** I certify that the Agreement provisions have been reviewed, the invoice amount checked, progress is substantiated, significant material expenses have support documentation (receipts), and the costs billed are project related and represent the work accomplished. I hereby approve the progress estimate for payment.
- Final Payment:** I certify that all work under the terms of the Agreement has been satisfactorily completed, any capital assets acquired have been delivered or value received, an affidavit of indebtedness received, and the project reviewed or audited and costs verified for work performed. I hereby approve final payment under the Agreement.

|                                                  |                |                                           |
|--------------------------------------------------|----------------|-------------------------------------------|
| Agreement Administrator's Signature<br>G. Brands | Date<br>1-4-16 | Second (Independent) Reviewer's Signature |
|--------------------------------------------------|----------------|-------------------------------------------|

Distribution: DRI (Original) - Project File

Copy - Prime Consultant

**REVIEWED**

By Jenny Klein at 9:59 am, Jan 04, 2016

# PROFESSIONAL SERVICES AUTHORIZATION and INVOICE SUMMARY



Consultant: **HMH, LLC**

Agreement No: 93719

Billing Ref No: 9371901

Authorization No: 1

| Agreement Amounts    |                    |
|----------------------|--------------------|
| Original Agreement:  | \$40,454.00        |
| Additional Services: | \$0.00             |
| Supplementals:       | \$0.00             |
| <b>TOTAL:</b>        | <b>\$40,454.00</b> |

Consultant Invoice No: 18809-02

| <u>PROJECT</u> | <u>Key Number</u> | <u>Project Number</u> | <u>Route</u>                          | <u>Location</u> |
|----------------|-------------------|-----------------------|---------------------------------------|-----------------|
| 18809          | A018(809)         | OFFSYS                | AUGUSTA ST SIDEWALK,<br>BONNERS FERRY |                 |

This document authorizes services to be performed as described below:

| <u>Number</u> | <u>Description</u>                                                        | <u>Amount</u> |
|---------------|---------------------------------------------------------------------------|---------------|
| 18809         | Sidewalk Design including sub-surface storm sewer and street resurfacing. | \$40,454.00   |

**Compensation for Services Shall not Exceed: \$40,454.00**

**Which increases the Total Authorization Amount to: \$40,454.00**

Authorization Issued (Agreement Administrator)

Authorization Accepted (Consultant)

|                           |                      |
|---------------------------|----------------------|
|                           | 8/7/15               |
| <small>Signature:</small> | <small>Date:</small> |

|                           |                      |
|---------------------------|----------------------|
|                           | 8/7/15               |
| <small>Signature:</small> | <small>Date:</small> |

| Authorized Amount | Previous Invoices | This Invoice | Total to Date | Balance Authorized |
|-------------------|-------------------|--------------|---------------|--------------------|
| \$40,454.00       | \$24,752.67       | \$15,684.59  | \$40,437.26   | \$16.74            |

Payment Requested (Consultant)

Payment Recommended (Agreement Administrator)

|                           |                      |
|---------------------------|----------------------|
|                           | 8/23/15              |
| <small>Signature:</small> | <small>Date:</small> |

|                           |                      |
|---------------------------|----------------------|
| G. Brands                 | 1-4-16               |
| <small>Signature:</small> | <small>Date:</small> |

K





# HMH Engineering, LLC

1302 W. Hayden Ave.  
Hayden, ID 83835

# Invoice

| Date       | Invoice # |
|------------|-----------|
| 12/23/2015 | 18809-02  |

|                                                                      |
|----------------------------------------------------------------------|
| <b>Bill To</b>                                                       |
| ITD District 1 Office<br>600 West Prairie<br>Coeur d'Alene, ID 83815 |

|                                    |
|------------------------------------|
| <b>HMH Project #</b>               |
| D1518809 Augusta St - Bonner Ferry |

| Date       | Staff         | Bill Hours | Description                                  | Bill Rate | Labor Cost |
|------------|---------------|------------|----------------------------------------------|-----------|------------|
| 10/12/2015 | Eric Olson    | 2.3        | Design & Coordination                        | 41.00     | 94.30      |
| 10/12/2015 | Eric Olson    | 1.3        | Public Outreach Program                      | 41.00     | 53.30      |
| 10/12/2015 | Wes Miller    | 6          | Working on PLPR                              | 21.00     | 126.00     |
| 10/13/2015 | Eric Olson    | 0.5        | Design & Coordination                        | 41.00     | 20.50      |
| 10/13/2015 | Eric Olson    | 0.5        | Public Outreach Program                      | 41.00     | 20.50      |
| 10/13/2015 | Wes Miller    | 9          | Working on PLPR                              | 21.00     | 189.00     |
| 10/14/2015 | Carla Redline | 0.5        | Invoicing                                    | 25.00     | 12.50      |
| 10/14/2015 | Eric Olson    | 1          | ITD Encroachment Meeting/Relocating Sidewalk | 41.00     | 41.00      |
| 10/14/2015 | Wes Miller    | 6          | Working on PLPR                              | 21.00     | 126.00     |
| 10/15/2015 | Eric Olson    | 2.1        | Design & Coordination                        | 41.00     | 86.10      |
| 10/15/2015 | Wes Miller    | 8.5        | Working on PLPR                              | 21.00     | 178.50     |
| 10/16/2015 | Wes Miller    | 4          | Working on PLPR                              | 21.00     | 84.00      |
| 10/19/2015 | Wes Miller    | 9.5        | Working on PLPR                              | 21.00     | 199.50     |
| 10/20/2015 | Wes Miller    | 6.5        | Working on PLPR                              | 21.00     | 136.50     |
| 10/20/2015 | Eric Olson    | 1.8        | Coordination & Design                        | 41.00     | 73.80      |
| 10/21/2015 | Wes Miller    | 9          | Working on PLPR                              | 21.00     | 189.00     |
| 10/21/2015 | Eric Olson    | 1          | Coordination & Design                        | 41.00     | 41.00      |
| 10/22/2015 | Wes Miller    | 9          | Working on PLPR                              | 21.00     | 189.00     |
| 10/23/2015 | Eric Olson    | 1.5        | Coordination & Design                        | 41.00     | 61.50      |
| 10/26/2015 | Wes Miller    | 7.5        | Project Design                               | 21.00     | 157.50     |
| 10/26/2015 | Eric Olson    | 1          | Coordination & Design                        | 41.00     | 41.00      |
| 10/27/2015 | Wes Miller    | 10         | Project Design                               | 21.00     | 210.00     |
| 10/27/2015 | Eric Olson    | 0.3        | Coordination & Design                        | 41.00     | 12.30      |
| 10/28/2015 | Wes Miller    | 10         | Project Design                               | 21.00     | 210.00     |
| 10/28/2015 | Eric Olson    | 2          | Coordination & Design                        | 41.00     | 82.00      |
| 10/28/2015 | Eric Olson    | 3          | Charter Template, Materials Memo             | 41.00     | 123.00     |
| 10/29/2015 | Wes Miller    | 3.5        | Project Design                               | 21.00     | 73.50      |
| 10/30/2015 | Wes Miller    | 8          | Project Design                               | 21.00     | 168.00     |
| 10/30/2015 | Eric Olson    | 1          | Coordination & Design                        | 41.00     | 41.00      |
| 11/10/2015 |               |            | #9329 Notice of Public Hearing               | 121.03    | 121.03     |
| 11/2/2015  | Wes Miller    | 9.3        | Project Design                               | 21.00     | 195.30     |
| 11/2/2015  | Eric Olson    | 1          | Coordination & Design                        | 41.00     | 41.00      |
| 11/3/2015  | Wes Miller    | 6.6        | Project Design                               | 21.00     | 138.60     |
| 11/3/2015  | Eric Olson    | 1          | Coordination & Design                        | 41.00     | 41.00      |

