

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

March 4, 2014

6:00 p.m. Tour of Fire Hall

7:00 p.m. Regular Council Meeting

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

PUBLIC COMMENTS

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

GUESTS

Vickie Sneider, Department of Lands – Arbor Day Celebration

Darrell Kerby and Chamber of Commerce – Insurance for Kootenai River Days

REPORTS

Police/Fire/City Administrator/Economic Development Coordinator/Urban Renewal District

CONSENT AGENDA

1. Call to Order/Roll Call
2. Approval of Bills and Payroll
3. Treasurer's Report
4. Approval of February 18, 2014 Regular Council Meeting Minutes

OLD BUSINESS

5. City – Third Reading of Ordinance Amending Title 5, Chapter 3, Article B of Bonners Ferry City Code Pertaining to Dogs (attachment)
6. City – Consider Adoption of Ordinance Amending Title 5, Chapter 3, Article B of Bonners Ferry City Code Pertaining to Dogs
7. City – Second Reading of Ordinance Amending Title 5, Chapter 4, Bonners Ferry City Code Concerning Curfew for Minors (attachment)

NEW BUSINESS

8. City – Discuss Kootenai River Days
9. Police – Approve Hire of Police Chief
10. Police – Authorize Temporary Hire

11. City – Authorize Mayor to Sign Contract with Farmers Market for Fiscal Year 2014 (attachment)
12. Sewer – Discuss Capitalization Fee Waiver (attachment)
13. Sewer – Approve Purchase of Geotextile Bags (attachment)
14. Water/Sewer – Consider after Hours Standby/On-Call Policy (attachment)
15. Pool – Discuss Boiler Purchase for Swimming Pool
16. Pool – Discuss Lift for Swimming Pool
17. Water/Sewer – Award Bid for Hazel Street Waterline/Sewer Line Project (attachment)
18. P&Z – Consider Contracting for Planning and Zoning Administrator (attachment)
19. City – Discuss Modified Duty Policy (attachment)
20. City – Discuss Cash Reserves (attachment)
21. Electric – Approve and Authorize Mayor to Sign Change Order for Power Plant Unit 3 Rebuild Project (attachment)
22. City – Discuss Comments for Kootenai River Restoration Project (attachment)
23. City – Amend City of Bonners Ferry Drug and Alcohol Testing Policy Definition of Safety Sensitive Employee (attachment)
24. City – Amend City of Bonners Ferry Personnel Policy to include Family Medical Leave Act (FMLA) Policy (attachment)
25. Golf – Approve Mayor's Recommendation to Reappoint Linda Hiatt to Golf Committee
26. City – Discuss Boundary Area Transportation Team (BATT) Participation

EXECUTIVE SESSION PURSUANT TO IDAHO CODE 67-2345, 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 3, title 9, 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.
- (g) 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

27. City – Meeting with Idaho Transportation Department to Discuss Highway 95 Project on March 6, 2014 at 4:00 p.m. at Boundary County Middle School Cafeteria (attachment)
28. Electric – Letter Dated February 26, 2014 from Northwest Power and Conservation Council to Bonneville Power Administration RE: Capital Budget Proposal and Conservation Funding Levels (attachment)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BONNERS FERRY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING VARIOUS SECTIONS WITHIN BONNERS FERRY CITY CODE TITLE FIVE, CHAPTER THREE, ARTICLE B, PERTAINING TO CONTROL OF DOGS IN THE CITY LIMITS; AMENDING THE DEFINITION OF "DOG" SET FORTH IN SECTION 5-3B-1; AMENDING SECTION 5-3B-5 PERTAINING TO THE PROSECUTION OF THE CRIME OF DOGS RUNNING AT LARGE; AMENDING SECTION 5-3B-6 SUBSECTION A, CONCERNING THE DEFINITION OF A NUISANCE DOG; AMENDING SECTION 5-3B-6 SUBSECTION D, CONCERNING THE PENALTIES AND IMPOUND FEES FOR NUISANCE DOGS; AMENDING SECTION 5-3B-8 CONCERNING THE PENALTY FOR UNLICENSED DOGS; AMENDING SECTION 5-3B-11 CONCERNING POSSESSION OF A VICIOUS ANIMAL; PROVIDING SEVERABILITY; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Mayor and City Council have deemed it in the public interest to amend the ordinance pertaining to the control of dogs in the city limits of the City of Bonners Ferry including amending the definition of "dog" within Bonners Ferry City Code Title Five, Chapter Three, Article B, Section One; to amend subsection A and delete subsection B of Bonners Ferry City Code Title Five, Chapter Three, Article B, Section Five, concerning prosecution of the crime of dogs running at large in order to eliminate conflict with Idaho State Code; to amend the definition of a nuisance dog in subsection A of Bonners Ferry City Code Title Five, Chapter Three, Article B, Section Six, in order to eliminate conflict with Idaho State Code; to amend subsection D of Bonners Ferry City Code Title Five, Chapter Three, Article B, Section Six, to adjust and clarify the penalties and impound fees for nuisance dogs; to amend Bonners Ferry City Code Title Five, Chapter Three, Article B, Section Eight, to establish an infraction offense with a set penalty for unlicensed dogs; and to amend subsection A of Bonners Ferry City Code Title Five, Chapter Three, Article B, Section Eleven, to provide for prosecution of the possession of a vicious animal under Idaho Code.

NOW THEREFORE, Be it ordained by the Mayor and the Council of the City of Bonners Ferry, Idaho, as follows:

Section 1: That Bonners Ferry City Code Section 5-3B-1 is hereby amended as follows:

DOG: Any dog whose owner resides within the incorporated limits of the city or any dog which enters the city limits.

Section 2: That Bonners Ferry City Code Section 5-3B-5 is hereby amended as follows:

RUNNING AT LARGE:

~~A. Infraction: No dog shall be allowed to run at large within the city limits and the owner of such dog shall be guilty of an infraction. Any violation of this section shall be prosecuted in accordance with Idaho Code § 25-2805.~~ DOGS RUNNING AT LARGE.

~~B. Misdemeanor: No female dog in time of heat, vicious or mad dog shall be permitted to run at large within the city limits, and the owner of such dog shall be guilty of a misdemeanor.~~

Section 3: That Bonners Ferry City Code Section 5-3B-6 is hereby amended as follows:

A. Nuisance Defined: A dog is a "nuisance" if it: incessantly barks so as to cause a disturbance.

~~1. Chases cars or becomes a hazard to the driving public;~~

~~2. Damages private or public property by thereon digging, defecating, urinating, burying, breaking, tramping or getting into garbage cans;~~

~~3. Bites any person;~~

~~4. Incessantly barks so as to cause a disturbance; or~~

~~5. Is on school grounds during school hours.~~

D. Penalty:

~~1. First Offense: Any owner convicted of having a dog or dogs that is or are a nuisance shall be fined a sum not to be less than fifteen dollars (\$15.00) for a first offense; guilty of an infraction and fined \$50.00 for a first offense.~~

~~2. Second Offense: Any owner convicted of having a dog or dogs that is or are a nuisance shall be fined a sum not to be less than thirty dollars (\$30.00) for a second offense; guilty of an infraction and fined \$100.00 for a second offense.~~

~~3. Third And Subsequent Offenses: Any owner convicted of having a dog or dogs that is or are a nuisance shall be fined a sum not to be less than fifty dollars (\$50.00) for a third offense, and one hundred twenty dollars (\$120.00) for each offense thereafter. guilty of a misdemeanor and may be fined up to \$300 dollars, plus any court costs associated with the prosecution of said offense.~~

~~4. Impound Fees: The owner convicted of having a dog or dogs that is or are a nuisance shall pay an impound fee if the dog is impounded of twenty dollars (\$20.00) with a maximum limit being a sum that, the maximum sum of fine plus impound fee does not exceed a total of three hundred dollars (\$300.00) per offense.~~

Section 4: That Bonners Ferry City Code Section 5-3B-8 is hereby amended as follows:

UNLICENSED DOGS; PENALTY; DISPOSAL:

Any person neglecting or refusing to take out a license for any dog or dogs owned or harbored by him shall be guilty of a separate infraction with a penalty of \$50.00 for each dog which is unlicensed in a license fee period from January 1 through December 31. A person may be cited under this provision for each license fee period in which he neglects or refuses to obtain a license

~~for each dog. is hereby required to catch and deliver such dog or dogs to the police chief or any other officer detailed therefor, and said officer shall cause the dog to be killed or otherwise disposed of in a humane manner. Any person neglecting or refusing to take out a license for such dog or to catch and deliver such dog to the police chief, or other officer detailed therefor, within twenty four (24) hours after having been notified so to do shall be guilty of a misdemeanor.~~

Section 5: That Bonners Ferry City Code Section 5-3B-11 is hereby amended as follows:

A. Vicious Animal: Any person owning or having custody of any vicious animal is guilty of a misdemeanor if, as a result of that person's failure to exercise reasonable care, the animal injures any other person or animal engaged in lawful activities. The owner shall be prosecuted in accordance with Idaho Code § 25-2805(2). This does not apply to military or police dogs actively engaged in the pursuit of their official duties.

Section 6: PROVISIONS SEVERABLE: The provisions of this Ordinance are hereby declared to be severable and if any provision of this Ordinance or application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

Section 7: EFFECTIVE DATE: This ordinance shall be effective upon its passage and publication in the manner provided by law.

APPROVED by the Mayor and City Council of the City of Bonners Ferry this _____ day of _____, 2014.

CITY OF BONNERS FERRY, IDAHO

BY: _____
Mayor

Attest:

Clerk, City of Bonners Ferry

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BONNERS FERRY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING SECTION 5-4-1 OF BONNERS FERRY CITY CODE CONCERNING THE CURFEW FOR MINORS, CURFEW EXCEPTIONS, AND RESPONSIBILITIES OF BUSINESS OWNERS, OPERATORS, OR EMPLOYEES; AMENDING SECTION 5-4-2 OF BONNERS FERRY CITY CODE CONCERNING PARENTAL RESPONSIBILITY FOR CURFEW VIOLATIONS OF MINORS; ENACTING A NEW SECTION, 5-4-3 OF BONNERS FERRY CODE PROVIDING PENALTIES FOR VIOLATIONS; PROVIDING SEVERABILITY; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, it is in the interest of the City of Bonners Ferry to protect children's health and welfare which includes their care, guidance and control and a child who is unaccompanied by an adult having custodial rights or an adult person designated by a person having custodial rights and who is found to be on the public streets, highways, roads, alleys, parks, playgrounds or other public grounds, places, buildings, place of amusement, eating places, vacant lots and other locations unsupervised by such adult having the lawful authority to be at such place between the hours of ten thirty o'clock (10:30) P.M. and four o'clock (4:00) A.M. is at a greater risk for injury, becoming a victim of a crime, being involved in criminal activity, being a danger to persons or property or otherwise being subject to danger;

WHEREAS, the Mayor and City Council have deemed it in the public interest to establish and enforce a curfew for minor children within the City of Bonners Ferry, and further deem it in the public interest to amend the existing curfew ordinance in order to clarify the restrictions and responsibilities prescribed therein.

NOW THEREFORE, be it ordained by the Mayor and Council of the City of Bonners Ferry, Idaho as follows:

Section 1: That Bonners Ferry City Code Section 5-4-1 is hereby amended to read as follows:

5-4-1: CURFEW:

A. Imposed: It shall be unlawful for any person under the age of eighteen (18) years to be in or upon any street, highway, road, alley, park, playground or other public places or buildings, or places of amusement, eating establishments, vacant lots and/or any other place without being accompanied by an adult having custodial rights or an adult person designated by the adult having custodial rights of said minor between the hours of ten thirty o'clock (10:30) P.M. on Sunday, Monday, Tuesday, Wednesday, or Thursday until four o'clock (4:00) A.M. of the following day, and twelve o'clock (12:00) midnight until four o'clock (4:00) A.M. on Friday or Saturday, the streets, alleys or any unoccupied public or private place within the limits of the city, or to enter or be or remain in any motion picture theater, confectionery store, dance hall, pool hall or any other place of entertainment or business within the city limits at any time between the hours of ten thirty o'clock (10:30) P.M. and four o'clock (4:00) A.M. (either Standard or war time or Daylight Saving Time), except on Friday and Saturday nights, or between the hours of twelve o'clock (12:00) midnight and the hour of four o'clock (4:00) A.M. on Friday and Saturday nights, unless such minor person is then and there accompanied by at

least one of his or her parents or by his or her guardian or by some other person having the legal custody of such minor person.

