

Mayor Darrell Kerby called the regularly scheduled council meeting of November 7, 2006 to order at 7:00 p.m. Present for the meeting were Mayor Kerby, Council President Russ Docherty, Council Members Leslie Falcon and John Langs, Clerk Kris Larson, City Administrator Stephen Boorman, Police Chief Dave Kramer, Fire Chief Larry Owsley, Economic Development Coordinator Mike Sloan, City Attorney Tim Wilson and Candace Wilkerson. Also present was John Nelson from the City of Moyie, Moyie Fire Chief Ken English, Moyie Mayor Joe Mesenbrink, Don Vickaryous, and Boundary County Commissioner Dan Dinning. Councilman Dave Gray was gone on personal business.

Mayor Joe Mesenbrink spoke to Council regarding the fire engine available from the City of Bonners Ferry to be traded to the City of Moyie. Ken English said it would be of value to the City of Moyie and he said the City of Moyie is a first responder to the City of Bonners Ferry Powerhouse at the dam. John Nelson said he has spoken to three city employees and said there is an ignition system problem with the truck and that it has a peculiar clutch that could be fixed. The booster reel has been removed from the truck by the City of Bonners Ferry and he requested that it be given back if the City of Moyie gets the fire truck. Joe Mesenbrink said the road to the dam requires winter maintenance and he suggested that Moyie do the maintenance until a justified value is made for the exchange of the fire truck. Joe asked that the City of Bonners Ferry take into consideration the fact that this truck would be put in the City of Moyie's fleet to help protect the dam. Mayor Kerby asked Larry what the value was for the trade-in price. General Fire offered \$2,500 for trade-in when we purchased the used truck earlier this year but Larry said they did not want to come get the older equipment. Mayor Kerby suggested the City of Moyie work with Fire Chief Larry Owsley and City Administrator Stephen Boorman on a fair trade. John Langs moved to approve the trade of the fire truck to the City of Moyie by the offset value established by Larry Owsley and Stephen Boorman. Russ Docherty seconded the motion. The motion passed, all in favor.

City Clerk Kris Larson swore in Candace Wilkerson as the Deputy Prosecuting Attorney.

Police Chief Dave Kramer gave the police report. There were no injuries and the equipment was recovered with no damages so Dave said the incident of recovering the stolen police vehicle was a success. Dave met with the Sheriff about moving the dog pound to another location and the Sheriff is supportive to the idea of moving the pound near the sheriff's office and the trustees could help maintain the pound. The options are being explored.

Leslie Falcon moved to approve the consent agenda. Russ Docherty seconded the motion and it passed, all in favor. The consent agenda contained the following: roll call; approval of November 7, 2006 accounts payable; approval of the Treasurer's Report; approval of October 17, 2006 council meeting minutes; approval of October 27, 2006 special council meeting minutes; approval for Mike Klaus and Doug Ladely to attend AWOP Training in Lewiston on December 5, 2006.

Mayor Kerby recognized Don Vickaryous and asked if he was here to ask for the waiver of the building permit fee for Habitat for Humanity. Mayor Kerby said the ordinance does not allow for waiver of fees. Don said the home will not be built until spring and the permit fee is \$1,143 for the construction on Cody Street. He would like consideration of the fee waiver. Leslie said the Council needs time to review this. Don asked if the fee cannot be waived if the fee could be reduced. He said this would be appreciated. Don left the meeting at 7:20 p.m.

Stephen Boorman said the agreement with the City of Moyie will be maintenance of the dam road for four years in trade for the City of Bonners Ferry fire truck. Stephen said the City of Moyie does a great job. Mayor Kerby thanked Moyie for coming to the meeting and told them that City Attorney Tim Wilson will prepare the agreement for the trade.

At 7:28 p.m. Leslie Falcon moved to go into executive session per Idaho Code 67-2345 for negotiations and legal issues. Russ Docherty seconded the motion. The motion passed – John Langs “yes”, Russ Docherty “yes”, Leslie Falcon “yes”. At 7:52 p.m. Leslie Falcon moved to go out of executive session. Russ Docherty seconded the motion. The motion passed, all in favor. No action was taken.

The regular meeting reconvened.

Leslie Falcon moved to adopt Resolution 2007-1 supporting the Forest Service implementation of the Mission Brush Project and that the City of Bonners Ferry will move to intervene in the lawsuit to support its interest in maintaining forest health and the health of area businesses. Russ Docherty seconded the motion. Attorney Tim Wilson read the resolution to the group. The motion passed – Russ Docherty “yes”, Leslie Falcon “yes”, John Langs “no”. John explained that he thinks the project has merit but he does not want to put the citizens of Bonners Ferry at risk.

Stephen spoke to Council regarding the retaining wall near the visitor’s center. He received a price quote of \$8,128 for the work to be done on the Kootenai River Inn side of the tunnel. The price of \$22,400 is a quote for the retaining wall near the entrance of the tunnel on the City side. The cost of brick is about \$7,000 for the parking lot retaining wall. Mayor Kerby recommended setting the bricks and then doing the work in-house. Mayor Kerby said the concurrence of the Tribe should be sought before the retaining wall is built on the Kootenai River Inn side of the highway especially since the project was shared between the City and the Tribe and the City paid extra for the tunnel project. John Langs moved to spend up to \$10,000 for the material for the block wall on the parking lot side of the tunnel retaining wall. Russ Docherty seconded the motion and it passed, all in favor.