**Total**





**HMH Engineering, LLC**

1302 W. Hayden Ave.  
Hayden, ID 83835

**Invoice**

| Date       | Invoice # |
|------------|-----------|
| 12/23/2015 | 18809-02  |

|                                                                      |
|----------------------------------------------------------------------|
| <b>Bill To</b>                                                       |
| ITD District 1 Office<br>600 West Prairie<br>Coeur d'Alene, ID 83815 |

|                                    |
|------------------------------------|
| <b>HMH Project #</b>               |
| D1518809 Augusta St - Bonner Ferry |

| Date       | Staff                 | Bill Hours | Description                         | Bill Rate | Labor Cost |
|------------|-----------------------|------------|-------------------------------------|-----------|------------|
| 11/4/2015  | Wes Miller            | 6.5        | Project Design                      | 21.00     | 136.50     |
| 11/4/2015  | Eric Olson            | 0.5        | Coordination & Design               | 41.00     | 20.50      |
| 11/5/2015  | Wes Miller            | 2.5        | Project Design                      | 21.00     | 52.50      |
| 11/5/2015  | Wes Miller            | 4.4        | Site Visit                          | 21.00     | 92.40      |
| 11/5/2015  | Eric Olson            | 4          | Site Visit/Meet w/ Boundary Tractor | 41.00     | 164.00     |
| 11/6/2015  | Wes Miller            | 5          | Project Design                      | 21.00     | 105.00     |
| 11/9/2015  | Wes Miller            | 6.7        | Project Design                      | 21.00     | 140.70     |
| 11/10/2015 | Wes Miller            | 7.5        | Project Design                      | 21.00     | 157.50     |
| 11/10/2015 | Dan Larson            | 7          | Stormwater Design, Estimates        | 40.00     | 280.00     |
| 11/10/2015 | Carla Redline         | 0.5        | Invoicing                           | 25.00     | 12.50      |
| 11/11/2015 | Wes Miller            | 5          | Project Design                      | 21.00     | 105.00     |
| 11/11/2015 | Wes Miller            | 3          | Sizing Storm Pipe w/ HydroCAD       | 21.00     | 63.00      |
| 11/11/2015 | Dan Larson            | 4          | Stormwater Design, Estimates        | 40.00     | 160.00     |
| 11/12/2015 | Wes Miller            | 7          | Project Design                      | 21.00     | 147.00     |
| 11/12/2015 | Wes Miller            | 2.5        | Sizing Storm Pipe w/ HydroCAD       | 21.00     | 52.50      |
| 11/12/2015 | Dan Larson            | 8          | Stormwater Design, Estimates        | 40.00     | 320.00     |
| 11/13/2015 | Wes Miller            | 5.2        | Project Design                      | 21.00     | 109.20     |
| 11/13/2015 | Dan Larson            | 6          | Stormwater Design, Estimates        | 40.00     | 240.00     |
| 11/16/2015 | Wes Miller            | 8.7        | Project Design                      | 21.00     | 182.70     |
| 11/16/2015 | Dan Larson            | 6          | Road Summary, Estimate              | 40.00     | 240.00     |
| 12/1/2015  |                       |            | Wes M: Mileage 11/23/15 84 miles    | 48.30     | 48.30      |
| 12/1/2015  | Approved OH Rate      |            | 120.62%                             | 7,523.31  | 7,523.31   |
| 12/1/2015  | Net Fee               |            | 12.0%                               | 1,651.26  | 1,651.26   |
| 11/30/2015 | Project Reimbursab... |            | Notice of Public Hearing            | 103.49    | 103.49     |

|              |                    |
|--------------|--------------------|
| <b>Total</b> | <b>\$15,684.59</b> |
|--------------|--------------------|

*X*

**CONSULTANT**  
**PROJECT NAME**  
**PROJECT NUMBER**  
**KEY NUMBER**

HMH Engineering, LLC.  
 AUGUSTA STREET, BONNERS FERRY, IDAHO  
 A018(809)  
 18809