B. Exceptions:

The provisions of this chapter shall not apply in cases where the minor is:

1. Accompanied by the minor's parent or guardian;
2. On an errand at the direction of the minor's parent or guardian, without any unauthorized detour, delay or stop;
3. In a motor vehicle involved in interstate travel;
4. Engaged in an employment activity, or going to or returning home from an employment activity, without any unauthorized detour, delay or stop;
5. Involved in an emergency;
6. Attending an official school, religious, recreational, or other activity supervised by adults and sponsored by the City of Bonners Ferry, Boundary County, a civic organization, or another similar entity that takes responsibility for the minor, or going to or returning home from such activity, without any unauthorized detour, delay or stop; or
7. Exercising first amendment rights protected by the United States constitution, such as the right of free exercise of religion, freedom of speech, and the right of assembly, or going to or returning from such activity, without any unauthorized detour, delay, or stop.

~~;~~ ~~Written Permit: Provided, however, that any parent or guardian or other person having the legal custody of any such minor child may give a written permit to such child to go upon any lawful and necessary errand or to go to and return from any place or places at which such child may be employed, at any time of the day or night, and such permit, when in the possession of such child, shall be an excuse and justification for such child being upon such streets or alleys, and provided further, that any such minor child or children upon the streets or alleys of the city between the hours aforesaid shall have such written permit upon his, her or their person and in his, her or their possession for the inspection of any police officer of the city; and such permit or permits given to such child shall be made and dated as of the date of the use thereof and no such permit shall be of any force or effect except for or during the day of its issuance.~~

~~C. Duty To Enforce: It is hereby made the duty of the police, or other peace officers, of the city to take up any and all such permits which do not conform with the provisions of this section and thereupon to arrest the child or children having such permit or permits in his, her or their possession.~~

~~D C. Responsibility Of Owner, Proprietor Or Clerk Operator, or Employee: The owner, operator, or any employee of an establishment commits an offense under this chapter if he or she knowingly allows a minor, without permission of a parent or guardian, to be present upon the premises of the establishment during curfew hours, unless the establishment is involved in rendering services for an emergency or is a designated "safe place" and the minor is seeking emergency help, shelter, or care. It is a defense to prosecution under this section that the owner, operator, or employee of an establishment asked the minor to leave the premises and promptly notified the Bonners Ferry City Police Department that a minor is present on the premises of the establishment during curfew hours and refuses to leave. It shall be unlawful for any owner, proprietor, clerk or other person in charge of any motion picture theater, dance hall, pool hall, confectionery store or any other place of entertainment or business within the city to knowingly, wilfully or negligently admit any such minor person to such motion picture theater, dancehall, pool hall, confectionery store or any other place of entertainment or business within the city, or to permit any such minor person to remain therein or thereat at any time between the hours specified in subsection A of this section,~~

~~unless such child is then and there accompanied by at least one of his or her parents or by his or her guardian or by some other person who has the legal custody of such minor child, or unless such child is then and there in possession of a permit as provided by subsection B of this section.~~

Section 2: That Bonners Ferry City Code Section 5-4-2 is hereby amended to read as follows:

5-4-2: PARENTAL RESPONSIBILITY:

It shall be unlawful for the parent, guardian or other person having legal custody of a child or any adult person designated by the person having legal custody of a person under the age of eighteen (18) years to permit and/or allow said minor to be upon any public streets, highways, roads, alleys, parks, playgrounds or other public grounds, places, buildings, places of amusement, eating places, vacant lots or other locations without having designated an adult person or said parent, guardian or other legal custodian supervising said child between the hours established in 5-4-1(A) of this chapter, excluding the exceptions as set forth in 5-4-1(B) of this chapter. A violation of this provision shall be punishable in accordance with the penalties set forth in this chapter.

~~A. Failure To Supervise: It is unlawful for the parent, lawful guardian or other person, excepting a foster parent, lawfully charged with the care or custody of a child under the age of sixteen (16) years of age to fail to supervise said child and by reason of failure to supervise said child:~~

- ~~1. Commits an act bringing the child within the purview of the juvenile corrections act, chapter 5, title 20, Idaho Code, or commits a crime for which the child is required to be tried as an adult, or for which jurisdiction under the juvenile corrections act is subject to waiver pursuant to chapter 5, title 20, Idaho Code; or~~
- ~~2. Fails to attend school or is not comparably instructed as provided in section 33-202, Idaho Code; or~~
- ~~3. Violates a curfew law.~~

~~B. Exemption:~~

- ~~1. A person shall not be subject to prosecution of the provisions of this section if the person:~~
 - ~~a. Is the victim of the act bringing the child within the purview of the provisions of chapter 5, title 20, Idaho Code; or~~
 - ~~b. Reported the act of the child to the local law enforcement agency, the juvenile court, the department of health and welfare or other appropriate authority as provided by law;~~
- ~~2. A person shall not be subject to prosecution under the provisions of subsection A of this section if the person shows to the satisfaction of the court that the person took reasonable steps to control the conduct of the child at the time the person is alleged to have failed to supervise the child.~~

~~C. Violation By Parent Or Guardian: A person who either pleads guilty or is found guilty of a violation of this section shall be guilty of a misdemeanor and be ordered by the court to:~~

- ~~1. Restitution: Pay restitution to or make whole any victim who suffers an economic loss as a result of the juvenile's conduct in accordance with the standards and requirements of Idaho Code sections 19-5304 and 19-5305 providing that restitution ordered to be paid shall not exceed two thousand five hundred dollars (\$2,500.00).~~
- ~~2. Fine: Pay a fine not to exceed one thousand dollars (\$1,000.00) together with court costs.~~
- ~~3. Parenting Classes: The court may, in lieu of imposing a fine, with the consent and agreement of the defendant, order the defendant to complete parenting classes or undertake such other treatment or counseling as the court deems appropriate and, upon the satisfactory completion of the classes, treatment, or counseling to the satisfaction of the court, the court may, thereupon discharge the person or, if the person fails to complete the program to the satisfaction of the court, may impose the penalty provided in this section.~~
- ~~4. Contempt Proceedings: The person violating any order of the court shall be subject to contempt proceedings as provided by chapter 6, title 7, Idaho Code, in addition to other penalties authorized pursuant to this section.~~

~~D. Juvenile Violation: When a child commits any of the acts set forth in subsection A of this section, the parent, lawful guardian or other person excepting a foster parent lawfully charged with the care or custody of the child may be charged, by citation or summons, with the offense of failure to supervise a child, unless the person with lawful custody is a foster parent. Upon a first offense, the officer may serve a copy of the ordinance upon the parent, lawful guardian or other person, other than a foster parent, as a warning of the penalties. This service shall be documented by the officer. (Ord. 448, 7-13-1999)~~

Section 3: That a new section, 5-4-3, of Bonners Ferry City Code is hereby adopted and shall read as follows:

5-4-3: PENALTIES:

A person who violates any provision of this chapter shall be guilty of a misdemeanor punishable as a misdemeanor under the laws of the State of Idaho, or shall be subject to the provisions of the Juvenile Corrections Act of the State of Idaho as applicable.

Section 4: PROVISIONS SEVERABLE: The provisions of this Ordinance are hereby declared to be severable and if any provision of this Ordinance or application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

Section 5: EFFECTIVE DATE: This ordinance shall be effective upon its passage and publication in the manner provided by law.

APPROVED by the Mayor and City Council of the City of Bonners Ferry this _____ day
of _____, 2014.

CITY OF BONNERS FERRY, IDAHO

BY: _____
Mayor

Attest:

Clerk, City of Bonners Ferry



February 14, 2014

Bonnerr Ferry City Council

Re: Space Rental Agreement for 2014

The Board of the Bonnerr Ferry Farmers Market is pleased to submit to you our proposal for space rental for the 2014 Market Season.

The Market is a family event that has been promoting the community for over 32 years. It brings together individuals from Bonnerr Ferry, Boundary County, and beyond. Its colorful banners and canopies attract people to the downtown core to browse the market and then on to other businesses.

The location and improvements to the Market area are a big part of this success and have made it easier for both vendors and customers to access the Market and downtown area. We appreciate your acknowledgement of our contribution to the City of Bonnerr Ferry.

The following pages outline our requests and provide details about the Market and the upcoming 2014 season. Should you require additional information, please do not hesitate to contact us.

We look forward to working with you regarding our proposals in order to make the Market a continuing community service.

Sincerely,

Bonnerr Ferry Farmers Market
Board of Directors

Gail Cathcart
Chair

Barbara Hansen
Treasurer

Sara Vinduska
Secretary

Derek Blumenschein
Advertising

Teri Wallace
Alternate

Donna Nystrom
Alternate



2014 Market Season Space Rental

We propose the following:

1. Item 2: USER agrees to pay ENTITY rent for said premises payable on or before May 1st, 2013. Rent shall be \$500 for the 2014 market season. This shall include \$100 fee for the City to install and Remove our banners at the beginning and the end of the season.

General Market Details

1. # of market Saturdays for 2014 will be 24 starting on April 26rd and ending on October 4th.
2. Market hours are 8am to 1pm with setup beginning at 6:30 am. Total time usage per Saturday is approximately 7 hours.
3. Space usage for the market is approximately 7000ft.
4. Our average # of vendors in 2013 was 25 per market.
5. Vendors are allowed 1 vehicle with their display. Extra vehicles/trailers will be removed from the market area by the start of the market.
6. The market carries \$1,000,000 in liability insurance through Farm Bureau. The City of Bonners Ferry is a "Named Insured" on our policy.
7. Vendors can only sell products that they themselves grow, harvest, create, or produce. No reselling or selling for others is permitted. No garage sale, flea market or wholesale items are permitted.
8. Products sold must comply with state & local laws, including State Health & ISDA rules.
9. Vendors pay the market 5% of their sales for each market day they vend.
10. All vendors are required to collect Idaho State sales tax.
11. We leave the parking lot area we use cleaner after each market than when we arrived.

SPACE RENTAL AGREEMENT

AGREEMENT made between THE CITY OF BONNERS FERRY, a municipal corporation of the State of Idaho, herein "ENTITY," and BOUNDARY COUNTY FARMERS MARKET, herein "USER",

THE PARTIES AGREE AS FOLLOWS:

1. USE OF PREMISES: ENTITY hereby rents to USER the non-exclusive use of approximately 7,000 square feet of parking lot, Saturday mornings during the spring, summer and fall of 2014. The general area of use is as shown in Exhibit A, attached hereto.
2. RENTAL FEE: USER agrees to pay ENTITY rent for said premises payable upon execution of this Agreement in the amount of \$400 per season plus an additional \$100 for installation and removal of "Farmer's Market" banners. It shall be the responsibility of USER to request the installation and removal of banners from ENTITY. Upon receipt of request, ENTITY shall install or remove banners as soon as practicable.
3. MEMBERSHIP IN CHAMBER OF COMMERCE AND TOURIST CENTER: The parties to this Agreement recognize that the Farmers Market has the public benefit of attracting business to our community. As part of that community involvement the USER agrees to be a member of the Bonners Ferry Chamber of Commerce and the Bonners Ferry Tourist and Visitors Information Center.
4. PURPOSE: USER agrees to use the above Premises solely for the purpose of the sale of locally produced goods and for no other purpose.
5. USE AND SECURITY: USER acknowledges that this premise is designed for the public and shall not perform any activities or take any action which would endanger the public safety.
6. HOUSEKEEPING: USER agrees to keep the Premises clean and attractive at all times and return it to ENTITY in a good and clean condition. USER agrees not to alter the Premises or attach anything to the premises without first obtaining written approval of ENTITY. USER shall be responsible for garbage cans for the market.
7. VENDORS: The USER will be solely responsible for the conduct of all market vendors.
8. UTILITIES: The ENTITY does not provide for any utilities including, but not limited to, Electric, Sewer, Water, Gas, Garbage, internet access, and structure maintenance. All utilities will be the sole responsibility of the USER.
9. INSURANCE: USER agrees to obtain and keep in force during its acts under this Agreement a comprehensive general liability insurance policy in the minimum amount of \$1,000,000.00, which shall name and protect USER, all USER's employees, ENTITY, and its officers, agents and employees, from and against any and all claims, losses, actions, and judgments for damages or injury to persons or property arising out of or in connection with the USER's acts. USER shall provide proof of liability coverage as set forth above to ENTITY prior to commencing its performance as herein provided, and require insurer to notify ENTITY thirty (30) days prior to cancellation of said policy.
10. INDEMNIFICATION: USER agrees to indemnify, defend, and hold harmless ENTITY, and its officers, agents and employees, from and against any and all claims, losses, actions, or judgments for damages or injury to persons or property arising out of or in connection with the acts and/or any performances or activities of USER, USER's agents, employees, or representatives under this Agreement.

