

Mayor David Anderson called the regularly scheduled council meeting of January 4, 2011 to order at 7:00 p.m. Present for the meeting were Mayor Anderson, Council President Chris Clark, Council Members Mike Klaus, Connie Wells, and Tom Mayo, Clerk Kris Larson, City Administrator Stephen Boorman, Assistant City Administrator David Sims, Fire Chief Pat Warkentin, Police Chief Rick Alonzo, Street Department Supervisor John Youngwirth, City Attorney Tim Wilson, and Economic Development Coordinator Mike Sloan. Also present was Dave Gray.

Rick Alonzo gave the police report. There was one battery, two warrant arrests, one theft, one burglary, one driving without privileges, one emergency medical detention, and one rape.

Pat Warkentin gave the fire report. There was a false alarm on the northside and an incident at the visitor center involving the heat filtering system that kicked in the fire alarm but there was no problem. Run volume was up in 2010 about nine percent from the previous year. He asked council to consider an alarm system for the fire department from a fire that may start from failure of an electrical system of the equipment. He said the cost of this type of an alarm system is about \$1,500 and it could be an item in next year's budget. Pat has spoken with the Museum about putting the historical items of the fire department in the Museum including the old fire engines. This would be a draw for the Museum and the City could take them out for use anytime.

Stephen Boorman said they are working on the golf clubhouse and it is quite rough currently. It needs deep cleaning. The visitor center problem was caused by dirty furnace filters and this was a lesson for the city. He quoted the dollar amount of city insured property. Stephen said there was a meeting about urban renewal districts with Jim Deffenbaugh from Panhandle Area Council and also URM who is considering a new grocery store in Bonners Ferry. The Boundary County Commissioners gave preliminary approval for the urban renewal district.

Connie Wells moved to add agenda item of approval of a police intern. Tom Mayo seconded the motion. The motion passed – Mike Klaus “yes”, Chris Clark “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Connie Wells moved to approve the consent agenda. Chris Clark seconded the motion. Stephen explained the reason for having Christine McNair attend confined space training. The motion passed – Mike Klaus “yes”, Chris Clark “yes”, Connie Wells “yes”, Tom Mayo “yes”. The consent agenda contained the following: roll call; approval of accounts payable and payroll; approval of December 21, 2010 council meeting minutes; approval for Christine McNair, Jim Fritzsche, and Doug Ladely to attend Confined Space Training in Coeur d'Alene on January 12, 2011; and approval for Steve Galbraith to attend Weed Spray Class in Spokane on January 18, 2011.

Tim Wilson said the cross connection ordinance has language in it to repeal the old cross connection ordinance. Connie Wells moved to have the third reading of the cross connection

ordinance and dispel with the reading of the ordinance in its entirety. Tom Mayo seconded the motion. The motion passed – Mike Klaus “yes”, Chris Clark “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Tom Mayo moved to adopt cross connection ordinance #520. Mike Klaus seconded the motion. The motion passed – Mike Klaus “yes”, Chris Clark “yes”, Connie Wells “yes”, Tom Mayo “yes”. Ordinance 520 reads as follows:

**ORDINANCE NO. 520**  
**AN ORDINANCE OF THE CITY OF BONNERS FERRY,**  
**BOUNDARY COUNTY, IDAHO, A MUNICIPAL**  
**CORPORATION OF THE STATE OF IDAHO ESTABLISHING**  
**AN ORDINANCE PROHIBITING CROSS-CONNECTIONS TO**  
**THE WATER SYSTEM OF THE CITY OF BONNERS FERRY**  
**and REPEALING ORDINANCE NO. 400.**

BE IT ORDAINED by the Mayor and Council of the City of Bonners Ferry, Idaho as follows:

**Section 1: TITLE:**

These regulations shall officially be known and cited as the CROSS CONNECTION CONTROL ORDINANCE OF THE CITY OF BONNERS FERRY.

**Section 2: DEFINITIONS:**

- (1) BACKFLOW: The flow of water or other liquids, mixtures, or substances into the distributing pipes of a potable supply of water from any source or sources other than its intended source.
- (2) BACKFLOW PREVENTION ASSEMBLY: A backflow preventer which is testable.
- (3) CROSS CONNECTION: Any physical connection between a potable water supply and any waste pipe, soil pipe, sewer, drain, or any unapproved source or system. Furthermore, it is any potable water supply outlet which is submerged or can be submerged in wastewater and/or any other source of contamination.
- (4) CONTAMINATION: The presence of any foreign substance (organic, inorganic, radiological or biological) in water that tends to degrade its quality so as to constitute a hazard or impair the usefulness of the water.

**Section 3: CROSS CONNECTIONS PROHIBITED:**(1) Cross connections between potable water systems and other systems or equipment containing water or other substances of unknown or questionable safety are prohibited except when and where, as approved by the authority having jurisdiction, suitable protection is installed, tested annually by a tester who is licensed in the state of Idaho and maintained to ensure proper operation on a continuing basis. (2). Cross connections shall include, but are not limited to:

- A. Any physical connection between a potable water supply and any waste pipe, soil pipe, sewer, drain, or any unapproved source or system. Furthermore, it is any potable water supply outlet which is submerged or can be submerged in wastewater and/or any other source of contamination;
- B. Any other connection where the public water system is connected, directly or indirectly, to any other system which may be capable of imparting contamination to the public water system; or
- C. As provided in any state of Idaho regulations relating to public water systems.