**A. SUMMARY ESTIMATED MAN-DAY COSTS**

|                             |                      | Man-Days |   | Man-Hours |   | Hrly Rate |   | Raw Labor Cost      |
|-----------------------------|----------------------|----------|---|-----------|---|-----------|---|---------------------|
| 1                           | Shawn Metts, PE      | 0.0      | = |           | @ | \$46.00   | = | \$ -                |
| 2                           | Eric Olson, PE       | 3.2      | = | 25.8      | @ | \$41.00   | = | \$ 1,057.80         |
| 3                           | Dan Larson, PE       | 3.9      | = | 31        | @ | \$40.00   | = | \$ 1,240.00         |
| 4                           | Wes Miller, EIT      | 23.3     | = | 186.4     | @ | \$21.00   | = | \$ 3,914.40         |
| 5                           | Carla Redline, Admin | 0.1      | = | 1         | @ | \$25.00   | = | \$ 25.00            |
| 6                           | etc                  |          | = |           | @ |           | = |                     |
| <b>TOTAL RAW LABOR COST</b> |                      |          |   |           |   |           |   | <b>= \$6,237.20</b> |

**B. PAYROLL, FRINGE BENEFIT COSTS & OVERHEAD**

|                      |   |                        |              |
|----------------------|---|------------------------|--------------|
| Total Raw Labor Cost |   | Approved Overhead Rate |              |
| \$6,237.20           | X | 120.62%                | = \$7,523.31 |

**C. NET FEE**

|                            |   |           |              |
|----------------------------|---|-----------|--------------|
| Total Raw Labor & Overhead |   | NET FEE** |              |
| \$13,760.51                | X | 12%       | = \$1,651.26 |

**D. FCCM**

|                      |   |                    |          |
|----------------------|---|--------------------|----------|
| Total Raw Labor Cost |   | Approved FCCM Rate |          |
| \$6,237.20           | X | 0.00%              | = \$0.00 |

**TOTAL LABOR \$15,411.77**

**E. OUT-OF-POCKET EXPENSE SUMMARY**

|                                | Miles |   | Unit Cost |   | Estimated Expense  |
|--------------------------------|-------|---|-----------|---|--------------------|
| 1 * MILEAGE (miles)            | 84    | @ | \$ 0.575  | = | \$ 48.30           |
| 2 NOTICE OF HEARING            | 0     | @ |           | = | \$ 121.03          |
| 3 NOTICE OF HEARING            | 0     | @ |           | = | \$ 103.49          |
| 4 * MEALS (Days)               | 0     | @ | \$ 1.00   | = | \$ -               |
| <b>TOTAL ESTIMATED EXPENSE</b> |       |   |           |   | <b>= \$ 272.82</b> |

**F. SUBCONSULTANTS**

1 =  
 2 =

**TOTAL = \$15,684.59**

\* As per the "FEDERAL PER DIEM RATES FOR IDAHO"  
 \*\* Negotiated % Fee

*K*

Time by Job Detail

12/23/2016

October 12 through November 16, 2015

| <u>Date</u> | <u>Name</u> | <u>Billing Status</u> | <u>Duration</u> |
|-------------|-------------|-----------------------|-----------------|
|-------------|-------------|-----------------------|-----------------|

Idaho Transportation Department:D1518809 Augusta St - Bonner Ferry

**BASE:Carla Redline**

|            |                 |        |      |
|------------|-----------------|--------|------|
| 10/14/2015 | Carla W Redline | Billed | 0.50 |
| 11/10/2015 | Carla W Redline | Billed | 0.50 |

Total BASE:Carla Redline 1.00

**BASE:Dan Larson**

|            |                 |        |      |
|------------|-----------------|--------|------|
| 11/10/2015 | Daniel W Larson | Billed | 7.00 |
| 11/11/2015 | Daniel W Larson | Billed | 4.00 |
| 11/12/2015 | Daniel W Larson | Billed | 8.00 |
| 11/13/2015 | Daniel W Larson | Billed | 6.00 |
| 11/16/2015 | Daniel W Larson | Billed | 6.00 |

Total BASE:Dan Larson 31.00

**BASE:Eric Olson**

|            |            |        |      |
|------------|------------|--------|------|
| 10/12/2015 | Eric Olson | Billed | 2.30 |
| 10/12/2015 | Eric Olson | Billed | 1.30 |
| 10/13/2015 | Eric Olson | Billed | 0.50 |
| 10/13/2015 | Eric Olson | Billed | 0.50 |
| 10/14/2015 | Eric Olson | Billed | 1.00 |
| 10/15/2015 | Eric Olson | Billed | 2.10 |
| 10/20/2015 | Eric Olson | Billed | 1.80 |
| 10/21/2015 | Eric Olson | Billed | 1.00 |
| 10/23/2015 | Eric Olson | Billed | 1.50 |
| 10/26/2015 | Eric Olson | Billed | 1.00 |
| 10/27/2015 | Eric Olson | Billed | 0.30 |
| 10/28/2015 | Eric Olson | Billed | 2.00 |
| 10/28/2015 | Eric Olson | Billed | 3.00 |
| 10/30/2015 | Eric Olson | Billed | 1.00 |
| 11/02/2015 | Eric Olson | Billed | 1.00 |
| 11/03/2015 | Eric Olson | Billed | 1.00 |
| 11/04/2015 | Eric Olson | Billed | 0.50 |
| 11/05/2015 | Eric Olson | Billed | 4.00 |