11. USE: USER agrees not to store, generate, use or bring upon the property hazardous waste as defined by, applicable laws or otherwise use the property in a manner that will increase ENTITY's insurance rates for the property.

The User agrees to that all vendor vehicles not integral to the product being sold will not be parked in the City Parking Lot or the Meeker Parking lot. Parking is available on Riverside Street, Arizona Street, and at the Fire Hall Parking Lot.

12. TERMINATION: This Agreement may be terminated immediately by ENTITY for breach of this Agreement by USER and either party may terminate this Agreement by 30 days written notice of termination to the other party.

13. ENTIRE AGREEMENT: This is the entire agreement of the parties and can only be modified or amended in writing by the parties.

14. ATTORNEY FEES: Reasonable attorney fees shall be awarded to the prevailing party in any action to enforce this Agreement or to declare forfeiture or termination.

15. COMPLIANCE WITH LAWS: USER agrees to comply with all federal, state, city, and local laws, rules and regulations.

DATED this ____ day of _____, 2014.

ENTITY:

USER:

CITY OF BONNERS FERRY

BOUNDARY COUNTY FARMERS MARKET

By: _____

By: _____

Dave Anderson, Mayor

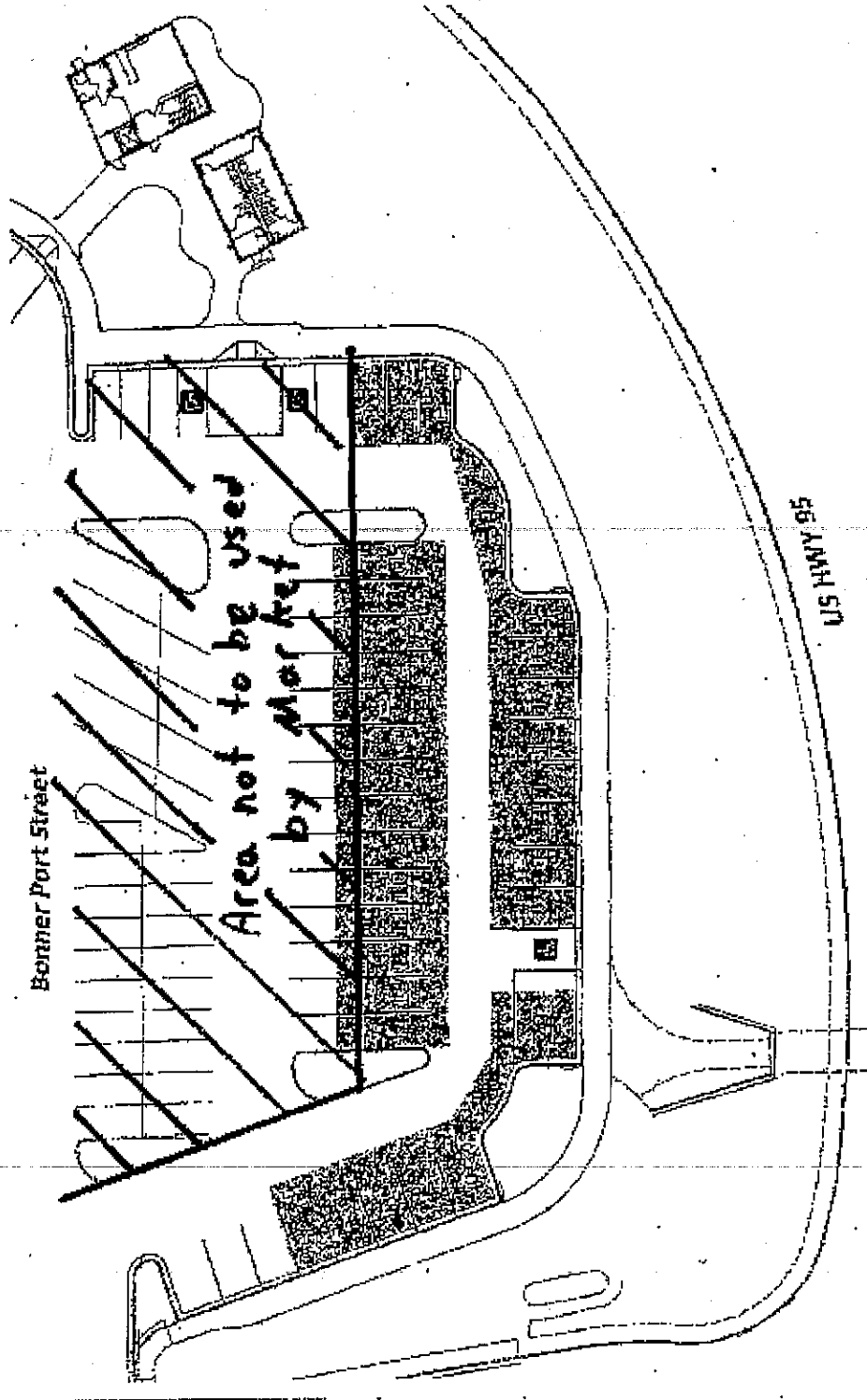
ATTEST:

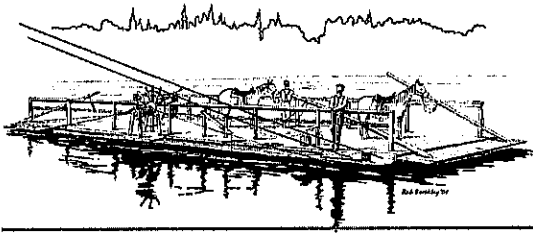
WITNESS:

Kris Larson, Clerk

Form and content approved by _____ as attorney for the City of Bonners Ferry.

Exhibit A





CITY OF BONNERS FERRY

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

Memo

To: Honorable Mayor and City Council

From: John F. Griffin, Water/Sewer Superintendent

Date: 2/25/2014

Re: Sewer Capitalization & Connection Fees Waiver – 6787 Chippewa Drive

Recently, it came to the City's attention the resident at the subject address has been paying for sewerage service yet not actually being connected to the community sewer system for who really knows how long. Rather, the wastewater from the subject residence was treated by a septic system located at the premise.

The resident at the subject address is looking at a \$2,000-\$2,500 contractor invoice to properly connect their sewer lateral to the community sewer system. City policy allows for a refund of up to 3-years sewer charges for situations like this. However, considering that the customer paid for services not received for much longer than that, I recommend waiving the subject fees since in reality they have already been paid and the waiver would lessen the financial burden on this fixed income customer.

In closing, I recommend the Mayor/Council approve the fee waiver proposal.

JFG:jfg

RECEIVED

FEB 14 2014

UTILITIES FORM

CITY OF BONNERS FERRY NEW CONSTRUCTION / UPGRADE / RETIREMENT

Note: Existing drain field & we have been charging for sewer 57

City of Bonners Ferry

7232 Main Street

P.O. Box 149

Bonnors Ferry, ID 83805

Phone: 208-267-3105

Application Number: _____

<input checked="" type="checkbox"/> NEW	<input type="checkbox"/> ELECTRIC	<input type="checkbox"/> WATER	<input checked="" type="checkbox"/> SEWER
<input type="checkbox"/> UPGRADE EXISTING			
<input type="checkbox"/> NEW METER EXISTING BASE			
<input type="checkbox"/> RETIREMENT OF EXISTING			

1. Applicant: Nancy Carrington

2. Service Address: 6707 Chippewa

3. Building Permit: Yes No
If Yes: City of BF City of Moyie Springs Boundary County

4. Type of Service Requested: Residential Multi-family Mobile/Manufactured Home
 Commercial Industrial Other

5. Description of Service:
Electric: 120V/240V Other
 1-Phase Other Service Size: _____ Amps
Electrical Contractor: _____ Phone: _____
Water: 1 inch Other
Sewer: 4 inch Other
Water/Sewer Contractor: _____ Phone: _____

6. Heat: Electric Gas Oil Propane Wood
Type: Furnace Baseboard Other Total Wattage _____ (KW)

** Idaho State Electrical Permit, Plumbing Permit, HVAC Inspections Required**
ALL APPLICATIONS ARE SUBJECT TO CITY UTILITY DEPARTMENTS REVIEW AND APPROVAL
**A VOLTAGE AND LOAD STUDY IS REQUIRED WITH THIS APPLICATION FOR COMMERCIAL SERVICES

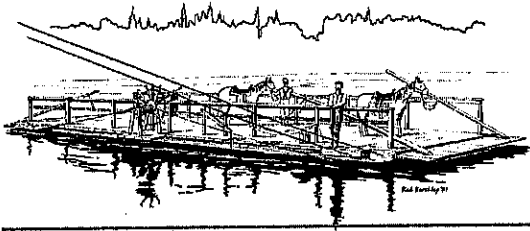
I agree to allow the City Utility Departments ingress to the water/sewer line, power line and/or service line over, under, across, or through my property and adequate working area immediately adjacent thereto as required during construction and in the future for maintenance and/or repair.

I accept the above conditions and the City of Bonners Ferry Utility Policy.

I agree to pay for utility services from the City of Bonners Ferry in accordance with current utility policies, rates and regulations.

9. Property Owner Signature: Nancy Carrington
Printed Name: _____
Date: 2/14/14

2/18/14 TO JOHN G.




CITY OF BONNERS FERRY

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

Memo

To: Honorable Mayor and City Council

From: John F. Griffin, Water/Sewer Superintendent 

Date: 2/20/2014

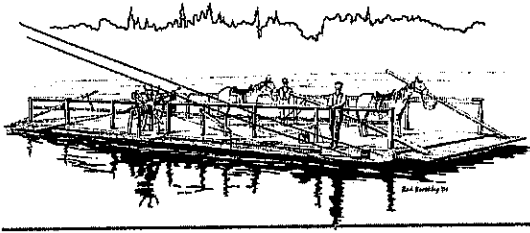
Re: Wastewater Treat Plant (WWTP) Lagoons Biosolids Geotextile Bags

We are nearing the biosolids removal & dewatering season at the WWTP lagoons and need to purchase (2) Geotextile bags because we no longer have any available. The last time we purchased (2) bags was in February 2010 for \$8,535.82, i.e., \$8,049.64 for (2) bags & \$486.18 for shipping. As you can see on the attached quotation the bag price has decreased and the shipping cost has increased. This is a common occurrence we've seen as of late.

In closing, I recommend the Mayor/Council approve Spinpros' proposal.

JFG:jfg


Attachment



CITY OF BONNERS FERRY

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

Memo

To: Honorable Mayor and City Council
From: John F. Griffin, Water/Sewer Superintendent 
Date: 2/25/2014
Re: Water & Sewer Department After Hour Standby/On-Call Policy

The time has come based on the strong need for continuity of operations, to establish an after hour standby/on-call policy for my Department. Furthermore, we need to have certainty that an assigned staff member will respond to after hour calls, either from dispatch or our SCADA alarm system.

