

Mayor Darrell Kerby called the regularly scheduled council meeting of August 21, 2007 to order at 7:00 p.m. Present for the meeting were Mayor Kerby, Council President Russ Docherty, John Langs, Mick Mellett, and Dave Gray, Clerk Kris Larson, Police Chief Dave Kramer, Fire Chief Larry Owsley, and City Administrator Stephen Boorman. Also present were Marcia Cossette, Denise Woodbury, Gini Woodward, and Dave Sims,

Dave Kramer gave the police report. The Fair was good and not much law enforcement activity. The active shooter training this weekend is scheduled for Saturday and he invited Council to observe if they would like to attend. State of Idaho will pay for the training exercise. The primary effort of the training will be communications.

Larry Owsley said there have been three incidents since the last meeting. One was a lightning strike near Riverside on both sides of the road, a residence on the northside was reported as having a fire but it was not, and then the fire department responded with the wild land fire equipment to a fire near Hooten's Hallow.

John Langs moved to approve the consent agenda. Dave Gray seconded the motion and it passed, all in favor. The consent agenda contained the following: roll call; approval of August 21, 2007 accounts payable; approval of August 7, 2007 council meeting minutes; approval for Kris Larson to attend ICCTFOA Conference September 19-21, 2007 in Boise.

Tina Wilson joined the meeting at 7:13 p.m.

Mayor Kerby spoke to Council regarding the Mission Brush project. He said three judges out of the ninth circuit court heard an appeal by the Lands Council of federal Judge Lodge's decision to allow the Forest Service's program to go forward. Two judges made the determination that the Forest Service should not be able to manipulate the forest unless they can prove the effects would not negatively affect wildlife at that site. If there have been scientific studies done in the Yaak area for example they cannot use the same study for an area similar to the Yaak, the study must be unique to the area being considered. The other judge who dissented wrote a scathing report about the decision and how it was far reaching and was very activist in nature and invited this decision to be appealed. If the Forest Service does decide to appeal this decision it is recommended that Boundary County also appeal since they intervened on behalf of the Forest Service. Costs are estimated to be \$8,000 for the next step and the Supreme Court appeal would cost an additional \$40,000. Boundary County Commissioners have asked the City of Bonners Ferry and the City of Moyie Springs for their support.

He said the Myrtle Creek decision will also be made this week. We should receive the documents later in the week concerning fire mitigation.

Tim Wilson joined the meeting at 7:20 p.m.

The group discussed the planning and zoning ordinance rewrite. Tim said another hearing should take place. Mick Mellett moved to have the hearing on September 18,

2007. Russ Docherty seconded the motion. John Langs said he thought there were some serious issues that needed addressing. Stephen commented that the parking and sign ordinance sections were pulled out. John commented that the special use permits were another issue. Stephen will work on this.

Tim gave a report on annexation. He said they met earlier today and he consulted another attorney and would like to discuss the issue in executive session.

John Langs moved to accept the vacation request from the museum. Dave Gray seconded the motion. Tim said an ordinance will need to be written and notices will have to be sent to the people listed. Mayor Kerby said John's motion to proceed with the vacation request is direction to work on the ordinance. Tim agreed. The motion passed, all in favor.

Russ Docherty moved to authorize Mayor Kerby to sign the grant writing contract with Panhandle Area Council. Mick Mellett seconded the motion. Motion passed – Mick Mellett “yes”, Russ Docherty “yes”, John Langs “yes”, Dave Gray “yes”.

Dave Gray moved to purchase a new On Board Diagnostic Code Reader. Russ Docherty seconded the motion. The motion passed, all in favor.

Stephen explained the change to the building use policy. He said the change was for the acceptance of the use of the building by for-profit organizations and the other building use policy was for nonprofit organizations only. Mick Mellett moved to accept the variation to the building use policy as proposed. Russ Docherty seconded the motion. The motion passed, all in favor.

John Youngwirth joined the meeting at 7:31 p.m.

Dave Gray moved to accept the proposal to have a picture rail at the visitor center built and mounted by B.F. Builders. John Langs seconded the motion. The motion passed, all in favor.

John Langs moved to approve the amended fixed asset policy. Dave Gray seconded the motion. The need for amended the fixed asset policy was for the length of lives on the electric, water, sewer lines as well as streets and to update the bidding portion of the policy since the law changed. The motion passed, all in favor.