Total BASE:Eric Olson 25.80

**BASE:Wes Miller**

|            |                 |        |       |
|------------|-----------------|--------|-------|
| 10/12/2015 | Wesley G Miller | Billed | 6.00  |
| 10/13/2015 | Wesley G Miller | Billed | 9.00  |
| 10/14/2015 | Wesley G Miller | Billed | 6.00  |
| 10/15/2015 | Wesley G Miller | Billed | 8.50  |
| 10/16/2015 | Wesley G Miller | Billed | 4.00  |
| 10/19/2015 | Wesley G Miller | Billed | 9.50  |
| 10/20/2015 | Wesley G Miller | Billed | 6.50  |
| 10/21/2015 | Wesley G Miller | Billed | 9.00  |
| 10/22/2015 | Wesley G Miller | Billed | 9.00  |
| 10/26/2015 | Wesley G Miller | Billed | 7.50  |
| 10/27/2015 | Wesley G Miller | Billed | 10.00 |

| <u>Date</u>           | <u>Name</u>     | <u>Billing Status</u> | <u>Duration</u> |
|-----------------------|-----------------|-----------------------|-----------------|
| 10/29/2015            | Wesley G Miller | Billed                | 10.00           |
| 10/29/2015            | Wesley G Miller | Billed                | 3.50            |
| 10/30/2015            | Wesley G Miller | Billed                | 8.00            |
| 11/02/2015            | Wesley G Miller | Billed                | 9.30            |
| 11/03/2015            | Wesley G Miller | Billed                | 6.60            |
| 11/04/2015            | Wesley G Miller | Billed                | 6.50            |
| 11/05/2015            | Wesley G Miller | Billed                | 2.50            |
| 11/05/2015            | Wesley G Miller | Billed                | 4.40            |
| 11/06/2015            | Wesley G Miller | Billed                | 5.00            |
| 11/09/2015            | Wesley G Miller | Billed                | 6.70            |
| 11/10/2015            | Wesley G Miller | Billed                | 7.50            |
| 11/11/2015            | Wesley G Miller | Billed                | 5.00            |
| 11/11/2015            | Wesley G Miller | Billed                | 3.00            |
| 11/12/2015            | Wesley G Miller | Billed                | 7.00            |
| 11/12/2015            | Wesley G Miller | Billed                | 2.50            |
| 11/13/2015            | Wesley G Miller | Billed                | 5.20            |
| 11/16/2015            | Wesley G Miller | Billed                | 8.70            |
| Total BASE:Wes Miller |                 |                       | <u>186.40</u>   |

Total Idaho Transportation Department:D1518809 Augusta St - Bonner Ferry 244.20

**TOTAL** 244.20

AFFIDAVIT OF PUBLICATION

State of Idaho

ss

County of Boundary, Jinda Johnson  
being first duly sworn on oath deposes and says that  
he/she is book keeper of the  
Bonners Ferry Herald, a newspaper printed and  
published at Bonners Ferry, Boundary County, Idaho;  
that the said newspaper has been continuously and  
uninterruptedly published in said Boundary County  
during a period of 12 months prior to the first publication  
of the hereto attached notice of publication in the case

of:  
Public Hearing - Augusta  
St Sidewalk Project. as it  
was published in the regular and entire issue of the said  
paper for a period of 4 consecutive weeks,  
commencing on 23<sup>rd</sup> day of Oct, 2015 and  
ending on the 12<sup>th</sup> day of Nov, 2015 and  
that said notice was published in said newspaper.

Jinda Johnson

SUBSCRIBED AND SWORN TO before me, this

12<sup>th</sup> day of November, 2015.

Sherif Jones

Notary Public-State of Idaho

Residing at: Sandpoint

My Commission Expires: 2/24/17

Notice of Public Hearing  
Concerning Project #:  
A018(S09) Key No. 18809  
Augusta Street Sidewalk  
Project, Bonners Ferry

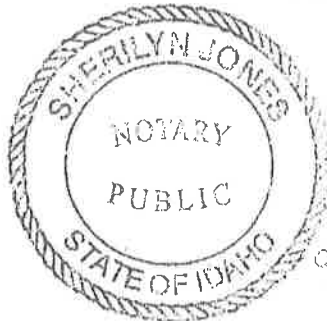
NOTICE is hereby given that a public hearing will be held at the Bonners Ferry City Hall- Council Chambers, 7232 Main Street, Bonners Ferry, Idaho, on Wednesday, November 18, 2015 from 4-7 p.m. (PST). The Augusta Street Sidewalk Project proposes to construct sidewalk, curb, and rainage facilities along Augusta St. between US 95 and Valley View Elementary School. The purpose of the hearing is to provide interested individuals, agencies, groups, and others an opportunity to provide testimony on the proposed design including the possibility of gating Augusta St. between Lincoln St. and Stephens St. during school hours or closing the same section of roadway permanently. The hearing will be held in open house format. The public will have the opportunity to view displays, ask questions and provide testimony regarding the project.

Written testimony, statements, or exhibits pertaining to the Augusta Street Sidewalk Project will become part of the record for this project if postmarked by Dec. 2, 2015. Address any such items to:

Local Highway Technical  
Assistance Council  
Local Communications/PI  
Coordinator  
231 N. Third-Suite 108  
Sandpoint, Idaho 83864

The Idaho Transportation Department (ITD) is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives. ITD assures that no person shall on the grounds of race, color, national origin, gender, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any ITD service, program, or activity. The department also assures that every effort will be made to prevent discrimination through the impacts of its programs, policies, and activities on minority and low-income

populations. In addition, the department will take reasonable steps to provide meaningful access to services for persons with Limited English Proficiency. For accommodations call 208-597-2419  
BFH Legal 9329  
October 22, 29, 2015  
November 5, 12, 2015



9329

Bonnors Ferry Herald  
P.O. Box 539  
Bonnors Ferry, ID 83805  
Phone (208) 267-5521  
Fax (208) 267-5523

01518809

|                  |           |                           |            |              |
|------------------|-----------|---------------------------|------------|--------------|
| Statement        |           | Client Name               |            |              |
| 10/31/15         |           |                           |            |              |
| Total Amount Due |           | Terms of Payment          |            |              |
| 121.03           |           | Remit payment by the 15th |            |              |
| Current Due      | 1-30 Days | 31-60 Days                | 61-90 days | Over 90 Days |
| 121.03           | 0.00      | 0.00                      | 0.00       | 0.00         |