The subject policy will spread the responsibility of responding to after hour issues evenly among department staff. That particular issue has not been the case for some time, rather, having one individual responding to the lion's share of after hour calls.

Compensation for being assigned to standby/on-call duty will be 1-hour of overtime, i.e., (1.5x) the individual's normal hourly rate of pay per day of after hour standby/on-call duty. The standby/on-call pay does not cover actual after hours worked.

Should this proposal meet Council approval, we plan to trial run a few duty assignment scenarios and determine which one works best overall. In closing, I recommend the Mayor/Council approve the standby/on-call policy proposal.

JFG:jfg

Modified Duty Assignments

1054.1 PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for assigning employees to modified duty. Temporary modified-duty assignments may be available to employees who have incurred a duty-related illness or injury and, due to restrictions or limitations, are unable to perform their regular assigned duties. Non-duty related illnesses or injuries may also be considered for eligibility in accordance with this policy. Eligibility for modified-duty assignment is subject to the approval of the Chief of Police or his/her designee.

Modified-duty assignments are intended to provide an employee with the ability to continue working within the limits of his/her restrictions and limitations on a temporary basis while providing the Department with a productive employee during the interim period.

The Department will engage in a good faith interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability.

1054.2 DEFINITIONS

Modified Duty - Means a temporary, limited-term assignment not requiring performance of the full range of duties associated with the regular job classification. Modified duty also may be termed as light-duty assignments.

1054.3 LIMITATIONS

Modified-duty assignments are a management prerogative and not an employee right. Modified-duty assignments shall be subject to continuous re-assessment dependent upon Department needs and the employee's ability to perform in a modified-duty capacity.

An injured employee may be offered a modified-duty position outside of his/her normal assignment or duties if it becomes available, but the employee shall be given the option to either accept the position or continue to draw on applicable sick leave or disability accounts as applicable.

- (a) If an employee cannot adequately perform in a modified-duty assignment, such assignment may be modified or terminated.
- (b) The lack of Department need or a change in priorities may result in the employee's removal from or modification of a modified-duty assignment.
- (c) The Department may place conditions as deemed appropriate upon any modified-duty assignment.

1054.4 PROCEDURE

Employees may request assignment to modified duty by providing a signed statement from their health care provider describing their restrictions, limitations and expected duration to their N/A no division levels or titles or his/her designee. The statement must also indicate if the employee requires any workplace accommodations, mobility aids or medical devices.

The N/A no division levels or titles will determine what modified-duty assignments may be available based on the needs of the Department, limitations of the employee and suitability of the employee to work a particular assignment. Requests for a modified-duty assignment of 20 hours or less may be approved and facilitated by the N/A we usually have only one

Bonnars Ferry Police Department

Policy Manual

Modified Duty Assignments

officer on or N/A no division levels or titles. Assignments of longer duration are subject to the approval of the Chief of Police or his/her designee.

1054.4.1 MODIFIED-DUTY SCHEDULES

The schedules of employees assigned to modified duty may be adjusted to suit medical appointments or Department needs at the discretion of the N/A no division levels or titles.

The employee and his/her supervisors should be informed in writing of the schedule, assignment and limitations and restrictions as determined by the employee's health care provider.

1054.4.2 ACCOUNTABILITY

The employee's supervisors shall coordinate efforts to ensure proper time accountability and shall complete and process a change of shift/assignment form.

- (a) Employees on modified duty are responsible for coordinating required doctor visits and physical therapy appointments in advance with their supervisor to appropriately account for any duty time taken. Doctor visits and appointments for treatment of injuries or illnesses that are not work related shall be arranged during off-duty time or otherwise charged to the employee's sick leave.
- (b) Employees shall promptly submit a status report for each visit to their treating health care provider and shall immediately notify their supervisor of any change in restrictions or limitations as determined by their health care provider. An employee assigned to a modified-duty assignment shall provide a duty status report to his/her supervisor no less than once every 30 days while the employee is on modified duty.
- (c) Supervisors shall keep the N/A no division levels or titles apprised of the employee's status and ability to perform the modified-duty assignment. Modified-duty assignments that extend beyond 60 days will require a written status report and a request for an extension to the N/A no division levels or titles with an update of the employee's current status and anticipated date of return to regular duty. Extensions require approval of the Chief of Police.
- (d) When it is determined that an employee on modified duty will return to regular duty, the supervisor shall notify the N/A no division levels or titles and complete and process a change of shift/assignment form. All training and certification necessary for return to duty shall be reviewed and updated as necessary.

1054.4.3 MEDICAL EXAMINATIONS

The Department reserves the right to require, prior to returning to full-duty status, a fitness-for-duty examination of any employee assigned to a modified-duty assignment or of any employee having been on such assignment. Such examinations shall be at the expense of the Department.

Prior to returning to full-duty status, employees shall be required to provide a statement signed by their health care provider indicating that they are medically cleared to perform the basic and essential job functions of their assignment without restriction or limitation.

1054.5 PREGNANCY

It is the policy of the Department to reassign employees who are pregnant upon request by the employee or when deemed necessary by the Department to temporary assignments that will not routinely expose the employee to potentially hazardous environments or activities.

Fitness for Duty

1032.1 PURPOSE AND SCOPE

All officers are required to be free from any physical, emotional, or mental condition which might adversely affect the exercise of peace officer powers. The purpose of this policy is to ensure that all officers of this department remain fit for duty and able to perform their job functions.

1032.2 EMPLOYEE RESPONSIBILITIES

- (a) It shall be the responsibility of each member of this department to maintain good physical condition sufficient to safely and properly perform the essential duties of the position.
- (b) Each member of this department shall perform his/her respective duties without physical, emotional, and/or mental constraints.
- (c) During working hours, all employees are required to be alert, attentive, and capable of performing their assigned responsibilities.
- (d) Any employee who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that an employee believes that another employee is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

1032.3 SUPERVISOR RESPONSIBILITIES

- (a) A supervisor observing an employee or receiving a report of an employee who is perceived to be unable to safely perform his/her duties due to a physical or mental condition shall take prompt and appropriate action in an effort to address the situation.
- (b) Whenever feasible, the supervisor should make a preliminary determination of the level of inability of the employee to perform the essential duties required of the job.
- (c) In the event the employee appears to be in need of immediate medical or psychiatric treatment, all reasonable efforts should be made to obtain sufficient information regarding the nature of the concern to enable the Department to assess options and react responsibly to assure the safety of the employee, other members of the Department and the public, while complying with the employee's legal rights.
- (d) In conjunction with the N/A we usually have only one officer on or employee's available N/A no division levels or titles, a determination should be made regarding whether the employee should be temporarily relieved from his/her duties.
- (e) The Chief of Police shall be promptly notified in the event that any employee is relieved from duty.

1032.4 RELIEF FROM DUTY

Any employee suffering from a work or non-work related condition which warrants a temporary relief from duty may be entitled to be placed on family medical leave under federal law. Consult with the City Clerk to assure proper notification and compliance with family medical leave rights. Employees who are relieved from duty for medical reasons may be eligible for workers' compensation payments or may be required to use sick leave or other paid time off, in accordance with applicable policies.

Bonnors Ferry Police Department

Policy Manual

Fitness for Duty

Any employee suffering from a work-related condition which warrants a temporary relief from duty shall be required to comply with personnel rules and guidelines for processing such claims.

1032.5 PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS

- (a) Whenever circumstances reasonably indicate that an employee is unfit for duty, the Chief of Police may serve that employee with a written order to undergo a physical and/or psychological examination in cooperation with City Clerk to determine the level of the employee's fitness for duty. The order shall indicate the date, time and place for the examination.
- (b) The examining health care provider will provide the Department with a report indicating that the employee is either fit for duty or, if not, will list any functional limitations that limit the employee's ability to perform job duties. The scope of the requested fitness-for-duty report shall be confined to the physical or psychological condition that prompted the need for the examination. If the employee places his/her condition at issue in any subsequent or related administrative action or grievance, the examining physician or therapist may be required to disclose any and all information that is relevant to such proceeding.
- (c) In order to facilitate the examination of any employee, the Department will provide all appropriate documents and available information to assist in the evaluation and/or treatment.
- (d) All reports and evaluations submitted by the treating physician or therapist shall be part of the employee's confidential personnel file.
- (e) Any employee ordered to receive a fitness-for-duty examination shall comply with the terms of the order and cooperate fully with the examining physician or therapist regarding any clinical interview, tests administered or other procedures as directed. Any failure to comply with such an order and any failure to cooperate with the examining physician or therapist may be deemed insubordination and shall be subject to discipline, up to and including termination.
- (f) In the event an employee is required to submit to a fitness-for-duty examination as a condition of returning from medical leave required under the Family Medical Leave Act (FMLA), the Chief of Police or the authorized designee should contact the City Clerk for direction regarding how to proceed.
- (g) Once an employee has been deemed fit for duty and the examining health care provider has provided the Department with a written report to that effect, the employee will be notified to resume his/her duties.

1032.6 APPEALS

An employee who is separated from paid employment or receives a reduction in salary resulting from a fitness-for-duty exam shall be entitled to an administrative appeal as outlined in the Bonnors Ferry personnel policies.

1032.7 LIMITATION ON HOURS WORKED

Absent emergency operations, members should not work more than:

- 16 hours in a one-day period (24-hour period).
- 30 hours in any two-day period (48-hour period).
- 84 hours in any seven-day period (168-hour period).

Request for Modified Duty Assignment (light duty assignment)

I, _____, understand that modified duty assignments are a management prerogative and not an employee right. To be considered for modified duty, I understand that it is my responsibility to provide the department with a signed statement from my health care provider describing the restrictions, limitations, and expected duration. I also understand that I must notify the department in writing of any changes or modifications from the health care provider as to my restrictions, limitations or expected duration. If approved for a modified duty I also agree to inform my Supervisor of any tasks suggested for light duty that I feel I am not able to accomplish without causing further injury. I also understand that the request for light duty is at the discretion of the Department Head, and subject to the conditions for type of work, hours of work and duration of work authorized by the Department Head.

I understand the above and request consideration for a light duty/modified duty assignment due to medical issues that are currently preventing me from returning to my regular job assignment.

Signature

Date

STATE OF IDAHO)
COUNTY OF BOUNDARY)

On this _____ day of _____, _____, before me the undersigned Notary Public in and for the State of Idaho, personally appeared _____ known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same.

Notary Public – State of Idaho
Residing at: _____
My commission expires: _____

Request for Modified Duty/Light Duty Assignment

Employee: _____

Documentation of Restrictions from Health Provider Attached: Yes _____ No _____

TO HEALTH CARE PROVIDER:

Based on the restrictions provided to the City of Bonners Ferry by the above employee and their request to be considered for light duty/modified duty from their normal job requirements we ask you to please review what has been described below and indicate any concerns or issues with modified job assignments, and to initial and answer any further questions that the Department Head may have listed below in helping them make a determination for modified duty assignments. Failure to receive this documentation may result in a denial of a modified duty assignment for the employee.

Proposed Light Duty assignment and any special concerns for Review by Health Care Provider:

I have reviewed the proposed modified job tasks, and have placed my initials after the items that I feel the employee is capable of safely performing, and have drawn a line through the items that I feel the employee should not be doing at this stage of their recovery.

Medical Provider:

Date:

Address/Phone:

I, _____, authorize _____ to release the above information to the City of Bonners Ferry, P.O. Box 149, Bonners Ferry, Idaho 83805 as part of my request for modified duty. I understand that it is my responsibility to obtain the required information to be considered for light duty.

Signature: _____ Date: _____

Request for Modified Duty Assignment (light duty assignment)

Employee's Name: _____

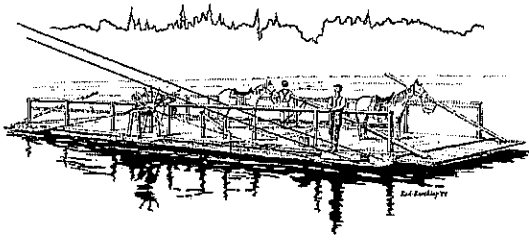
Date: _____

Approved: _____

Denied: _____

Duties to be performed:

Department Head Signature



MEMO

CITY OF BONNERS FERRY
CITY ADMINISTRATOR

Date: 26 February 2014
To: City Council
From: Stephen Boorman, City Administrator
Subject: Cash Reserve Policy.

