

Minutes of the Special Meeting/Budget Amendment Hearing of the City Council of the City of Lava Hot Springs, Idaho held on Thursday, September 24, 2009 at 5:30 p.m., Lava City Hall, 115 West Elm Street, Lava Hot Springs, Idaho.

Present:

Marshall N. Burgin, Mayor

Canda L. Dimick, City Clerk

Michael Vice, Councilman

Newton J. Lowe, Councilman

Phillip Beeson, Councilman

Katherine Smith, Council member

Guests: Sherril Tillotson, Scott Riches and John Aubrey of Western Wastewater

The mayor called the meeting to order at 5:30 p.m.

### **Review and approve FY2009 final bills.**

The city clerk reported that Tony's computer needs to have Microsoft Excel put on it so it will run the transportation study. This will need to be added to the bills, the price will be \$149.99 which includes the Microsoft Office package of programs.

Councilman Beeson questioned the office chair. The mayor explained that the old chair that Trish is using was donated by Evelee Hill and is hurting her back. The one that was ordered is just like Canda's and R.B.'s chairs. Council member Smith said that her office chair at work was very expensive. When you are sitting in it all day you need a good chair or the city can pay workman's comp.

Councilman Beeson stated that the power bill at the old ambulance garage has jumped up from 60 KH to 277 KH this month. He has spoken to Canda; she is going to check on a misread.

The Master Rooter bill was discussed. The mayor told Master Rooter that a bid is a bid. They want more money. The city clerk questioned paying the full bid amount as not all the lines were cleaned. The mayor suggested holding up this bill until the maintenance crew can come up with a list of what wasn't done.

A motion was made by Council member Smith and seconded by Councilman Vice to pay the bills for September with the exception of Master Rooter and the addition of the Microsoft program for \$149.99. All voted aye, unanimous.

### **FY2009 Budget Amendment Hearing**

The city clerk explained that the purpose of the budget amendment is to shift the funds from the sewer fund to the general fund for the solar project. Rocky Mountain Power's \$8,500 grant for the solar project and the \$6,000 received from the water slide project for the building permit was added to the general fund. Additional local option taxes revenues collected were also included.

There was no input or comments on the budget amendment.

**Motion to close budget amendment hearing**

A motion was made by Councilman Vice and seconded by Councilman Lowe closing the hearing. All voted aye, unanimous.

**Adoption of Ordinance 2009-6 amending Ordinance 2008-03 FY2009 Annual Appropriation Ordinance**

A motion was made by Councilman Lowe and seconded by Councilman Beeson dispensing with the three (3) readings. All voted aye, unanimous.

The mayor read Ordinance 2009-6 as follows:

**ORDINANCE NO. 2009-6**

AN ORDINANCE OF THE CITY OF LAVA HOT SPRINGS, IDAHO, AMENDING ORDINANCE NO. 2008-3, THE APPROPRIATIONS ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009; APPROPRIATING ADDITIONAL MONIES THAT ARE TO BE RECEIVED BY THE CITY OF LAVA HOT SPRINGS, IDAHO, IN THE SUM OF \$28,500 AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LAVA HOT SPRINGS, IDAHO:

SECTION 1. That Ordinance No. 2008-3, the appropriations ordinance for the City of Lava Hot Springs, Idaho for the fiscal year commencing October 1, 2008 and ending September 30, 2009 be and the same is hereby amended as follows:

That the additional sum of \$28,500 be appropriated out of the revenues from grant and additional revenues received in the sum of \$28,500 to be used for authorized activities.

SECTION 2. This ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED under the suspension of the rules upon which a roll call vote was taken and duly enacted an ordinance of the City of Lava Hot Springs, Bannock County, Idaho at a convened meeting of the City of Lava Hot Springs City Council held on the 24<sup>th</sup> day of September, 2009.

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Marshall N. Burgin, Mayor

ATTEST:

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Canda L. Dimick, City Clerk/Treasurer

A motion was made by Councilman Lowe and seconded by Council member Smith adopting Ordinance 2009-6 as read. Lowe – aye, Vice – aye, Smith – aye, Beeson - aye, unanimous.

### **Outside City Limit Sewer Disconnect Request (9912 E. US Hwy 30) - Ron & Sherril Tillotson**

The mayor reported that Ron Tillotson has asked for a letter to give to the health department stating that the city has no problem with the Tillotson's disconnecting a home that they own at 9912 East Hwy 30 from the city sewer system.