**ADVERTISING  
INVOICE/STATEMENT**

| Page #                    | Billed Account Name & Address                                              | Billed Account #                                                                                        | Agency/Client Number |
|---------------------------|----------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|----------------------|
| 1                         | HMH ENGINEERING<br>ERIC OLSON, PE<br>1302 W HAYDEN AVE<br>HAYDEN, ID 83835 | BH06417300                                                                                              |                      |
| Acct Type: BH ROP/ CL DIS |                                                                            | Remittance Address:<br>Bonnors Ferry Herald<br>P.O. Box 539<br>7183 Main St.<br>Bonnors Ferry, ID 83805 |                      |

|                                            |           |             |          |
|--------------------------------------------|-----------|-------------|----------|
| If paying by credit card, please fill out: |           | Card Number | Exp Date |
| Amount                                     | Signature | Card Type   |          |

PLEASE DETACH AND RETURN UPPER FORM WITH YOUR REMITTANCE

| Date     | Reference # | Description-Other Comments/Charges | Type | Units    | Runs | Rate   | Amount | Total  |
|----------|-------------|------------------------------------|------|----------|------|--------|--------|--------|
| 09/30/15 |             | BALANCE FORWARD                    |      |          |      |        | 0.00   | 0.00   |
| 10/31/15 | 4723066     | #9329 NOTICE OF PUBLIC HEARING     | LINE | 77.00 Li | 2    | IDLEGL | 121.03 | 121.03 |

Statement of Account Aging of Past Due Amounts

| Current Amount Due | 1-30 Days | 31-60 Days | 61-90 days | Over 90 Days | Total Amount Due |
|--------------------|-----------|------------|------------|--------------|------------------|
| 121.03             | 0.00      | 0.00       | 0.00       | 0.00         | 121.03           |

Bonnors Ferry Herald  
P.O. Box 539  
Bonnors Ferry, ID 83805

Past due accounts are subject to finance charges of 1 1/2 % per month, which is an annual percentage of 18%, applied to the previous balance.

Advertiser Information

| Statement Date | Billed Account # | Client Account Number | Client Name |
|----------------|------------------|-----------------------|-------------|
| 10/31/15       | BH06417300       |                       |             |

PLEASE CALL & MAKE PAYMENT ARRANGEMENTS

**Bonnors Ferry Herald**  
**P.O. Box 539**  
**Bonnors Ferry, ID 83805**  
**Phone (208) 267-5521**  
**Fax (208) 267-5523**

**ADVERTISING  
 INVOICE/STATEMENT**

|                  |           |                           |            |              |
|------------------|-----------|---------------------------|------------|--------------|
| Statement        |           | Client Name               |            |              |
| 11/30/15         |           |                           |            |              |
| Total Amount Due |           | Terms of Payment          |            |              |
| 103.49           |           | Remit payment by the 15th |            |              |
| Current Due      | 1-30 Days | 31-60 Days                | 61-90 days | Over 90 Days |
| 103.49           | 0.00      | 0.00                      | 0.00       | 0.00         |

| Page #                                     | Billed Account Name & Address                                              | Billed Account #                                                                                        | Agency/Client Number |
|--------------------------------------------|----------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|----------------------|
| 1                                          | HMH ENGINEERING<br>ERIC OLSON, PE<br>1302 W HAYDEN AVE<br>HAYDEN, ID 83835 | BH06417300                                                                                              |                      |
| Acct Type: BH ROP/ CL DIS                  |                                                                            | Remittance Address:<br>Bonnors Ferry Herald<br>P.O. Box 539<br>7183 Main St.<br>Bonnors Ferry, ID 83805 |                      |
| If paying by credit card, please fill out: |                                                                            | Card Number                                                                                             | Exp Date             |
| Amount                                     |                                                                            | Signature                                                                                               | Card Type            |

PLEASE DETACH AND RETURN UPPER FORM WITH YOUR REMITTANCE

| Date     | Reference # | Description-Other Comments/Charges | Type  | Units    | Runs | Rate   | Amount  | Total  |
|----------|-------------|------------------------------------|-------|----------|------|--------|---------|--------|
| 10/31/15 |             | BALANCE FORWARD                    |       |          |      |        | 121.03  | 121.03 |
| 11/12/15 | 4723066     | #9329 NOTICE OF PUBLIC HEARING     | LINE  | 77.00 Li | 4    | IDLEGL | 103.49  | 224.52 |
| 11/20/15 | 5982        | Payment on Account                 | PAYMT |          |      |        | -121.03 | 103.49 |

Statement of Account Aging of Past Due Amounts

| Current Amount Due | 1-30 Days | 31-60 Days | 61-90 days | Over 90 Days | Total Amount Due |
|--------------------|-----------|------------|------------|--------------|------------------|
| 103.49             | 0.00      | 0.00       | 0.00       | 0.00         | 103.49           |

Bonnors Ferry Herald  
 P.O. Box 539  
 Bonnors Ferry, ID 83805

Past due accounts are subject to finance charges of 1 1/2 % per month, which is an annual percentage of 18%, applied to the previous balance.

Advertiser Information

| Statement Date | Billed Account # | Client Account Number | Client Name |
|----------------|------------------|-----------------------|-------------|
| 11/30/15       | BH06417300       |                       |             |

PLEASE CALL & MAKE PAYMENT ARRANGEMENTS





## **CHAPTER 7 SPECIAL EVENTS**

### **3-7-1: FINDINGS AND INTENT**

- (A) The Bonners Ferry City Council finds that special events which take place in the City of Bonners Ferry which are offered to the general public or a substantial segment of the public have the potential to attract large gatherings of people which may cause adverse public health and safety conditions requiring municipal involvement and regulation to ensure adequate protection of public health and safety.
- (B) It is the intent of the Bonners Ferry City Council that this chapter be enacted to protect and promote the health, welfare, and safety of citizens and visitors to the City of Bonners Ferry and to regulate special events for the benefit and protection of the public health and safety. Special event applicants, promoters, and sponsors whose special events require the use of extraordinary city resources as a result of anticipated attendance, heightened security concerns, or other logistical situations should pay for those extraordinary resources in order to alleviate the cost to the public taxpayer.

