

Mayor David Anderson called the regularly scheduled council meeting of June 19, 2012 to order at 7:04 p.m. Present for the meeting were Mayor Anderson, Council Members Rick Alonzo, Connie Wells, and Tom Mayo, City Clerk Kris Larson, City Administrator Stephen Boorman, Assistant City Administrator David Sims, Police Chief Steve Benkula, Fire Chief Pat Warkentin, Electric Department Superintendent Dan Rice, and Economic Development Coordinator Mike Sloan. Also present were Jerry Higgs, Marcia Cossette, Tremain Albright, Ruth Sutton, Dale Simpson, Adam Arthur, Jessica Tingley, Burt Wolf, Robert Karlac, Gary Leonard, Megan Kuhnhausen, Kortni Roy, Tia and Jeff Avery, Carolyn Testa, Terri Maine, and Dave Gray. Council President Mike Klaus was absent due to his attendance at the Association of Idaho Cities Conference.

Jerry Higgs said former resident Ron Mench commented on the large number of properties falling in disrepair in Bonners Ferry. Jerry looked from Madison Street to the Department of Lands and found many residences and businesses that are a big mess and are an eye sore. He said there is knapweed growing in many different locations at businesses and residences as well. He said this affects the community's economic viability. He thanked Rick Alonzo for his property as it is a show place. He said it is infectious when people clean up their property. Jerry commented on the abandoned property on Monroe Street. He thinks we need to identify these properties and cite the offenders. He said Idaho Transportation Department (ITD) is not doing their job because they have weeds in their ditches and tall foliage. He thinks in a time of bad economy that people should take care of their property since they are staying home more. Jerry suggested getting some sponsorships going with some of the equipment dealerships and also suggested getting inmates to help with the problems.

Gary Leonard said there is a minor change for the 4th of July celebration. He said there is a fireman challenge going on at 3:00 p.m. and they would like to do this on the dike road rather than at the fairgrounds so the lawn where the people will sit does not get wet. There are quite a few events planned for the 4th and it should be fun for all. He said volunteers are needed to help clean up after the fireworks.

Tremain Albright said he received a call from his attorney who requested him to table his report until July.

Police Chief Steve Benkula said he has made contact with several property owners in the area to address issues that were spoken of by Jerry Higgs. A grant has been garnered from Homeland Security for the Swift reporting system. This will allow information to be shared easily between the Sheriff's Office and the City Police. He said an officer has resigned his position so it is being advertised again until June 27, 2012. Since the last council meeting there have been 30 reports taken, one driving without privileges, one DUI, one domestic Battery, four possessions of a controlled substance charges, and ten property crimes.

Fire Chief Pat Warkentin spoke of the house with the cats on Monroe Street and highway 95 and said it is a problem. He said it would be a serious problem if we were a larger community. During the month of June there have been two EMS calls. Much of the apparatus and equipment maintenance is being done by the firemen at the station.

City Administrator Stephen Boorman said the Deep Creek Waterline project is out to bid. Core samples are being done across Deep Creek to help give the bidders an idea of what they are dealing with for the bore that will be required for the project. Steve Wright, Bonneville Administrator, is retiring in January and he helps BPA and their customers quite a bit. Stephen commented on the caribou issue and said there were interesting comments from some of the Senators in our area. During the last rain storm there were quite a few drainage issues in the city. Columbia River Treaty meetings will be in Spokane in July. The Moyie Substation breaker did not close after an outage and it highlights issues out there. We have bypass fuses so there is no one out of power. The breakers are 1972 and relaying was added in 2001 and we are looking at a schedule for rebuilding the substation since it is getting old. A relay engineer will be here late this week to look at the substation. The work to rebuild the substation is specialized so it will be contracted out. There is a lot that goes into building a substation.