Russ Docherty moved to approve the web page for the City of Bonners Ferry. Dave Gray seconded the motion. Stephen said the entity chosen to design the site for the City was recommended by Association of Idaho Cities. The city will have to update the information on the web page. Stephen said we will also have a link to the visitor center. The motion passed, all in favor.

Stephen said the water/sewer department is in need of another employee due to the number of projects we are working on and the possibility of a couple people looking at retirement. The recommendation is to hire John Delaney. John Langs moved to hire

John Delaney at \$13.30 per hour for maintenance laborer for the water/sewer department. Dave Gray seconded the motion. The motion passed, all in favor.

The group briefly discussed the timeline for repair of a road surface that is cut. John Youngwirth said it must be fixed within eighteen months.

Mayor Kerby spoke of a company that may be able to provide high speed internet services to county residents. This company uses microwaves for the high speed service. Mayor Kerby has invited them to come to Bonners Ferry for a meeting.

Mick Mellett moved to authorize the Mayor to sign the grant pay request #13 for the water tank project. Russ Docherty seconded the motion. The motion passed – John Langs “yes”, Russ Docherty “yes”, Mick Mellett “yes”, Dave Gray “yes”.

Mayor Kerby and Stephen updated council on the door hanger that will be taken to the residents on the south hill concerning the water tank going on line on August 24, 2007 warning the residents that their plumbing may need to be checked due to the pressure being increased. John Langs moved to authorize high school students to work as volunteers to distribute the door hangers and to donate \$500 to the high school for their services. Dave Gray seconded the motion. The motion passed, all in favor.

Stephen informed council that the ponds at the golf course are very low and the course is in need of water. He said there is a proposal to upgrade the intake system of the current pump system at the course and in the future dredging of the ponds may be needed. Mick Mellett moved to authorize the expenditure of up to \$15,000 for the upgrade of the pump system at the golf course. Russ Docherty seconded the motion and it passed – John Langs “yes”, Russ Docherty “yes”, Mick Mellett “yes”, Dave Gray “yes”.

Stephen said the sewer lagoons are in need of dredging. There is a bid price that is available due to other entities in the area that are also dredging at this time. John Langs moved to approve the dredging of the sewer lagoons. Dave Gray seconded the motion. Mick inquired about the volume. Stephen was not sure but said Mike Klaus would have that figure. The motion passed – John Langs “yes”, Russ Docherty “yes”, Mick Mellett “yes”, Dave Gray “yes”.

Russ Docherty moved to approve change order #7 for the water tank project. John Langs seconded the motion. The change order is for the thrust block for the Cabinet Mountain Water District intertie. The motion passed – John Langs “yes”, Russ Docherty “yes”, Mick Mellett “yes”, Dave Gray “yes”.

At 7:59 Mick Mellett moved to go into executive session per Idaho Code 67-2345 for the discussion of legal issues and negotiations. Russ Docherty seconded the motion. The motion passed – Mick Mellett “yes”, John Langs “yes”, Russ Docherty “yes”, Dave Gray “yes”. Council went out of executive session at 8:11 p.m. No action was taken.

Mayor Kerby said an electrical consultant has been hired by Riley Creek to review the City of Bonners Ferry's electric rates. Mark Brinkmeyer sent an email to the Mayor and asked to meet with the city regarding Riley Creek's consultant's findings. Mayor Kerby has asked that the city be allowed to review the consultant's findings prior to the meeting. Stephen spoke to council regarding utility rate classes and rate structures. The group briefly discussed electric rates.

Mayor Kerby said the Tribal Council Members are each donating \$200 out of their own pockets to the clock tower project. He said Jay Cohn has an anonymous donation of \$5,000 also.

Dave Kramer informed council that the State is looking at funding a T1 line from the fire hall to the city hall.

Stephen handed out information to Council regarding Christmas decorations for the city parking lot area. He said they will cost \$4,000 to \$5,000.

Tim thanked Council for the opportunity to have the street party. He said there was quite a good turnout.

There being no further business at 8:26 p.m.

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Darrell Kerby, Mayor

Attest:

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Kris Larson, City Clerk