Stephen said the thickness of the parking lot asphalt was reduced to .15 feet for the bidding process. This thickness requires warmer weather to set this thickness of asphalt. If .21 feet thickness is laid it can be done in cooler weather and the surface will last longer. The cost of this change in thickness is about \$13,000. Leslie Falcon moved to change the thickness of asphalt on the parking lot from .15 feet to .21 feet. John Langs

seconded the motion. The motion passed, all in favor. Stephen said three days of good weather is required to pave the parking lot. If weather does not permit, the parking lot paving may have to wait until next spring.

Stephen and Dave commented on the memorial being erected in the Library Park. There will be a service on Veteran's Day.

Russ Docherty moved to authorize the Mayor to sign the FEMA All Hazard Mitigation Plan pending approval by FEMA. Leslie Falcon seconded the motion. Dave Kramer explained the plan. The motion passed – John Langs “yes”, Russ Docherty “yes”, Leslie Falcon “yes”.

Mayor Kerby spoke to Council regarding lowering the flood stage from 1764 feet to 1762 feet. The National Weather Service sets flood levels. John Langs moved to send a letter requesting the flood stage be lowered from 1764 feet to 1762 feet. Russ Docherty seconded the motion. Mayor Kerby said it is unknown at this time if the change in flood level will hurt the Tribe. The motion passed, all in favor. Mayor Kerby asked Dave to write the letter.

Leslie Falcon moved to issue the fireworks permit to the Eugene Ballet Company for the November 30, 2006 performance of the Nutcracker. Russ Docherty seconded the motion. Fire Chief Owsley has researched the issue and does not have a problem. The motion passed, all in favor.

Larry Owsley requested that Lowell Than Widener be appointed to the City Fire Department as a volunteer. Russ Docherty moved to appoint Mr. Widner to the Fire Department. Leslie Falcon seconded the motion and it passed, all in favor.

Stephen explained the chlorine automation system to the Council. This system will monitor the feed rate and the chlorine residual. Russ Docherty moved to authorize the Mayor to sign the contract with Trindera Engineering for the sewer lagoon chlorination automation. Leslie Falcon seconded the motion. The motion passed – John Langs “yes”, Russ Docherty “yes”, Leslie Falcon “yes”.

Russ Docherty moved to authorize Mayor Kerby to sign the pay request paperwork for Welch Comer for the water improvement project. Leslie Falcon seconded the motion. The motion passed – John Langs “yes”, Russ Docherty “yes”, Leslie Falcon “yes”.

John Langs moved to authorize the Mayor to sign the Panhandle Area Council agreement amendment for the water improvement project. Russ Docherty seconded the motion. The motion passed – John Langs “yes”, Russ Docherty “yes”, Leslie Falcon “yes”.

John Langs moved to authorize the Mayor to sign the DEQ agreement for increased loan funds in the amount of \$33,000 for the water improvement project. Russ Docherty seconded the motion. The motion passed – John Langs “yes”, Russ Docherty “yes”, Leslie Falcon “yes”.

John Langs moved to authorize the Mayor to sign pay request #1 for B.F. Builders for the water improvement project. Russ Docherty seconded the motion. The motion passed – John Langs “yes”, Russ Docherty “yes”, Leslie Falcon “yes”.

Dave Kramer spoke to Council regarding the ITD Office of Highway Safety grant for DUI and aggressive driving patrols. He said there is the possibility of obtaining a speed trailer also through this grant. Russ Docherty moved to authorize the Mayor to sign the grant agreement. Leslie Falcon seconded the motion and it passed – John Langs “yes”, Russ Docherty “yes”, Leslie Falcon “yes”.

Leslie Falcon moved to authorize the Mayor to sign the Bureau of Homeland Security agreement for flood cost reimbursement. Russ Docherty seconded the motion. The motion passed – Russ Docherty “yes”, John Langs “yes”, Leslie Falcon “yes”.

Council discussed building permit fee waivers. Stephen told Council that the City contracts these services out so the City may have to pay the contractor if we waive the fees. Tim suggested building the criteria in the contract with Sewell and Associates for fee waivers but he advised that this is setting up the City for scrutiny.

John Langs moved to give the day after Thanksgiving as a holiday for the City employees. Russ Docherty seconded the motion. The motion passed – John Langs “yes”, Russ Docherty “yes”, Leslie Falcon “no”.

The group briefly discussed the City Christmas Party. Council authorized the Clerk’s Office to work on it and set the date of December 15, 2006.

Leslie Falcon moved to approve the beverage license transfer for the Pizza Factory for Morgen Fodge. Russ Docherty seconded the motion. The motion passed, all in favor.

Council briefly discussed the water and sewer charges that are being billed.

Mayor Kerby informed Council about the flood event review with the Corps of Engineers. The result of the meeting was to go back to basics and see flood control for the maintenance of health and property.

Larry Owsley commented on the carbon monoxide call the Fire Department responded to on Tannenbaum.

Stephen said start-ups are being done on units one and three this week at the power plant. He said it is going smoothly. The week after Thanksgiving there will be maintenance done at the plant. The governor upgrades will be done in January.

The group discussed the retaining wall for the parking lot.

John Langs inquired about North River Drive. Stephen said the Corps of Engineers has recommended that the closed portion of North River Drive not be re-opened at this time due to horizontal cracks in the road surface. They recommended the City monitor the cracks until after high water next spring. If the road is stable at that time they will recommend returning the road to service.

Dave Kramer said there has been some talk about lowering the elevation of the dikes to make a wider surface on top.

Council quizzed Dave about the incident with the stolen police vehicle.

There being no further business, the meeting adjourned at 9:15 p.m.

Darrell Kerby, Mayor

Attest:

Kris Larson, City Clerk