**Section 4: BACKFLOW PREVENTION ASSEMBLY REQUIREMENTS:**

An appropriate and adequate backflow prevention assembly is required to be installed when the city determines that such an assembly is necessary due to the nature and the extent of the activity on the premises to prevent cross connection, or when required by state of Idaho regulations relating to public

water systems. All backflow prevention assemblies shall selected from sources deemed acceptable by the Idaho Department of Environmental Quality.

**Section 5: TESTING REQUIREMENTS:**

(1) Each backflow prevention assembly shall be tested by a certified tester approved by the State of Idaho upon installation or repairs and after being moved and shall be inspected annually, or more often when successive inspections indicate failure, to ensure that it functions properly. The tester shall attach a tag stating the tester's name and date of satisfactory test to the assembly.

(2) The assembly owner shall provide to the City of Bonners Ferry a copy of the test results.

**Section 6: NEW SERVICES:**

For new connections, suitable protection must be installed when necessary prior to providing water service.

**Section 7: INSPECTION:**

Water Department Superintendent, or his designated agent who is an employee of the city, shall have the right of entry with permission of the owner into any building during reasonable hours for the purpose of making inspection of the plumbing systems installed in such building or premises provided that with respect to the inspection of any single-family dwellings, consent to such inspection shall first be obtained from a person of suitable age and discretion therein or in control thereof.

**Section 8: VIOLATIONS:**

Any account which fails to comply with the section of this chapter relating to cross connections and the requirements of this section will be subject to shutoff, and a disconnect fee will charged in the amount listed in the City of Bonners Ferry Billing Policy. If service is restored, a connect fee will charged in the amount listed in the City of Bonners Ferry Billing Policy.

**Section 9: SEVERABILITY:**

If any part of this ordinance shall be declared invalid for any reason whatsoever, that declaration shall not affect the remaining portions of this ordinance which shall remain in full force and effect. To this end, the provisions of this ordinance shall be severable.

**Section 10: EFFECTIVE DATE:**

This Ordinance shall take effect on, and be in full effect on the published effective date.

**Section 11: PUBLICATION:**

This Ordinance shall be published according to law in the Bonners Ferry Herald, a newspaper of general circulation published in the City of Bonners Ferry and the official newspaper of the City of Bonners Ferry, and hereby declared the official newspaper for the publication of this Ordinance.

**Section 12: REPEAL:**

Ordinance No. 400, an Ordinance prohibiting cross-connections to the water system of the City of Bonners Ferry, enacted September 15, 1992, is repealed.

Adopted as an Ordinance of the City of Bonners Ferry this 4<sup>th</sup> day of January, 2011.

CITY OF BONNERS FERRY, IDAHO

By: /s/ David K. Anderson, Mayor      ATTEST: /s/ Kris Larson, Clerk, City of Bonners Ferry

Connie Wells moved to authorize the Mayor to sign the agreement with MuniPay for credit and debit cards. Chris Clark seconded the motion. The motion passed – Mike Klaus “yes”, Chris Clark “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Connie Wells moved to approve the catering permit for Ralph Lotspeich for the City annual party at Chic-n-Chop on January 8, 2011. Tom Mayo seconded the motion. The motion passed, all in favor.

Rick Alonzo spoke to council regarding the Traffic Safety Committee recommendation for no parking on the north side of Kaniksu near the Restorium. He said this request was made by the Boundary County Commissioners due to the lack of sight distance for vehicles pulling out of Colville Street onto Kaniksu Street. Mike Klaus moved to approve the Traffic Safety recommendation for a no parking restriction on the north side of Kaniksu Street between the entrance to the Restorium and Colville Street. Connie Wells seconded the motion. The motion passed – Mike Klaus “yes”, Chris Clark “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Stephen spoke to council regarding the Moyie Reservoir sediment level and said we need to prove what this level is due to FERC requirements. We need this study to prove that we do not need a sediment removal plan. It gives us freedom to do sediment removal on our schedule. HDR is a consultant that has worked on FERC Part 12 for us before. Tim Wilson said there are special provisions for liability but it has been modified in paragraph two regarding consequential damages and also the statute of limitations has been changed and he would like the statute of limitations to be the same as the State of Idaho’s. The limitation is only one million dollars according to Tim Wilson. Chris Clark moved to table this issue until Tim Wilson has time to work with the legal counsel of HDR Engineering to get these issues resolved. Connie Wells seconded the motion. The motion passed, all in favor.

Rick Alonzo told council that there is a student from North Idaho College that needs to put in ten hours per week with a Police Department as an intern and he would ride with an officer much like we would do for an officer coming back from POST for field officer training. There would be no cost to the city. Rick said we have done this in the past, once with Shane Hight and then again with Dave Hall. Chris Clark asked how the department was doing with the officers out on sick leave. Rick said Tiffany Murray is on light duty and he is still on light duty also. Connie Wells moved to authorize the police intern. Chris Clark seconded the motion. The motion passed, all in favor.

Stephen Boorman informed council that the city is interested in purchasing the oil distributor truck for the street department that was authorized last year. He said the price is the same and the street department has not found a better vehicle.

At 7:35 p.m. Connie Wells moved to go into executive session per Idaho Code 67-2345 (1) (f) to discuss legal issues. Tom Mayo seconded the motion. The motion passed – Mike Klaus “yes”, Chris Clark “yes”, Connie Wells “yes”, Tom Mayo “yes”. At 7:58 p.m. executive session ended. No action was taken.

There being no further business the meeting adjourned.

---

David K. Anderson, Mayor

Attest:

---

Kris Larson, City Clerk