A motion was made by Councilman Vice and seconded by Councilman Lowe to draft a letter granting the disconnect request from city's sewer system for Ron & Sherril Tillotson. All voted aye, unanimous.

### **Revised Wastewater Treatment Plant Proposal - Western Wastewater Treatment Systems, LLC**

Scott explained that the cost reduction is because arrangements have been made so that the manufacture of the plant can be done in the U.S. and will not have to ship from Finland. He also addressed the question that has risen; "What happens if Western Wastewater is not around in the future?" The technology is here and it will be in place for a long time. Upgrades have been built into the cost of the project.

Councilman Beeson asked for EPA data that has not been provided as asked. The mayor said that DEQ will not approve this system until we have Class A water coming out of the plant. Western Wastewater is willing to buy a bond to protect the city in case their system does not meet the DEQ standards. The bond would cover fines and the cost of building a plant that will meet the requirements. Scott said that he thought that the information had been sent to the engineers. He explained that there is a test plant in Minnesota which has shown good results. The council told Scott that the city needs proof that the plant meets DEQ's standards.

There was discussion on the grant funds that the city has been awarded. Some of the grant funds may be lost if the city goes with the Western Wastewater plant. The city will talk with funding agencies as soon as information is received.

Scott told the council that construction of the plant can be done in 4 to 6 months; May 10, 2010 deadline is no problem. They will provide the EPA documentation by October 1<sup>st</sup>.

Discussion followed. The council will need to make a decision soon. The mayor will talk to Tom Hepworth, DEQ.

Some discussion followed regarding the engineering contact with Keller Associates. The mayor and city clerk are working with the attorney and SEICOG on the contract.

**Authorize Mayor to execute contract agreement with Creative Energies, LLC and Change Order No. 1 granting extension and modifying contract to reduce number of poles from 3 poles with 4 panels each to 2 poles with 6 panels each.**

Councilman Lowe questioned why the change was being made. The mayor explained that it was to reduce the cost of the project. The city clerk explained the contract had to be written for the bid amount and the change order was for a cost savings that the contractor offered. Contract was reviewed.

A motion was made by Councilman Beeson and seconded by Councilman Lowe to authorize the mayor to execute the contract with Creative Energies, LLC and Change Order No. 1. All voted aye, unanimous.

**Authorize Mayor to execute contract with Liddle Paving for asphalt paving project.**

A motion was made by Council member Smith and seconded by Councilman Vice to authorize the mayor to sign the contract with Liddle Paving. All voted aye, unanimous.

**Fence – Randolph Seed**

The city clerk reported that Randolph Seed is having problems with people driving on his property because the city has a locked gate across the road to the water reservoir. He would like to put a fence up to keep them from driving across his property. The ATVs are driving on top of the reservoir. Fencing the reservoir may be the solution. Mayor suggested installing a new gate and allowing Dr. Seed to install his fence. Council has no objections to Dr. Seed putting the fence in along his lots.

**Insurance:** The employee insurance options were reviewed. The city clerk said that there was not much difference between Blue Cross and Blue Shield. The city would pay \$893.20 for Blue Shield and \$959.34 for Blue Cross. The only difference is the Blue Cross has \$1,500 out of pocket and Blue Shield has \$2,000 out of pocket with the same deductible. The council gave the employees authority to select one of the two options.

Councilman Beeson questioned if the city could get on the same insurance with the State. The city clerk reported the Association of Idaho Cities (AIC) is working on a study on rates and getting some consolidation with the State. Council member Smith said that it might be best to stay with Blue Cross and lobby with the AIC to consolidate with the State.

A motion was made by Councilman Lowe and seconded by Council member Smith allowing the employees to select the insurance option. All voted aye, unanimous.

**Lava Foundation Foot Bridge**

The mayor reported that Mark Lowe, Lava Foundation, has come in with a revised plan for the foot bridge which will only encroach 1 to 2 feet. The council had no problem with the Lava Foundation proceeding with the foot bridge.

**Adjournment:** A motion was made by Councilman Lowe and seconded by Councilman Beeson to adjourn. All voted aye, unanimous.

The meeting adjourned at 6:55 p.m.

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Patricia Avery, Transcriber

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Marshall N. Burgin, Mayor

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Canda L. Dimick, City Clerk (proof read)

Approved November 12, 2009