### **3-7-2: DEFINITIONS**

As used in this chapter:

1. **APPLICANT, PROMOTER, OR SPONSOR:** The person making an application for a permit to plan and operate a special event within the City of Bonners Ferry. As used herein, the applicant, promoter, and sponsor may be used interchangeable and the requirements of this chapter and any administrative regulations shall be enforced against the applicant, promotor, or sponsor.
2. **EXTRAORDINARY RESOURCES:** Government, public health and safety personnel, equipment, or other resources which would not, in the absence of the special event, be required or expended.
3. **INSURANCE:** A general liability policy for each permitted event in the amount designated within this chapter written by an insurer authorized by the State of Idaho to write insurance policies and kept continuously in force for the full term of the permit.
4. **PERMITTEE:** A person having a city issued permit in full force and effect issued hereunder to plan and operate a special event within the City of Bonners Ferry.
5. **PERSON:** Any person, firm, partnership, association, corporation, company, or organization of any kind.
6. **PROJECTED ATTENDEES AND PARTICIPANTS:** The estimated number of persons who will attend or participate, are reasonably likely to attend or participate, or are expected to attend or participate in a special event. The

number estimate should consider the type and format of the special event, the size and location of the event, any prior events which were similar, including the special event history itself if it is an annual event or part of a series of gatherings or events, and the entertainment, if any, planned.

7. SIDEWALK: Any area or way set aside or open to the general public for purposes of pedestrian traffic, whether or not it is paved.
8. SPECIAL EVENT: A pre-planned gathering, event, or series of related consecutive events of an entertainment, cultural, recreational, educational, political, religious, or sporting nature, or any other nature that:
  - a. Is expected to draw fifty (50) or more persons at any session as participants or spectators;
  - b. Impacts city streets, sidewalks, parks, common areas, or utilizes city resources;
  - c. Requires special City services beyond normal functions including, but not limited to: street closure, increased police or fire protection; or
  - d. Intends to broadcast amplified sound or generate unusual noise.

Examples of special events include, by way of illustration and without limitation the following types of events: concerts, dances, assemblages, processions, parades, circuses, fairs, festivals, block parties, community events, mass participation sports such as running events, bicycle races, or sports tournaments, or other organized activity conducted for a common and collective use.

9. STREET: Any place or way set aside or open to the general public for purposes of vehicular traffic including any berm or shoulder, right of way, or median strip thereof.

### **3-7-3: SPECIAL EVENT PERMIT REQUIRED:**

1. No person shall stage, promote, or conduct any special event, as defined above, in the city without first obtaining a special event permit approved by the Chief of Police and a vote of the City Council.
2. The requirements for permitting under this chapter shall not apply to:
  - a. Funeral processions,
  - b. Spontaneous events for the purpose of expressive activity that occur in response to breaking news or events;
  - c. Government sponsored functions;
  - d. Venues that are permitted to hold such activities by the property's zoning or an approved special use permit;
  - e. Private functions held on private property; and
  - f. School District functions.

In determining whether an event is exempt, no consideration shall be given to the content of any constitutionally protected expression connected with the planned activity. No permit shall be required under this chapter, nor any condition imposed on any permit if requiring so would violate the rights protected by the Constitution of the United States or by the Constitution of the State of Idaho.

#### **3-7-4: PERMIT APPLICATION, FEES, INSURANCE AND INDEMNIFICATION:**

1. All applicants for a special event permit shall submit an application for a special event permit to the City Clerk no later than thirty (30) days prior to the commencement of the special event.
2. The application for a special event permit shall require and contain information as determined by application approved by the City Council and the Chief of Police.
3. The council shall establish by resolution, a non-refundable fee amount to be submitted with a permit application, the amount of which shall cover the expenses incident to processing the application. This may include an additional fee for applications not submitted in a timely manner as determined by this chapter.
4. All applicants shall submit, with the application, and maintain at least until the conclusion of the event, a comprehensive general liability insurance policy in the amount of one million dollars (\$1,000,000), naming the City of Bonners Ferry as a co-insured party. If alcohol is to be served at the event, the insurance policy must also contain an alcohol rider. Applicants must also execute indemnification and hold harmless provisions contained within the application.
5. A cleanup fee, which shall be established by resolution of the City Council shall be required at the time of application, all, a portion of, or none of which shall be returned upon recommendation of the Chief of Police after his inspection of the premises after the event has concluded and the premises have been vacated. Cleanup shall include removal of all signs and advertising materials posted on public property to advertise the event.
6. Upon application to the council and good cause shown, the council may, reduce or waive part or all of the financial requirements for issuance of a permit where the proceeds of the performance or parade are to be donated to a charitable or community organization or for a purpose to benefit the residents, business, or purpose of the City.