Connie Wells moved to approve the consent agenda. Tom Mayo seconded the motion. The motion passed – Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”. The consent agenda contained the following: roll call; approval of accounts payable and payroll; approval of the Treasurer’s Report; approval for Kevin Cossairt to attend Journeyman Lineman School in Warrenton, Oregon from August 27-29, 2012.

David Sims gave a presentation on the levees of Bonners Ferry. As far as the Corps is concerned, the levee system starts at the railroad tracks and passes the Kootenai River Inn, then past the fairgrounds, and ends at Ambush Rock on the left side of the levee, called the left bank. This is on the left side of the river if a person were headed downstream in a boat. The right bank levee starts below Steve Galbraith’s house and follows the river bank around to the road near the sewer lagoon until it ties into the rocks behind Kay Cossairt’s property. The beach area near the lagoon is not in the levee system. Last year the Corps walked the levee and did not see a problem because of the brush. There is deep crevice that was identified after the brush was removed. There was sloughing that has been fixed but there are areas identified by the Corps to be repaired this year. The levees were built in 1929 and in 1949 to reduce the chance of flooding. Levee easements were obtained from the property owners. David has easement language from the 1929 easements and it said no buildings will be erected on the dikes and the Village of Bonners Ferry will maintain them. The 1949 easement language gives the city the right to enter upon the properties and to construct, reconstruct, maintain and repair bank protection and or other flood control works including all appurtenances thereto, together with any enlargement or reconstruction thereof and to trim, cut, fell, and remove all such trees, brush, and other natural growth and obstructions as are necessary to provide adequate clearance. This is necessary to keep the dikes properly maintained and keep the levee integrity.

David showed a slide and picture of the levee prior to 1953. The dike was behind the current Kootenai River Inn property. The ground the Kootenai River Inn is built on was not behind the 1949 levee but instead built on a slough. A section of the dike was lowered in 1978 by Bill Sandy near the Kootenai River Inn. The city obtained an easement in 1978 from Sandy to remove material from his property to rebuild the dike if necessary. The current levee recognized by the Army Corps and the City is in front of the Kootenai River Inn. There are two options for flood fighting if the current levee should fail. A temporary levee can be erected and the tunnel can be blocked off in an extreme event. The elevation of Arizona Street is 1777-1778 feet and that is higher than the 100 year flood level. It is closer to the 500 year flood level.

The Libby Dam helps with flooding but someday there will be over the bank flooding according to David. When the Dam was put in the primary purpose was flood control but now the Dam is managed for power generation as well as fish issue mitigation and working with the Canadian Treaty.

JRS surveyed the property line near the Albright tree house and it is on city property by about seven feet. David said there was an article in the Herald last week that said there was a variance granted by planning and zoning and that was not true. The Corps is recommending that the tree be removed for levee stability. He said staff is recommending to council that the property owner be allowed a couple weeks to remove the tree house and then the tree will be removed. Rick Alonzo said there was an engineering study spoken about previously and asked if this was still an option. David said there was a deadline of June 15 and no comment has been given by the tree house owner. Mayor Anderson would like to give Tremain time to get his tree house removed by September. David said a drop dead date of August 1 has been given by the Corps and the tree must be down by then. David said a date certain should be given to Tremain so we have adequate time to get the tree removed. Tom Mayo moved that July 15 would be the earliest date to remove the tree. Connie Wells seconded the motion. The motion passed – Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Annexation will be discussed in executive session.

Connie Wells moved to approve the special event permit for Jordon Productions for the 3 Ring Circus on July 8, 2012 at the fairgrounds. Tom Mayo seconded the motion. Motion passed, all in favor.

Tom Mayo moved to approve the special event permit for the Bonners Ferry Baptist Church for the Gospel Tent Meeting from July 22-25, 2012 at the corner of Oak and Colorado. Connie Wells seconded the motion. Motion passed, all in favor.

David asked that the addendum to the master owner participation agreements be tabled until the next meeting.

Attorney Will Herrington and Field Herrington joined the meeting at 7:45 p.m.