Attached is a draft cash reserve policy and two separate presentations regarding setting cash reserve policies provided by American Public Power Association (APPA). The actual amount of cash reserves is ultimately a policy decision by the Council. Please note the initial proposed reserve levels are higher than the existing levels in all of the departments except the electric department. Also, the actual reserves will never match the target number in the policy, the policy is to provide budget guidance.

As identified in the provided presentations there other options for addressing unexpected events than actual cash reserves. Of particular note is the "line-of-credit" option. Due to the diversification of our enterprise funds we have this option available internally and have historically used this option.

STB

A. GENERAL

It is the goal of the City of Bonners Ferry to maintain adequate levels of assets in reserve for the below purposes. These levels are reflective of the risk for general government and each enterprise fund. The amounts are listed are for reference during the budgeting process and will vary year to year. For departments with below the recommended levels it is expected than it will take a number of years to reach the target levels.

Following are the categories used to determine a desired reserve level for each department. They are derived from the attached spread sheet and rounded to the nearest \$50,000.

1. Cash flow for payroll and other normal expenses. This is set at 25% of the annual operating budget, which is 90 days of cash flow.
2. Mechanical failures that may occur during the year. Amount set at the value of the most expensive single mechanical device.
3. Storms, flooding, and acts of God. This the replacement/repair cost of the infrastructure identified that could be damaged by storm or earthquake.
4. Bond Reserves. For enterprise departments that have a bond this amount is generally required by the lending agency or bond agreement. This amount varies over the life of the bond and is set at the highest required amount.
5. Rate Stabilization. This amount is designed to allow stable rates from year to year based on the variability of revenues. This is particularly relevant due to the City's hydroelectric projects variability in generation.
6. Capital Investment Fund. This amount is designed to capture one year of average revenue financed capital improvements.

Below are the budget target levels for each fund and depending on events in each fund they may or may not be met in any given year.

General Government	\$750,000
Electric Department	\$4,200,000
Water Department	\$1,400,000
Sewer Department	\$1,000,000
Garbage	\$30,000

Note 1: One additional factor for General Government contingency is for above normal labor expenses for the fire department and street department during bad fire or snow years.

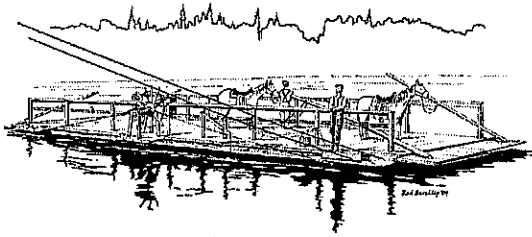
Reserve Fund Calculation

1. Cash flow for payroll and other normal expenses. Set at 25% of operating budget
2. Mechanical failures that may occur during the year. Set at largest single mechanical item.
3. Storms, flooding, fires, and acts of God.
4. Bond Reserves.
5. Rate Stabilization
6. Capital Investment Fund

Category	Cash Flow	Mechanical	Acts of God	Bond	Rate Stab.	Capital	Total	Feb-14
General Government	\$ 431,425	\$ 125,000	\$ 100,000	\$ -	\$ -	\$ 100,000	\$ 756,425	\$ 382,004.00
Electric Distribution	\$ 624,246	\$ 400,000	\$ 750,000	\$ -	\$ 250,000	\$ 100,000	\$ 4,224,246	\$ 5,525,530.00
Power Plant	\$ -	\$ 750,000	\$ 750,000	\$ 250,000	\$ 250,000	\$ 100,000	\$ 1,398,180	\$ 505,322.00
Water	\$ 268,180	\$ 500,000	\$ 250,000	\$ 180,000	\$ 100,000	\$ 100,000	\$ 1,043,093	\$ 521,374.00
Sewer	\$ 118,093	\$ 125,000	\$ 500,000	\$ -	\$ 50,000	\$ 250,000	\$ 33,125	\$ 16,647.00
Garbage	\$ 33,125	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Mechanical Values	Annual Operating Budget*	Largest mechanical item.	Acts of God
General Government	\$ 1,725,698	Front End Loader	\$ 125,000 Levee Failure
Electric Distribution	\$ 2,496,985	Moyie - Substation Transformer	\$ 400,000 Moyie - North Bench Feeder
Power Plant	\$ -	Generator Major Rebuild	\$ 750,000 Dam earthquake damage
Water	\$ 1,072,718	Tank Failure	\$ 500,000 Myrtle Creek Intake
Sewer	\$ 472,372	Lift station Failure	\$ 125,000 Lagoon Pond Failure
Garbage	\$ 132,500	n/a	\$ - n/a

*Annual Operating Budget is 2014 annual budget less contingency, south hill slough, and power purchases.



MEMO

CITY OF BONNERS FERRY
CITY ADMINISTRATOR

Date: 27 February 2014
To: City Council
From: Stephen Boorman, City Administrator
Subject: Change Order 3 - Rebuild on Unit 3 at the Power Plant.

This memo is to request approval of the Subject Change Order for the amount of \$11,480. This will bring the total contract price to \$77,725. At this time we have run the machine and the contractor has removed the lower guide bearing to increase the tolerance do to the running temperature experienced. For reference the original bid by Riverside Inc with the anticipated alternates was \$112,115.40 and the base bid by the other bidder was \$118,593.72

SJB

CHANGE ORDER

No. 3

DATE OF ISSUANCE 4 March 2014

EFFECTIVE DATE 4 March 2014

OWNER: City of Bonners Ferry

CONTRACTOR: Riverside Inc.

Project: CITY OF BONNERS FERRY MOYIE POWERPLANT UNIT 3 REPAIR

You are directed to make the following changes in the Contract Documents:

Qty	Description	Unit Price	Sub-total
1	Alternate I (Governor Linkage Maintenance)		4,285.00
1	Alternate G & H (Linkage arms rework)		2,542.00
1	Alternate H (Balance Runner on shaft)		1,485
1	Alternate H plus materials (Moving cart)		3,168
Total			\$11,480

CHANGE IN CONTRACT PRICE:
Original Contract Price \$ <u>58,800.00</u>
Net Increase (Decrease) from previous Change Orders No. <u> </u> to <u> </u> : \$ <u>18,925</u>
Contract Price prior to this Change Order \$ <u>77,725</u>
Net increase (decrease) of this Change Order: \$ <u>11,480</u>
Contract Price with all approved Change Orders: \$ <u>89,205</u>

APPROVED

By: _____
OWNER (Authorized Signature)

Date: _____

CHANGE IN CONTRACT TIMES:
Original Contract Times: Substantial Completion: <u>60</u> Ready for final payment: _____ (days or dates)
Net change from previous Change Orders No. <u>1</u> to No. <u>1</u> : Substantial Completion: <u>30</u> Ready for final payment: _____ (days)
Contract Times prior to this Change Order: Substantial Completion: <u>90</u> Ready for final payment: _____ (days or dates)
Net increase (decrease) this Change Order: Substantial Completion: <u>0</u> Ready for final payment: _____ (days)
Contract Times with all approved Change Orders: Substantial Completion: <u>90</u> Ready for final payment: _____ (days or dates)

ACCEPTED:

CONTRACTOR (Authorized Signature)

Date: _____



Department of Energy

Bonneville Power Administration
P.O. Box 3621
Portland, OR 97208-3621

ENVIRONMENT, FISH & WILDLIFE

February 7, 2014

In reply refer to: KEC-4

To: Parties interested in the Kootenai River Restoration at Bonners Ferry

Bonneville Power Administration (BPA) is proposing to fund the Kootenai Tribe of Idaho to restore portions of the Kootenai River in Bonners Ferry, Idaho. This letter briefly describes the proposal, outlines the environmental review process and schedule, and invites you to a meeting where you can comment on the proposal.

Proposal - The Kootenai River Restoration at Bonners Ferry project would involve installing structures on the river banks and excavating areas in the river to create deeper pools of water, as well as developing and enhancing islands to be planted with native riparian vegetation. The project would improve Kootenai River habitat to benefit listed Kootenai White Sturgeon and other native fish, would complement other restoration on the Kootenai River, and would help mitigate for effects caused by Libby Dam located upstream in Montana.

To understand the potential environmental impacts of this proposal, BPA will prepare an environmental assessment (EA). The EA is being prepared to fulfill BPA's responsibilities under the National Environmental Policy Act and its implementing regulations. The EA will describe anticipated impacts to natural and human resources and include mitigation measures that would help avoid or minimize impacts. During this process, BPA will work with landowners, tribes, federal, state and local agencies, and interest groups.

Public Meeting - We have scheduled an open-house scoping meeting to answer questions and accept comments about the scope of the EA that will be prepared:

Wednesday, February 26, 2014

5:00 p.m. to 7:00 p.m.

Boundary County Extension Office

6447 Kootenai Street

Bonners Ferry, Idaho 83805

We do not plan to give a formal presentation, so please come at any time during the meeting. For Americans with Disabilities Act accommodations, please call toll free 800-622-4519.

How to Comment - Please submit comments to us by **March 10, 2014** and reference the Kootenai River Restoration at Bonners Ferry. All comments we receive will be available on our project website at www.bpa.gov/goto/BonnersFerry. Please indicate on the enclosed postcard whether/how you would like to receive the EA. Choose the way you would like to comment:

Mail: Bonneville Power Administration Public Affairs – DKE-7 P.O. Box 14428 Portland, OR 97291-4428	Toll-free: 800-622-4519 FAX: 503-230-4019 E-mail: www.bpa.gov/comment
---	---

Process and Schedule –BPA’s proposed schedule for the EA process is as follows:

Draft EA available for public comment	Summer 2014
Final EA and Finding of No Significant Impact (if warranted)	Fall/Winter 2014
If decision to build, construction begins	late Summer/Fall 2015

For More Information – You may visit the project website at www.bpa.gov/goto/BonnersFerry if you have questions regarding the environmental process, please contact me toll-free at 800-282-3713, directly at 503-230-5756, or by e-mail at esgresh@bpa.gov.

Thank you for your interest in this project.

Sincerely,



Ted Gresh
Environmental Lead

Enclosures:
Project Map
Comment Form
Reply Card
Return Envelope

KOOTENAI RIVER RESTORATION AT BONNERS FERRY

"I'd like to tell you..."

