

Mayor Darrell Kerby called the regularly scheduled council meeting of June 6, 2006 to order at 7:00 p.m. Present for the meeting were Mayor Kerby, Council President Russ Docherty, Council Members John Langs, Leslie Falcon, and Dave Gray, Clerk Kris Larson, City Administrator Stephen Boorman, Police Chief Dave Kramer, and Fire Chief Larry Owsley. Also present were Don Vickaryous, Ken Maring, and Elizabeth Ciepiela from the Bonners Ferry Herald.

Police Chief Dave Kramer said the Car Show was a success. He said there have been many animal cases in the last two weeks. One was cruelty to an animal and the owner was arrested. Another case was for a vicious dog. A cat feeding station is being worked on for feral cats. These cats will then be caught, neutered, and then they will be turned loose. Hopefully this will help with the feral cat problem.

Fire Chief Larry Owsley said the hose testing is complete with the exception of the five inch. One of the fire trucks broke down prior to the parade but Keith Fairchild, City Mechanic, got it working and back to the station. Larry said Keith and Doug Ladely went to the coast and looked at the fire truck the city is considering purchasing. There is a list of items to be taken care of prior to the city purchasing the truck and U.S. Fire will take care of the items. Ben Anderson has agreed to haul the truck to Bonners Ferry for the cost of fuel. Riley Creek has contacted Larry about burning debris near the mill. Larry thinks this would be good practice for the fire department and has scheduled it for June 19, 2006. Larry has contacted Fleet Graphics for a cost estimate of the "Friendliest City" logo to be put on city vehicles. Stephen said the Burlington Northern should be noted on the new fire truck because they donated logging proceeds to the city for the fire truck. Larry is considering the purchase of five inch hose from a local fire association.

Leslie Falcon moved to approve the consent agenda. Russ Docherty seconded the motion. The motion passed, all in favor. The consent agenda contained the following: roll call; approval of June 6, 2006 accounts payable; approval for Stephen Boorman to attend the ICUS Annual Meeting in Sun Valley from July 26-28, 2006; approval for Jim Fritzsche to attend Lagoon Maintenance Class in Coeur d'Alene from June 13-14, 2006; approval for Don Moore to attend Communications Class in Coeur d'Alene on June 7, 2006.

Russ Docherty moved to approve Ken Maring's special use permit with all the conditions and findings of the Planning and Zoning Commission. John Langs seconded the motion. Ken Maring asked for reconsideration of the sign size from 2x3 feet to 3x5 feet. Dave Gray would like to reconsider this and moved to change the size of the sign from 2x3 feet to 3x5 feet. John Langs seconded the motion. Leslie does not want to change this sign because other businesses have complied with the 2x3 foot signs. Mayor Kerby said if modifications are being made then a hearing should take place so the public has the opportunity to comment. Dave Gray withdrew his motion for changing the sign size and said if Ken wants to change the sign size then he can come back to the city and ask for the change. John Langs agreed to the withdrawn motion. The motion passed – Russ Docherty "yes", John Langs "yes", Leslie Falcon "yes", Dave Gray "yes".

The hiring of a part-time parks employee was discussed. Russ Docherty moved to allow the Street/Parks Department to hire a part-time employee. Leslie Falcon seconded the motion. The motion passed, all in favor.

Leslie Falcon moved to authorize the letter to Idaho Transportation Department committing the City of Bonners Ferry on the Visitor's Center/Parking Lot Project. John Langs seconded the motion. The motion passed, all in favor.

John Langs moved to authorize the Mayor to sign the Special Services Contract with Mike Ormsby for the water revenue bonds legal services. Dave Gray seconded the motion. The motion passed – John Langs "yes", Russ Docherty "yes", Leslie Falcon "yes", Dave Gray "yes".

Pickup purchases were discussed. Russ Docherty moved to purchase two pickups from Riverside Chevrolet if they

can find them. John Langs seconded the motion. It was clarified that both of these pickups would be for the electric department and two of their pickups would go to other departments. The motion passed – John Langs “yes”, Russ Docherty “yes”, Leslie Falcon “yes”, Dave Gray “yes”.

The subdivision for Habitat for Humanity was discussed. Russ Docherty moved to approve the subdivision application for Habitat for Humanity as recommended by Planning and Zoning. Leslie Falcon seconded the motion. Leslie asked for clarification of the location. Don Vickaryous explained. The request for waiving the fees of a minor subdivision was discussed. Russ Docherty amended his motion to waive the minor subdivision application fees. Leslie Falcon agreed to the amendment. Mayor Kerby said he is not aware of the provision of waiving fees. John Langs said he thinks the community should strongly support Habitat for Humanity and their endeavors and would like to waive the fees if possible. It was decided to waive the fees. The motion passed – Russ Docherty “yes”, John Langs “yes”, Leslie Falcon “yes”, Dave Gray “yes”.

Dave Gray moved to adopt the Planning and Zoning recommended proposal for zoning for the area of impact and to submit this to the County Commissioners. John Langs seconded the motion. The motion passed, all in favor.