Rick Alonzo moved to authorize the Mayor to sign the Memorandum of Understanding with Boundary County for the 4th of July Celebration with the change to section 3A. (Clerk's Note: 'volunteers shall be under the supervision of the City Administrator or his designated agent' was changed to 'volunteers shall be under the supervision of the City or their designated agent'). Tom Mayo seconded the motion. The motion passed, all in favor.

The dispatch agreement increase of three percent for 2013 was discussed. Tom Mayo asked if anyone knows the amount of the taxes a city resident pays for the Sheriff's Office. Mayor Anderson said the city is being double taxed and he believes that other taxing districts should also be paying for dispatch service costs. The city's share is less than the cost of one dispatcher but the other taxing districts should pay their fair share. Rick Alonzo said he agrees that the city does not pay for one dispatcher's salary but the city police do use the services. He also agrees that the other taxing districts should pay a proportionate share. Rick Alonzo moved to approve the dispatch agreement with Boundary County for 2013. Tom Mayo seconded the motion. The motion passed – Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Stephen said the city's special event permit was discussed with the city attorney today. He suggested that the hold harmless language be incorporated in our application and the detailed hold harmless language be for the participants of events so it is more understandable. David said he and Tom Mayo attended a meeting with Commissioners today and the issue of special event permits was discussed. The County spoke about changing the language on their application to cover the city for liability for events that are held at the fairgrounds. David said the issue of cleanup fees was discussed for events such as the circus to help with signs being taken down after the events. Stephen said if there are additional police and fire services required that the organization putting on the event must pay for those services. Stephen said we will bring our amended form to council for their approval when this is redone by the city attorney.

David spoke regarding the contract with Inland Vegetation Management. He is asking council to approve a time and material contract at a maximum of \$7,000. Stephen explained that the reach on the excavator with the brush head is safer for cutting on the dikes than using personnel to do it. Rick Alonzo moved to enter into a contract with Inland Vegetation Management not to exceed \$7,000. Connie Wells seconded the motion. The motion passed – Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Connie Wells moved to authorize Mayor to sign the USDA reimbursement request for Welch Comer invoices for the water improvement project. Tom Mayo seconded the motion. Motion passed – Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Mike Sloan said Blackfoot Communications wants to bring fiber optics to Bonners Ferry and include Bonners Ferry in the bonding. The bonding paperwork is being prepared and once the paperwork is received, it needs to be reviewed and submitted to council. The time frame will be short and we don't want to be left behind so if action is needed by our attorney, Mike is requesting that it be done in a timely fashion. Mayor Anderson said Avista wants \$25 per pole

for pole use for the fiber project. Stephen said over a decade ago Missoula charged \$12 per pole. Stephen said FCC has rulings about what the pole charge can be due to documented costs. He said Bonners Ferry is well behind the going rate. Mike said Avista is very pro development and he is surprised at the cost per pole being proposed by Avista. Stephen said joint use is difficult because if there are any lines down or if poles need to be replaced, a lineman is sent out. He said joint use is expensive for utility companies.

The meeting date of July 3 was discussed. Council agreed to hold the regular council meeting on July 3, 2012.

Connie Wells moved to go into executive session at 8:05 p.m. per Idaho Code 67-2345 (1) (a) (f). Tom seconded the motion. The motion passed – Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”. Executive session ended at 9:12 p.m.

Rick Alonzo moved to hire Blaine Grossman for two months to replace Kevin Cossairt while he is gone. Connie Wells seconded the motion. The motion passed, all in favor.

The group discussed a request for proposal process for attorney services. Mayor Anderson requested staff to seek legal contracts from other similar sized cities for council to look at.

Water overage charges for city customers were briefly discussed. Mayor Anderson would like to review city water rates and the amount of water allowed for the base rate. Staff will prepare information for council to review.

There being no further business, the meeting adjourned at 9:20 p.m.

David K. Anderson, Mayor

Attest:

Kris Larson, City Clerk