Please have your studies look at:

I need more information about:

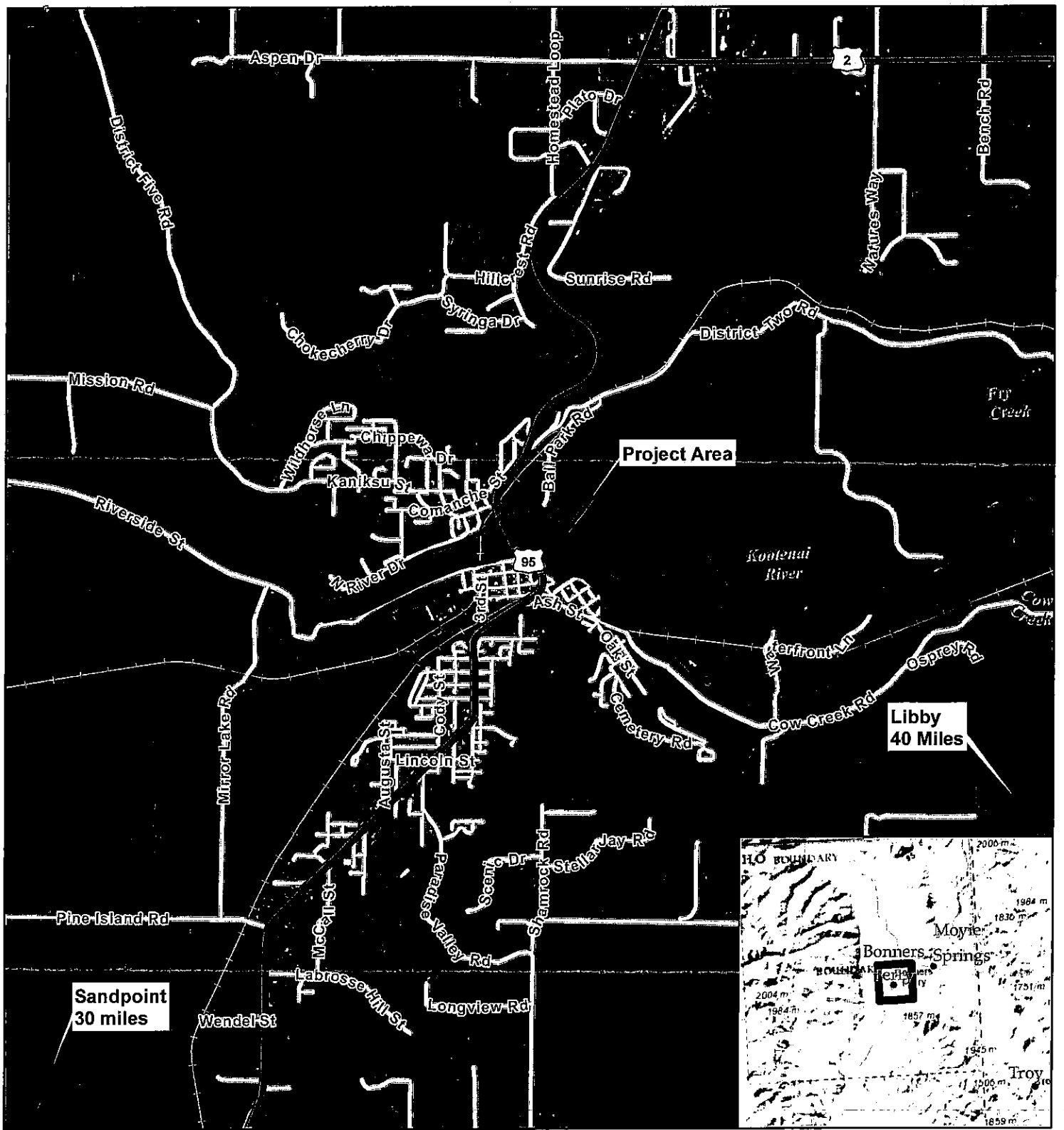
I have these other comments:

Name/Address: _____

You may also post your comments at www.bpa.gov/comment;
You may also call BPA at 1-800-622-4519, or FAX your comments to 503-230-4019.
Please mention "*Kootenai River Restoration at Bonners Ferry*" in your correspondence.

The comment period ends March 10, 2014.





Kootenai River Restoration at Bonners Ferry

Public Notification Map

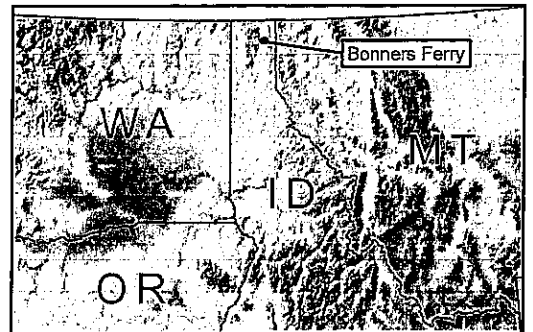
Bonners Ferry Quadrangle
Boundary County, ID

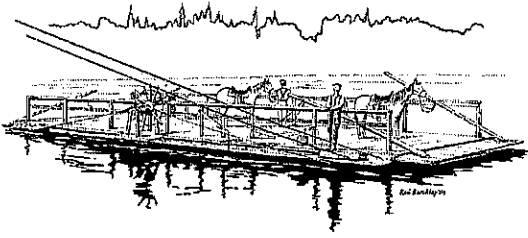
 Project Area



0 0.5 1 Mile

1/8/2014





MEMO

CITY OF BONNERS FERRY
CITY ADMINISTRATOR

Date: 28 February 2014
To: City Council
From: Stephen Boorman, City Administrator
Subject: Hazel Street Water / Sewer Replacement.

This memo is to recommend that the Council award the Subject Project to KG&T. We received two bids for this work. The bids are estimated at \$89,648.33 for KG&T and \$99,500 for S&L Underground. The final project cost will potentially be higher if any additional taps are found during construction and depending on the quantity of unsuitable fill found during construction. Please note that this cost does not include repaving of Hazel Street as we will bid that directly after completion of this project.

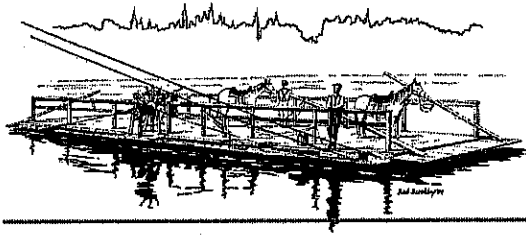
Please note the bid last year for this work was \$101,682.45.

SJB

Hazel Street Water and Sewer Replacement
2/28/2014

Item	KG&T			S&L Underground		
	price	qty	sub-total	price	qty	sub-total
Water Base Bid	\$ 25,402.33	1	\$ 25,402.33	\$ 35,600.00	1	\$ 35,600.00
Water Service	\$ 1,230.00	5	\$ 6,150.00	\$ 1,000.00	5	\$ 5,000.00
Water Service Road Crossing	\$ 1,830.00	1	\$ 1,830.00	\$ 1,600.00	1	\$ 1,600.00
Sewer Base Bid	\$ 51,925.00	1	\$ 51,925.00	\$ 52,000.00	1	\$ 52,000.00
Sewer Connection	\$ 735.00	5	\$ 3,675.00	\$ 900.00	5	\$ 4,500.00
Unsuitable	\$ 13.32	50	\$ 666.00	\$ 16.00	50	\$ 800.00
	TOTAL \$ 89,648.33			TOTAL \$ 99,500.00		

	Feet	\$/foot
Water	\$ 550.00	60.69515
Sewer	\$ 455.00	122.1978



CITY OF BONNERS FERRY

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

Quote – 2014 Hazel Street Water-Sewer Line Replacement

Replace Hazel Street water line per specifications (no connections) (lump sum)

THIRTY FIVE THOUSAND SIX HUNDRED 35,600.00
(Amount spelled out in words) (Amount spelled out in numbers)

Additional cost for each water service connection (per unit)

ONE THOUSAND 1,000.00
(Amount spelled out in words) (Amount spelled out in numbers)

est 5 = 5,000

Additional cost for each water service road crossing (per unit)

ONE THOUSAND SIX HUNDRED 1,600.00
(Amount spelled out in words) (Amount spelled out in numbers)

Replace Hazel Street sewer line per specifications (no connections) (lump sum)

FIFTY TWO THOUSAND 52,000.00
(Amount spelled out in words) (Amount spelled out in numbers)

Additional cost for each sewer service connection (per unit)

NINE HUNDRED 900.00
(Amount spelled out in words) (Amount spelled out in numbers)

est 5
4,500

Additional cost for replacement of unsuitable fill material (per yard) (City will provide the fill material)

SIXTEEN 16.00
(Amount spelled out in words) (Amount spelled out in numbers)

= 97,100

Understanding that this lump sum price and per unit prices includes all permit fees, sales and consumer use taxes, etc. required by law or regulation in the place where the work is performed.

Signed

Name and Title

Shem Johnson - president

Date

2/27/14

Company Name and Address

SEK Underground, Inc.
660304 Hwy 2 P.O. Box 1952
Bonners Ferry, ID 83805

Phone Number

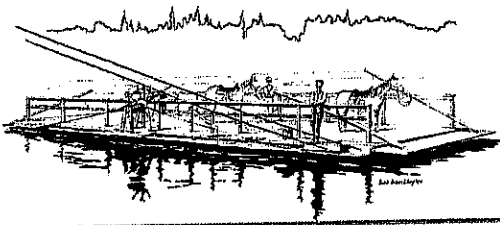
208-267-7996

Idaho Contractors License Number

RCE-7377

Public Works Contractors License Number

14825-AAA-1-2-3



CITY OF BONNERS FERRY

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

Quote - 2014 Hazel Street Water-Sewer Line Replacement

Replace Hazel Street water line per specifications (no connections) (lump sum)

Twenty Five Thousand
Four Hundred Two & 33 Cents. \$25,402³³
(Amount spelled out in words) (Amount spelled out in numbers)

Additional cost for each water service connection (per unit)

One Thousand Two Hundred
& Thirty dollars. \$1,230.00 *est 5 = 6,150*
(Amount spelled out in words) (Amount spelled out in numbers)

Additional cost for each water service road crossing (per unit)

One Thousand Eight Hundred
Thirty dollars. \$1,830.00
(Amount spelled out in words) (Amount spelled out in numbers)

Replace Hazel Street sewer line per specifications (no connections) (lump sum)

Fifty One Thousand Nine
Hundred Twenty Five dollars \$51,925.00
(Amount spelled out in words) (Amount spelled out in numbers)

Additional cost for each sewer service connection (per unit)

Seven Hundred Thirty Five dollars. \$735.00 *est 5 3,675*
(Amount spelled out in words) (Amount spelled out in numbers)

Additional cost for replacement of unsuitable fill material (per yard) (City will provide the fill material)

Thirteen dollars & 32 cents. \$13.32
(Amount spelled out in words) (Amount spelled out in numbers)

Understanding that this lump sum price and per unit prices includes all permit fees, sales and consumer use taxes, etc. required by law or regulation in the place where the work is performed.

Signed

Name and Title

Date

Company Name and Address

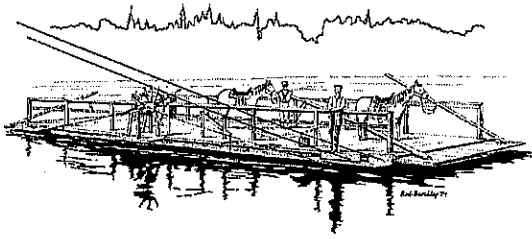
Phone Number

Idaho Contractors License Number

Public Works Contractors License Number

Terry Johnson
Terry Johnson, President
February 27th, 2014
K&T Septic Inc
172 Sunrise Rd
Bonners Ferry, Id 83805
708-767-5110
RCE-12895
PWC-C-116693-D-4

87,152.33



MEMO

CITY OF BONNERS FERRY
CITY ADMINISTRATOR

Date: 28 February 2014
To: City Council
From: Stephen Boorman, City Administrator
Subject: Contract P&Z Administrator.

This memo is to recommend that the Council consider entering into a contract with Ruen-Yeager & Associates for the P&Z administration.

As previously discussed our model for this service is our building inspection services. Since the time we started doing complete building inspections we have use Sewell and Associates. This has worked well and there are a number of similarities between the two services. First, building inspections and P&Z issues are not a consistent work load, they tend to be a "feast and famine". Our building inspector is paid by the project but our work is melded into a number of other customers so Sewell is able to keep a well trained inspector busy between all of their customers. Second, there are some advantages to the impartiality of being from Sandpoint when dealing with issues such as building permits and P&Z issues. Third, contractors are easier to hold accountable as it is easier to change contractors than to change employees.

Thanks

SJB

**CITY OF BONNERS FERRY
DRUG AND ALCOHOL TESTING POLICY**

POLICY STATEMENT

In recognition of the harmful effects that the use of illegal drugs and the misuse of alcohol can have on employees in the workplace, the City of Bonners Ferry has a responsibility to its employees, and the public at large, to see that its employees are both drug and alcohol free while on duty. This responsibility comes in light of recent studies showing that employees who are under the influence of drugs or alcohol while on duty are more likely to cause accidents and injuries, both to themselves and co-workers, as well as the public at large. Therefore, the City of Bonners Ferry is implementing this Drug and Alcohol Testing Policy that includes within its provisions those regulations relating to the testing of all ~~CDL operators, police officers, firemen, and hydropower plant personnel.~~ (Hereafter referred to as safety-sensitive employees). **employees in a "safety-sensitive" position as hereinafter defined.**

Implementation Schedule

This policy will become effective April 1, 1996 and will apply to all prospective and current employees of this City.