Leslie Falcon moved to approve the fireworks application submitted by the Kiwanis for the 4th of July subject to all the permits and requirements. Dave Gray seconded the motion. The motion passed – John Langs “yes”, Russ Docherty “yes”, Leslie Falcon “yes”, Dave Gray “yes”.

Stephen spoke to Council regarding the Bonneville Power Administration (BPA) energy conservation contract. It is for commercial businesses. Dave Gray moved to authorize the Mayor to sign the contract with BPA for energy conservation. John Langs seconded the motion. The motion passed – John Langs “yes”, Russ Docherty “yes”, Leslie Falcon “yes”, Dave Gray “yes”.

Leslie Falcon moved to authorize the Mayor to sign the balancing change order and final pay request for the District 1 Project. Russ Docherty seconded the motion. The motion passed – John Langs “yes”, Russ Docherty “yes”, Leslie Falcon “yes”, Dave Gray “yes”.

John Langs moved to authorize the Mayor to sign contract modification #3 for the power plant project. Dave Gray seconded the motion. The motion passed – John Langs “yes”, Russ Docherty “yes”, Leslie Falcon “yes”, Dave Gray “yes”.

Russ Docherty moved to purchase a used rough mower for the golf course for approximately \$8,000. John Langs seconded the motion. The motion passed – John Langs “yes”, Russ Docherty “yes”, Leslie Falcon “yes”, Dave Gray “yes”.

Stephen spoke to Council regarding snow loads and the amendment of the Building Code and Inspection Ordinance. Stephen said the way the ordinance is written that it needs to be corrected. John Langs moved to have the first reading of Ordinance 486A. Russ Docherty seconded the motion. Leslie had a question regarding the wording of the ordinance. Stephen explained. The motion passed, all in favor. Clerk Kris Larson read Ordinance 486A by title only. The group discussed changes that need to be made to the amended ordinance before it is adopted.

Mayor Kerby spoke to Council regarding the litigation the Tribe is working on supporting the biological opinion of the U.S. Fish and Wildlife Service. The Tribe believes the biological opinion to be the best science available for the sturgeon recovery. Great harm may be done to the community if this biological opinion is rejected due to the high flows of the river being requested by the environmental groups. The Tribe is supporting the U.S. Fish and Wildlife’s biological opinion and has requested the city to support their stance through a declaration as well as assist in the burden to carry this forward. The estimated total cost is between \$8,000 and \$15,000 for the supporting

parties. The citizens of Boundary County and Bonners Ferry will benefit from this case according to the Mayor. The county has passed a resolution and offered support in the amount up to \$5,000. Mayor Kerby is recommending the city support this effort and provide up to \$5,000 to help pay costs. Russ Docherty moved to allow up to \$5,000 from the city for mitigation of the lawsuit between the U.S. Fish and Wildlife Service and the Center for Biological Diversity and to support the efforts of the Tribe through a declaration of support. Leslie Falcon seconded the motion. John Langs said he has difficulty spending taxpayer money on a suit that the city is not named in. Mayor Kerby said it is legal for the city to enter into this since the residents are at risk. Dave Gray also had reservation but due to the request to raise the flood level to 1770 feet being bad for the community, he will support it. Mayor Kerby said he supports it because for years the city had tried to fight the federal agencies and now we are working together. John Langs asked if at 1770 feet water would come into town. The group said it would. John said then he could agree to this if it keeps the residents and our town safe although he does support the issue. The motion passed, all in favor. Stephen said that 30 percent of the dollars paid to BPA go to fish mitigation. Mayor Kerby read a press release concerning this issue.

Russ Docherty inquired about the dike road on the northside. Stephen and Dave Kramer said the Corps has asked that this be kept closed until the river stabilizes.

The group discussed sending a letter to the Corps of Engineers thanking them for their efforts on the dike repair. Mayor Kerby said a letter written in the past was located speaking to dike repairs that were done to the standards of the Corps. Because of this agreement between the city and Corps future repairs will be done at a cost to the city of 20 percent and the Corps of Engineers will pick up the other 80 percent. So far the Corps has spent approximately \$500,000 on the north side of the river in repairs to date. It is a requirement to remove the heavy vegetation off the dikes due to the vegetation causing the dikes to fail.

At 8: 25 p.m. Russ Docherty moved to go into executive session per Idaho 67-2345 to discuss litigation. Dave Gray seconded the motion. The motion passed – John Langs “yes”, Russ Docherty “yes”, Leslie Falcon “yes”, Dave Gray “yes”. At 8:32 p.m. Russ Docherty moved to go out of executive session. Leslie Falcon seconded the motion. The motion passed, all in favor. No action was taken.

There being no further business, Dave Gray moved to adjourn the meeting at 8:33 p.m. Leslie Falcon seconded the motion and it passed, all in favor.

Darrell Kerby, Mayor

Attest:

Kris Larson, City Clerk