#### **3-7-5: ISSUANCE OF PERMIT, EXTRAORDINARY RESOURCES; CONDITIONS OF APPROVAL; GROUNDS FOR DENIAL**

1. Upon submission of the application and any supporting documents required by this chapter, the Chief of Police or his designee may approve, approve with conditions, or deny a permit. If additional information is required by the chief of police the applicant shall have five (5) business days to submit all requested information.
2. Special event applicants, promoters, or sponsors whose special events require the use of extraordinary city resources as a result of their anticipated attendance or heightened security concerns shall be required to pay for those resources as determined by the chief of police. Full recovery for extraordinary expenses shall be required no later than sixty (60) days following the conclusion of the event.
3. The Chief of Police shall seek advice of other relevant staff members when the review and coordination of a specific event application is deemed necessary including the Street Department, Clerk's Office, and Fire Department. The applicant may be required to attend a meeting with the relevant parties during the review of the application.
4. An application for a permit may be denied if the chief of police determines:
  - a. The applicant has made any false, material representation in the application;
  - b. The applicant fails to provide any items or information required by this chapter;
  - c. In the opinion of the chief of police, the proposed event fails to provide a safe and secure venue or puts at risk the safety and well-being of citizens in the community, or if the applicant fails to gain required licenses, permits, or permissions;
  - d. The special event will substantially interfere or conflict with any other special event for which a permit has already been granted or activity already scheduled with the provision of public safety or other city services in support of such other previously scheduled event.
  - e. The special event will:
    - i. Substantially interrupt the safe and orderly movement of public transportation or other vehicular and pedestrian traffic in area of the special event;
    - ii. Close streets so as to cause unsafe conditions for the public;
    - iii. As a result of the expected attendance at the event, the lawful capacity of the facility or area will be exceeded;
    - iv. The parking available at the facility will be inadequate to accommodate the expected attendance; or
    - v. The event coordinator, applicant, promotor, or sponsor has failed to pay for a previously permitted event.
5. If a permit is denied or if the permit is approved with conditions to which the applicant objects, the chief of police or his designee shall provide the applicant

with a written decision to deny or approve the conditions within ten (10) business days. The applicant, within ten (10) business days of the denial may appeal the decision to the City Council for a final review based upon the documents and circumstances presented. The applicant's appeal will be scheduled for consideration by the City Council during a regularly scheduled council meeting within fifteen (15) business days.

### **3-7-6: REVOCATION OR SUSPENSION OF A PERMIT**

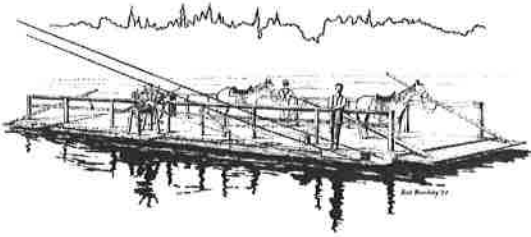
The Chief of Police or his designee may summarily suspend or revoke a special event permit issued under this chapter for violation by the applicant of federal, state, or local laws or ordinances during the event, for violations of conditions of the permit, or for making any material false representations in an application for a permit. In deciding whether to suspend or revoke a permit, the Chief of Police or his designee may consult with other members of city staff. In the event of a suspension or revocation, the appeal provisions above shall apply commencing upon the date of the suspension or revocation notice.

### **3-7-7: PROHIBITIONS AND PENALTIES**

At special events, it shall be unlawful for any person to:

1. Conduct, present, stage, or promote a special event without a permit;
2. Violate any provision of this chapter;
3. Serve or cause to be served alcohol in violation of Idaho Code; and/or
4. Violate any condition of a special event permit.

Any person violating any provision of this chapter shall be deemed guilty of an infraction and upon conviction thereof shall be fined in an amount not to exceed the statutory maximum established by Idaho Code.



# CITY OF BONNERS FERRY SPECIAL EVENT PERMIT APPLICATION

**NAME OF EVENT:** \_\_\_\_\_

**DATE OF EVENT:** \_\_\_\_\_

**TIME OF EVENT:** Start: \_\_\_\_\_ End: \_\_\_\_\_

**LOCATION OF EVENT** (include street names, property names, etc.): \_\_\_\_\_

**NUMBER OF PEOPLE IN ATTENDANCE:** \_\_\_\_\_

**WILL EVENT OCCUPY OR REQUIRE CLOSURE OF A PUBLIC STREET:** Yes: \_\_\_ No: \_\_\_

*If yes, please attach diagram of proposed closures.*

**WILL ALCOHOL BE SERVED:** Yes: \_\_\_ No: \_\_\_

**IF YES, HAS CATERING PERMIT BEEN SECURED:** Yes: \_\_\_ No: \_\_\_

**DESCRIPTION OF EVENT:** \_\_\_\_\_

**DESCRIPTION OF EXTRA POLICE OF FIRE PROTECTION NEEDED:** \_\_\_\_\_

**NAME OF APPLICANT/ORGANIZATION:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

**PHONE NUMBER:** \_\_\_\_\_

**NAME OF PRIMARY CONTACT PERSON:** \_\_\_\_\_

**PHONE NUMBER:** \_\_\_\_\_

**EMAIL:** \_\_\_\_\_

**PLEASE ATTACH OR SUBMIT THE FOLLOWING ITEMS WITH APPLICATION:**

- Proof of a comprehensive general liability insurance policy in the amount of one million dollars (\$1,000,000), naming the City of Bonners Ferry as a co-insured party.
- Permit fee and clean up fee as set by resolution of the City Council.

**INDEMNIFICATION AND HOLD HARMLESS AGREEMENT**

By this application, the applicant shall, waive, indemnify, and hold harmless the City of Bonners Ferry, its agents, its employees and authorized volunteers from and against all claims, damages, losses and expenses, including attorneys' fees, arising out of the permitted activity or the conduct of applicant's operation of the event if such claim (1) is attributed to personal injury, bodily injury, disease or death, or to injury or to destruction of property, including the loss of use there from, and (2) is not caused by any gross negligent act or omission or willful misconduct of the City of Bonners Ferry or its employees acting within the scope of their employment.

Signature of Applicant: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Office/Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Clerk's Office Use:**

Fee Paid \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_

Chief of Police \_\_\_\_\_ Date \_\_\_\_\_

Mayor \_\_\_\_\_ Date \_\_\_\_\_

## **VOLUNTEER POLICY**

The City of Bonners Ferry welcomes and encourages community members to volunteer with the City. Citizens donating time and talents to events and projects enrich the community and enhance quality of life and well-being for the entire City.

The City recognizes that a volunteer includes anyone who offers freely to take on a task or work on behalf of the City without the need for payment or compensation. Volunteers include those positions offered by the city by appointment or by request or need of the individual departments.