Questions Regarding This Policy

The City hereby designates the City Clerk as the person responsible for answering employees' questions relating to the provisions of this policy.

Safety Sensitive Employees Defined

For the purpose of this policy, a "safety-sensitive" position is one in which:

- A. The duties involve a greater-than-normal level of trust for, responsibility for, or impact on the health and safety of the employee or others; and,**
- B. Errors in judgment, inattentiveness or diminished coordination, dexterity, or composure while performing the duties could result in mistakes that would endanger the health and safety of the employee or others; and,**
- C. Employees in these positions work with such independence that it cannot be safely assumed that mistakes such as those described in subsection (B) could be prevented by a supervisor or another employee.**

Employees' Use of Alcohol

The City is committed to ensuring that all employees are not at work while under the influence of alcohol. Therefore, employees of this City are not to consume alcohol within four (4) hours of reporting to work. Employees are not to report to work or remain at work while having an alcohol concentration of .02 or greater. Employees are prohibited from using or possessing alcohol while they are on duty.

Possession, Use, Distribution of Illegal Drugs or Alcohol

The possession, use, purchase, or distribution of illegal drugs as defined or amended in Idaho Code (or drug paraphernalia) by an employee in a City vehicle, at a job site, on City property, or during work hours without City approval, is strictly prohibited. Any employee violating this prohibition will be terminated from employment with the City.

This City has an absolute prohibition against an employee's use of illegal drugs both on and off the worksite. An employee's off the job illegal use, manufacture, purchase, possession, or distribution of illegal drugs or drug paraphernalia, that results in criminal charges being brought against the employee, will result in the employee being requested to submit to drug testing and may result in the employee being suspended from work without pay. Any employee who is convicted of a criminal drug statute will be terminated from employment with the City.

Self-Referral

All employees of the City who consider themselves drug or alcohol dependent and who voluntarily identify themselves as such will be encouraged to get an evaluation by a State certified or recognized substance abuse counselor and seek treatment, if this is the counselor's recommendation. The City will provide informational assistance in locating professional substance abuse counseling to any employee who requests it.

Employees who undergo drug or alcohol rehabilitation will be expected to do so at their own expense (other than those expenses covered by the City insurance program), on their own time, or during a non-paid leave of absence, approved by the City. Arrangements may be made to allow an employee to use vacation or sick leave during any such leave of absence.

Employees, who demonstrate successful progress, or completion of a recommended course of treatment, may return to work after taking and passing a drug and/or alcohol test with the recommendation of a State certified or recognized substance abuse counselor. Any such employee returning to work after treatment will be expected to comply with all aspects of this drug/alcohol testing policy. A request for rehabilitation

may not be made in order to avoid the consequence of a positive drug result or to avoid taking a drug test when requested to do so under the terms of this policy.

TYPE OF DRUG AND ALCOHOL TESTING

Pre-Employment Testing

All prospective employees will take, and pass, a drug test as part of the application process. Furthermore, all prospective CDL operators must disclose to the City all previous employers for whom they have worked as an operator within the past two (2) years. The City will then request from those employers all information regarding any incidents where the prospective operator has tested positive for illegal drugs or alcohol, or refused to test within the last two (2) years. In the event that the City receives information from a past employer that the prospective operator has tested positive for drugs or alcohol within the last year, that prospective operator will not be offered employment, or his/her conditional employment will be terminated with the City. Operators must sign a consent form authorizing the City to conduct a check with each employer the operator has been employed with during the past two (2) years as an operator to determine if the operator has tested positive for illegal drugs or alcohol.

Any operator that is found to have previously tested positive for illegal drugs or alcohol and who is hired by the City must show that they have been evaluated by a substance abuse professional and were found to be non drug or alcohol dependent. The City will ensure that any follow-up tests of such operators are conducted as required by DOT regulations.

Baseline Testing

In initiating the provisions of this policy, the district will require safety sensitive employees to submit to testing for the presence of illegal drugs as soon after the effective date of this policy as is deemed necessary.

Random Testing

Safety sensitive employees will be subject to random drug and alcohol testing. Random selections will be made by a scientifically valid method that will result in each employee having an equal chance of being tested each time selections are made. Random testing for alcohol will take place during employee duty time.

Post-Accident

Safety sensitive employees involved in a work-related accident will be tested for use of illegal drugs and alcohol as soon as possible after the accident, but no later than two (2) hours in the case of alcohol, and no later than thirty two (32) hours in the case of illegal drugs. Examples of an accident that will require an employee to take a drug and alcohol test include, but are not limited to, accidents resulting in:

1. The death of a person;
2. Injury to another person requiring medical treatment away from the accident;
3. An injury to the employee that may result in that employee filing a worker's compensation claim and whose lost time will likely exceed one working day; or,
4. Damage to property owned by the City, or third party, that may reasonably be estimated to exceed \$750.00.

Safety sensitive employees seriously injured and who cannot provide a specimen to testing will be required to authorize the release of relevant hospital reports, or other documentation, that would indicate whether there were drugs or alcohol in his/her system at the time of the accident. Any employee required to be tested under this section must remain readily available for such testing and such an employee may not consume alcohol within eight (8) hours of the accident.

Any employee who is involved in a work-related accident requiring medical attention is to inform his/her supervisor of the accident as soon as possible so that any needed drug or alcohol test may be promptly conducted in conjunction with the medical treatment.

Reasonable Cause

The City will require an employee to be tested for the use of alcohol, illegal drugs, or the use of prescription medication if an employee's physical appearance or pattern of behavior give City officials reason to believe the employee is impaired because of substance abuse which would endanger his/her well being, as well as the safety of fellow employees or the general public. The basis of suspicion indicating drug or alcohol abuse may be a specific, contemporaneous event, or conduct evidencing impairment observed over a period of time.

SPECIMEN COLLECTION PROCEDURES AND TEST RESULT NOTIFICATION

Adulteration or Submission of a Concealed Specimen

If, during the collection procedure, the collection monitor detects an effort by an employee to adulterate or substitute a specimen, a second specimen will be requested. If a second specimen is provided, that specimen will be tested. If the request for a second specimen is refused, altered, or substituted, the collection monitor will inform the city contact of the employee's refusal to submit a true specimen. Such conduct by the employee will be considered as a refusal to test.

In the event that a prospective or current employee submits a specimen that the laboratory later identifies as a diluted specimen, the City will advise the employee of that result and request that the employee submit a second specimen. The donor will be advised by the City not to drink any fluids prior to the test.

Drug/Alcohol Specimen Collection Procedures

All testing for illegal drugs will be done by the testing of an employee's urine specimen. All such testing will utilize the split specimen collection procedure. Under that procedure, each employee will have his/her urine specimen sealed in two separate containers and both sent to SAMHSA certified laboratory for testing. If employee's first specimen tests positive, that employee may request, within three (3) days of the positive notification, that the other specimen be tested at another SAMHSA laboratory. This second test will be done at the employee's expense unless the second test comes back negative. During the time the second specimen is being tested, that employee may be suspended without pay. Any employee who has a test come back negative will be given back pay for the time of the suspension.

All specimen collections will be conducted by personnel that have been instructed and trained in collection procedures. Any specimen that screens positive for the presence of illegal drugs will be confirmed by the Gas Chromatography/Mass Spectrometry (GC/MS) confirmation method.

All testing for alcohol will be by approved DOT procedures with qualified technicians.

Notification of Test Results

All drug test results will be forwarded to the City through Minert & Associates, Inc., as the representative of the Medical Review Officer (MRO). Prior to the City being informed that a prospective or current employee has tested positive for illegal drugs, the employee will be offered an opportunity to personally discuss the positive drug test with the MRO or his representative. The MRO will follow up on such information as is deemed appropriate.

Any employee who is taking a prescription drug that may have been the cause of a positive test result will be asked to provide the name of the medication and the identity of the prescribing physician for verification. If this is verified, the employee's test result will be reported as negative. If, after consideration of the matter, the MRO finds no reason to doubt the validity of the positive test, that result will be conveyed to the City contact.

Refusal

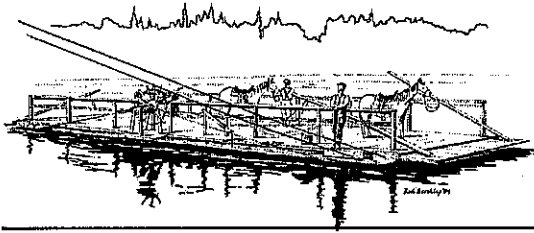
An employee may not refuse to take a drug/alcohol test when requested to do so, consistent with the terms of this policy. Such a refusal will be considered equivalent to testing positive for illegal drugs or alcohol. An employee will be considered as refusing

to test if he/she expressly refuses to take a test, or otherwise fails to provide an adequate breath or urine sample without a valid medical explanation. Additionally, an employee will be considered as refusing to test if he/she engages in conduct that clearly obstructs the testing process, including willfully failing to meet post-accident testing requirements.

Effect of Testing Positive for Drugs or Alcohol

Any prospective employee who tests positive for illegal drugs will not be offered employment. Any current employee that tests positive for illegal drugs or alcohol will be terminated from further employment with the City.

For purposes of this policy, an employee tests positive for alcohol when that employee's blood alcohol concentration (BAC) is .04 or above. Any employee that twice tests between .02 and .039 in a year's time will be treated as the equivalent of testing positive for alcohol.



CITY OF BONNERS FERRY

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

Memo

To: Mayor and City Council
From: Kris Larson, Clerk/Treasurer
Date: 2/28/2014
Re: Family Medical Leave Act (FMLA) Policy

The attached FMLA Policy is from ICRMP's sample policies. It should be located with the leave policies in our personnel policy so it will be Section VII (C) number 11.

If you have any questions please let Andrakay or me know, otherwise please adopt the FMLA Policy addition to our personnel policy.

Thanks,

Kris

FAMILY MEDICAL LEAVE ACT (FMLA) POLICY

a. Eligibility Requirements.

To be eligible for FMLA benefits, prior to any leave request, the employee:

- 1) must have worked for the employer for at least 12 months;
- 2) must have worked at least 1,250 hours for the employer during the previous 12 months; and
- 3) your employer must employ at least 50 employees or be a public agency of the federal, state, or local government.

The employee must meet all eligibility requirements before FMLA benefits will be extended him/her.

If your employment situation does not meet all of the qualifications set forth above, the subsequent FMLA policy, which is required by law to be included in our policy, does not apply to you.

b. Entitlements

The Family and Medical Leave Act (FMLA) provides an entitlement of up to 12 weeks of job-protected, unpaid leave during any 12-month period to eligible, covered employees for the following reasons: 1) birth and care of the eligible employee's child, or placement for adoption or foster care of a child with the employee; 2) care of an immediate family member (spouse, child, parent) who has a serious health condition; or 3) care of the employee's own serious health condition. It also requires that the employee's group health benefits be maintained during the leave. The 12-month period is determined using a "rolling" 12-month period measured backward to the date an employee first uses any FMLA leave.

If all eligibility requirements are met, the employee is covered under the FMLA. He/she may request up to 12 weeks of leave where the City of Bonners Ferry will continue the employee's benefits (employer portion only) during the leave period. If the employee does not return to work for reasons other than their own continued serious health condition or that of an eligible family member, the City of Bonners Ferry may recover from the employee the premium(s) that were paid for the employee's medical coverage.

Total FMLA leave for employee spouses/parents who both work for the City of Bonners Ferry is 12 weeks combined if the leave is for reasons other than the employee's own personal serious illness.

Examples where employees of the City of Bonners Ferry are entitled to leave under FMLA include:

1. To care for a child following a birth or placement of a child with the employee for adoption or foster care.
2. To care for a sick child, spouse or parent who has a "serious health condition."
3. If the employee him/herself is unable to perform his or her own work responsibilities because of his/her own serious health condition.

c. Concurrent Use of Accrued Leave and Worker's Compensation Required

Employees are required to use any accrued paid vacation and sick leave (if applicable) concurrently with any FMLA leave. If paid leave accruals are less than 12 weeks, the employee may take the remainder of FMLA leave as unpaid leave. Employees will continue to accrue leave while utilizing their paid sick and vacation leave. They will cease to accrue vacation and sick leave during the unpaid portion of their leave. If the employee is on Worker's Compensation leave, such leave will also run concurrently with any FMLA leave.

d. Employee Obligations

Employees are required to give 30 days advance notice or as much time as practical when the need for FMLA leave is foreseeable. The City of Bonners Ferry reserves the right to request medical certification supporting any leave, and may require second or third opinions (at the City of Bonners Ferry expense). The City of Bonners Ferry may also require a doctor's fitness for duty report prior to your returning to work. Leave may be denied if these requirements are not met. The decision to allow an employee to return to work will be solely the City of Bonners Ferry in compliance with the provisions of the Family and Medical Leave Act. Should a doctor not find the employee fit to return to duty, the employee will not be allowed to return to work.

When an employee is off work for FMLA leave, the employee will not be allowed to work for any other employer without prior approval from the Mayor. An employee who violates this rule will be subject to disciplinary proceedings up to and including termination from employment.

Contact the Bonners Ferry City Clerk to discuss your rights and obligations for continuation of any current benefits you are receiving. Employees must make arrangements for payment of their portion of their benefit costs or discontinuation of those benefits will occur.

To request FMLA leave please contact the City Clerk indicating the reason for requesting FMLA leave and the expected duration of leave. Note: You may be required

to provide medical certification by your physician or medical practitioner indicating the diagnosis and probable duration of your medical condition or the medical condition of your family member.

e. Intermittent Leave Requests

FMLA leave may be taken intermittently or on a reduced leave schedule to allow the employee to care for a sick family member, or for an employee's own serious health condition with prior written approval from the employee's supervisor or when "medically necessary." In the circumstance of birth or placement of a child for adoption or foster care, intermittent leave is only available by written approval of the City.

f. Employer's Rights and Obligations

The City of Bonners Ferry has the right to determine whether the employee is or is not an "eligible employee" under the Act. The City of Bonners Ferry has the right to place an employee on FMLA leave without the employee's consent should the City determine that the employee meets the eligibility requirements under the Act.

The City of Bonners Ferry will return the employee to the same or an equivalent position after returning from FMLA leave, subject to the terms of the Family and Medical Leave Act. The only exception may be for individuals who, under the provisions of the FMLA, are considered to be a "key employee" whose extended absence would cause "substantial and grievous economic injury".

The City of Bonners Ferry reserves the right to require periodic notices (determined by the City of Bonners Ferry) of your, or your family member's FMLA status and your intent to return to work.

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

Boundary County Middle School Cafeteria

6577 Main Street

267-3105

March 6, 2014

4:00 p.m. Open House for Highway 95 Future Options

5:15 p.m. Business Meeting

- | | |
|-------------------------------|---|
| 4:00 p.m. to 5:15 p.m. | Open House – View Materials Provided by Idaho Transportation Department and City of Bonners Ferry Concerning Highway 95 |
| 5:15 p.m. to 5:20 p.m. | Mayor Anderson – Call Meeting to Order, Welcome and Comments |
| 5:20 p.m. to 5:25 p.m. | Idaho Transportation Department's Comments |

Public Comments and Questions

Each Speaker will be allowed a maximum of five minutes for initial comment.

Bill Bradbury
Chair
Oregon

Henry Lorenzen
Oregon

W. Bill Booth
Idaho

James A. Yost
Idaho



Northwest Power and Conservation Council

Jennifer Anders
Vice Chair
Montana

Pat Smith
Montana

Tom Karier
Washington

Phil Rockefeller
Washington

February 26, 2014

Elliot Mainzer, Administrator
Bonneville Power Administration
P.O. Box 3621
Portland, OR 97208-3621

Dear Elliot:

We were encouraged to hear at your swearing-in ceremony last week that acquiring cost-effective energy efficiency will be one of your top priorities as Administrator. However, the Council is concerned that BPA's initial capital budget proposal includes insufficient conservation funding levels that would impair the agency's ability to fulfill your commitment.

Efficiency is now the region's second largest power resource, reducing consumers' electricity bills by about \$3 billion each year while lowering greenhouse gas emissions. BPA's actions have played a major role in this success. This has included conservation funding, as well as supporting and overseeing acquisition efforts by your utility customers. These activities help fulfill BPA's obligation under the Northwest Power Act to acquire resources consistent with the Council's regional power plan.

The Council's Sixth Power Plan included a five-year action plan covering 2010-2014. BPA identified 504 average megawatts as it and its customers' share of the regional conservation targets. Actual results for 2010-2012 indicate the region is on track to meet or exceed these targets.

The current Capital Investment Review process provides a significant opportunity for BPA, its customers, the Council and others to discuss the agency's plans to fund energy efficiency in future years. While this budget's years are beyond the five-year action plan period for the Sixth Plan, they are nevertheless within its planning horizon. Further, the Sixth Plan shows annual conservation amounts increasing each year. For example, the plan's average targets for 2015-2019 exceed the 2010-2014 average by 38 percent.

We have reviewed BPA's CIR Initial Publication dated February 18, 2014, and note that it sets forth proposed spending levels as follows (pp. 85-86):

9.6 PROPOSED SPENDING LEVELS

Without knowing the conservation targets in the Seventh Power Plan, it is difficult to confidently estimate the capital level of funding for Energy Efficiency over a ten year planning horizon. However, the five year savings target in the Sixth Power Plan is based on a twenty year power plan and it is the twenty year plan that envisions 85% of load growth being met through conservation. Therefore, it is likely a safe assumption that the savings target in the Seventh Power Plan will not be significantly lower than the target in the Sixth Power Plan. In fact, the twenty year plan assumes an upward trend of targets over time, so it is more likely the Seventh Power Plan target will be larger than the one in the Sixth Power Plan. At this point, however, such an increase is speculative. Therefore, as the regional power planning and post 2011 review processes evolve, the 10-year planning horizon for Energy Efficiency capital funding only assumes annual proposed spending levels are increased by the rate of inflation beginning in FY 2015 (as was also done in the last CIR).

Figure 55

(\$ millions)	Proposed Capital Spending Levels										Total
	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	
EE Incentive (EEI)	52.6	64.4	65.3	68.3	70.4	72.5	74.7	76.9	79.2	81.4	706.7
BPA-Managed	22.6	27.6	28.4	29.3	30.2	31.1	32.0	33.0	33.9	34.9	303.0
Total	75.2	92.0	94.8	97.6	100.5	103.6	106.7	109.9	113.1	116.3	1,009.7

*This is from the Energy Efficiency strategy

This information and other statements by BPA raise significant concerns that its proposed funding levels beyond FY 2014 will be insufficient for BPA and its customers to meet the annual energy efficiency goals from the Council's Sixth Plan. Further, the rationale provided in Section 9.6 is both factually incorrect and logically inconsistent.

In particular, we take issue with claims made by BPA executives in the opening meetings of the IPR and CIR processes that the Council has not established valid efficiency targets after 2014. Although it is accurate that the Seventh Power Plan is scheduled to be completed by the end of 2015, the schedule is inconsequential because the Sixth Plan's annual efficiency targets (see attached graph) are in effect until the Seventh Plan is adopted. Therefore, BPA's proposed spending and capital budgets during the IPR and CIR should be set at levels necessary to meet the Sixth Plan's targets for 2015-2019.

In previous budget cycles, BPA formulated its energy efficiency budgets by calculating the average annual spending required to meet the Council plans' five-year targets. This resulted in step increases rather than gradual increases in spending (see the blue line

on the attached graph). As noted above, the five-year average for 2015-2019 is a 38 percent increase from the average for 2010-2014.

In the current CIR, however, BPA is proposing only 3 percent annual increases for 2015-2019, an annual average spending increase of about 9 percent. This would fall woefully short - only about one-fourth - of the 38 percent increase needed to meet the Sixth Plan's targets for 2015-2019.

In other words, BPA appears to recognize that Seventh Power Plan energy efficiency targets for 2015-2019 could *increase* from the Sixth Power Plan targets for those years. Thus it seems nonsensical for BPA to propose setting its energy efficiency budget based on acquisitions that are *below* the Sixth Power Plan amounts for 2015-2019.

We urge you to revisit these proposals and ensure that BPA's energy efficiency budgets are sufficient to meet the Council's targets. BPA's track record of acquiring cost-effective energy efficiency has been exemplary, and we trust you will agree it should remain a source of pride for the Pacific Northwest.

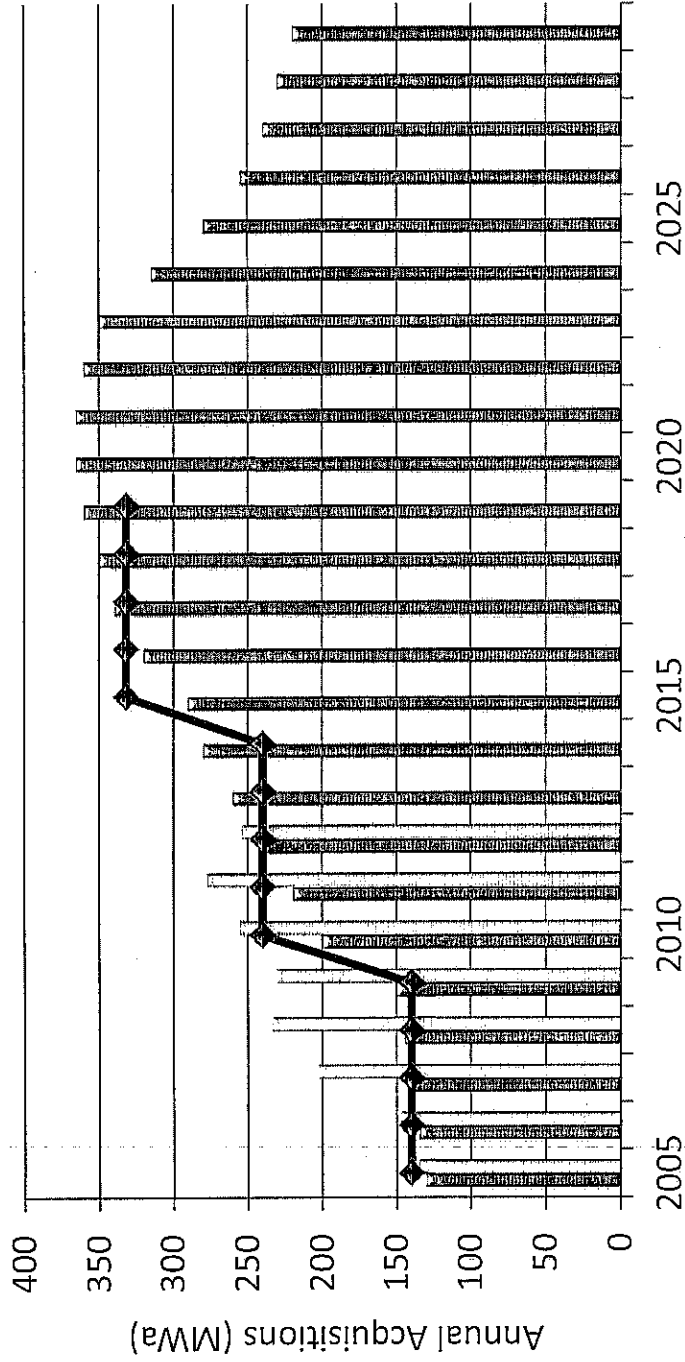
Sincerely,

A handwritten signature in black ink, appearing to read "Bill Bradbury", with a long horizontal flourish extending to the right.

Bill Bradbury
Chair

enclosure

Fifth and Sixth Plan Conservation Goals and Regional Achievements Through 2012



Plan Targets Regional Achievements Five Year Annual Average Target