Volunteers are coordinated by the department utilizing volunteer work with general oversight by the City Administrator. All volunteers must be approved by the City Council prior to beginning volunteer work.

City volunteers are bound by the rules contained in all City policies and guidelines. Volunteers are recognized by the public as representatives of the City and shall be guided by the same work and behavior codes as employees. Volunteers work with the status of "at will" and City of Bonners Ferry has the right to terminate the volunteer's working association with the City at any time, for any reason.

Prior to beginning volunteer work, all volunteers must fill out the volunteer application provided by the City and submit to a pre-volunteer criminal history check to be conducted by the City Police Chief. The Police Chief may, at his discretion, decline the application of any volunteer based on criminal history as it applies to the position sought by the volunteer.



# CITY OF BONNERS FERRY VOLUNTEER APPLICATION

FULL NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

EMAIL: \_\_\_\_\_

BIRTHDATE: \_\_\_\_\_

DRIVER'S LICENSE #/STATE OR SOCIAL SECURITY #: \_\_\_\_\_

EMERGENCY CONTACT NAME/PHONE: \_\_\_\_\_

VOLUNTEER POSITION SOUGHT OR EVENT VOLUNTEERING FOR: \_\_\_\_\_

## **Volunteer Release of Liability and Authorization for Criminal History Check**

Read Carefully Before Signing

In consideration for being permitted to participate as a volunteer for The City of Bonners Ferry, I hereby release and discharge The City of Bonners Ferry and its respective officers, directors, employees, agents, contractors, subcontractors, representatives, successors and assigns, and all persons conducting, directly or indirectly, the activities surrounding my involvement as a volunteer from any and all claims, rights, demands, actions, causes of action, expenses and damages, which I or my heirs, personal representative, successors, assigns or anyone claiming by, through or under me ever had, now have, or may have against the parties identified above arising from any injury, act or omission relating in the way to my participation as a volunteer.

I fully understand that this Release includes, but is not limited to any claims, rights, demands, actions, causes of actions, expenses and damages whatsoever which may arise from any injury, act or omission, caused, occasioned, or contributed to, actually or allegedly, by the negligence, sole or concurrent, of one or more of the parties released herein.

I also fully understand the risk involvement in my participation as a volunteer including, but not limited to, those risks involved with the working outside in the weather and fully assume said risk for any injury, losses or damages of any kind resulting from such risks involved in associated activities.

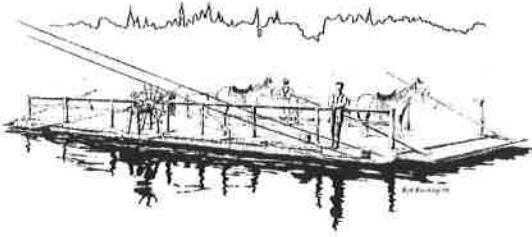
Further, I understand that in applying for a volunteer position with the City of Bonners Ferry, I am authorizing the City to conduct a criminal history background check. The City may approve

or deny my status as a City volunteer based upon the results of this criminal history check. The City will not retain these records following approval or denial of volunteer status.

I acknowledge that I have read, fully understand and voluntarily agree to this Release and that no oral representatives, statements or inducements apart from this Release have been made to me.

\_\_\_\_\_  
SIGNATURE

DATE: \_\_\_\_\_



# MEMO

CITY OF BONNERS FERRY  
CITY ENGINEER/ADMIN

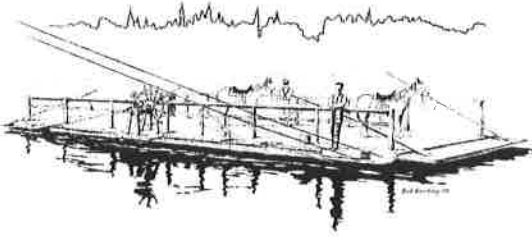
Date: January 19, 2016  
To: City Council  
From: Mike Klaus, City Engineer/Admin  
Subject: Excavator Bid and Purchase

Boundary Tractor provided the only responsive bid on January 8, 2016 to the City's advertisement for the excavator purchase. Boundary Tractor's bid price is \$89,673.00. I believe this price to be the best available for the specified equipment, and recommend purchase approval. After talking with the department heads further, I believe that the breakdown below would be the most appropriate with respect to cost allocation:

|                |     |
|----------------|-----|
| Electric Dept. | 40% |
| Water Dept.    | 30% |
| Sewer Dept.    | 30% |

Thank you,

Mike



# MEMO

CITY OF BONNERS FERRY  
CITY ENGINEER/ADMIN

---

Date: January 19, 2016  
To: City Council  
From: Mike Klaus, City Engineer/Admin  
Subject: Water Department - Test Well Proposal

The idea of drilling a test well was discussed at the last department head meeting, with the intention of determining if it is feasible to drill a larger, production well in the future.

We would like to drill the test well on a platted City street between the old high school gym and the railroad tracks. I anticipate that drilling the test well would cost approximately \$15,000.

Thank you,

Mike

H  
CABLE HUSTON<sub>LLP</sub>

SHANNON KIMMEL

[skimmel@cablehuston.com](mailto:skimmel@cablehuston.com)  
[www.cablehuston.com](http://www.cablehuston.com)

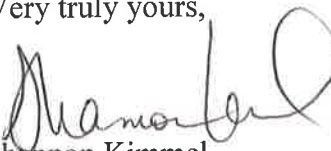
December 29, 2015

City of Bonner's Ferry, Idaho  
PO Box 149  
Bonner's Ferry, ID 83805

**Re: Donation – Project Share**

Enclosed is a check in the amount of \$100.00 as a holiday donation for the City of Bonners Ferry's Project Share made on behalf of Larry Cable, Tom Grim, Jim Kincaid, Richard Lorenz, Chad Stokes and Tommy Brooks of Cable Huston LLP.

Very truly yours,

  
Shannon Kimmel

SK:  
Enclosure

28646.001\4811-2961-8988.v1