

The Regular Meeting of the City Council of the City of Lava Hot Springs, Idaho will be held on Thursday, January 14, 2021 at 5:30 pm, Lava City Hall 115 West Elm Street, Lava Hot Springs, Idaho. Guests may participate by teleconference if they so desire. To participate or listen to the meeting by teleconference, please call (408)638-0968, meeting ID number is 5731543907#, password 745563#. Depending on your telephone service plan, long distance charges may apply. All participants will be muted when they join the meeting. Guests can unmute themselves by entering star six (*6).

Present: Jon Thomson, Mayor
Randy Benglan, Councilperson
Rickey Frandsen, Councilperson
Lisa Guthrie, Councilperson
Gary Cooper, City Attorney
Canda Dimick, City Clerk
Lindsey McCulloch, City Code Enforcement Officer
Amantha Sierra, Office Assistance

Excused:

Guests Phone: Kathryn Demott, Julie Hill, Wendy Perkins, Tommy Kofoed, George Katsilometes

Guest at City Hall: Leah & Patrick Navorro, Cody DeLosReyes, Kraig Knutson, Officer Jeff Fullmen, Megan Reno, Ryan Shuman, Brandon DeLosReyes Annie & Cameron Salt, Bruce Church, Gail Palen, Sherril Tillotson, Lisa Toly. Bryce Church.

Mayor Thomson opens the meeting at 5:30 p.m. and welcomes everyone attending the zoom meeting and in person

Announce Agenda a Deadline for February 11, 2021 meeting will be February 4, 2021: Mayor Thomson Announce Agenda a Deadline for February 11, 2021 meeting will be February 4, 2021 by close of business, one week before scheduled meeting.

Approval of Minutes – (September 10, 2020) ACTION ITEM - ACTION ITEM: Councilperson Frandsen made a motion to approve minutes. Councilperson Benglan seconded the motion. All voted aye, unanimous.

The Pledge of Allegiance is led by Mayor Thomson.

Review & Approve Bills - ACTION ITEM:

A) L.E.A. Data Technologies Software – Lindsey McCulloch, Code

Enforcement Officer – ACTION ITEM: Mayor Thomson ask have you guys had a chance to look at this LEA data technology software package. That's the software that they recommended, actually the county sheriff uses and it gives her a software program that literally will do anything that you want done and could probably be expanded out to our maintenance shop as well. The onetime fee of a thousand (1000) bucks, compared to sixty five hundred (6500) a year for black board stuff is cheap. Councilperson Frandsen asked this is a onetime fee. Mayor Thomson respond yeah. Mayor Thomson ask for Lindsey to come up front and reported you kind of get an overview on the front page, all the different things that they use it for. Lindsey you might want to give them a quick overview, what's your plan and obviously we're not going to track bulgers or anything like that but we have several other issues here we can use it for sure. Lindsey McCulloch, City Code Enforcement Officer reported it's the LEA you guys are the ones the referred me to it. Officer responds yeah it's a good system, we use it a lot. Lindsey continues I just got the code enforcement, you can pick your own choice and I picked the code enforcement. It actually keeps track of everything. There's like a list of things that I will cover and it covers everything from like my dog and cat tags, my parking tickets, my open containers, my everything, I think the biggest issue that I'm like worried about when summertime does come and it's just me and I'm writing tickets. Let's just say I write a hundred (100) tickets a month, they're on different days, at different times and they have certain number of reminders, you get one (1) or two (2) reminders, the 2nd reminder your cost of the your ticket goes up and you know I can't be in here doing all of that, and keeping a track of it and out there so, the system let me just single file that and then also like with the cops, it makes it easier so like with that up on Booth. I could have just sent them this file because it literally keeps track of everything. Mayor Thomson comments that's one of the other great advantages, it talks back and forth with Bannock County as well, but there's other issues as well. I mean, it's up front, heavy technology you got to all those in there but, it gives you reminders on your snow removal, reminders on your mowing of the vacant lots, it all that stuff once it gets loaded in there becomes an automatic feature. City Code Enforcement Officer continues I think the best part about it is, it takes you through all these pages, you put in all this information, you keep track of it and then at the end of it you can just hit report, it prints out a report, I give the report to you guys. It could be two (2) months of stuff that gone on about this one thing and you guys have a one page report in front of you. Councilperson Benglan ask it's a thousand (1,000.00)

dollars and which budget would this come out of. City Code Enforcement Officer replies it would have to come out of my computer budget. City Clerk Canda Dimick comments yeah and we're looking at possibly not doing a tablet, right, and doing that in place of the tablet. City Code Enforcement Officer respond right. City Clerk comments we do need to upgrade your computer, I think to get some more ram on there before we load this, I don't think it's going to do it until we get her computer in and get it ramp up but, we do have that we budgeted. Mayor Thomson comments yeah, ram chips are cheap, all you are doing is dropping in bigger chips for the ram. It wasn't on the bills? City Clerk responds no I didn't put it on the bills. Mayor Thomson comments so it's a separate issue. City Clerk responds both of those are. City Code Enforcement Officer comment they sent me a DVD, where you can pop it in and it like takes you through, a CD rom where you can go through it. You guys want to watch that or anything. So, technical support is free, they don't charge you for technical support but, when they get updates you have to pay for an update, just like the same software here and then the licensing fee. So, if I was going to put it on another computer it's a hundred (100.00) dollars a license. The first one is free, so to license my computers it's free and anything after that is a hundred (100.00) dollars. I think the only other one I would put it on would be possibly Justin and Tony's. Mayor Thomson comment I look at it from standpoint for the office that we add another license fee, drop it onto the maintenance guys computer back there and they can run maintenance programs on the same program. Which pops up, hey it's time for an oil change on this, time for tire rotation on this. Inaudible – cross talking. City Code Enforcement Officer continues they were saying the more pictures, the more like evidence I can take of any situation they want and work then I won't have to track it down or look through stuff. It the same system that the cops use, they just police version of it. Councilperson Guthrie that way you can talk with them. Mayor Thomson comments I think it's got a very useful feature for the both, her and our maintenance guys, that's my take on it.

Councilperson Benglan made a motion to approve LEA data technology software package. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

B) Otter Pro (Transcribing Software) – Amantha Sierra, Office Assistant –

ACTION ITEM: Mayor Thomson reports the next item is another set of software that Amantha needs and it's basically the software transcribing. Amantha Sierra, Office Assistance reports she would like go annually. Councilperson Benglan ask have we anything like this before. Amantha responds no, I've been testing out, I've test out a few but, I only get around forty (40) minutes of testing time. The meetings are so long, it takes me twenty (20) minutes to transcribe ten (10) minutes

of audio on average. Councilperson Benglan so the software listens, transcribe and then you proof read. Amantha responds yeah, you still have to proof read, it picks up different stuff from where people were talking and stuff like that. I think it'd be very helpful for a hundred (100.00) dollars I think it would be worth it, thank you.

Councilperson Frandsen made a motion to approve Otter Pro for a year.
Councilperson Benglan seconded the motion. All voted aye, unanimous.

C) Motion to approve January, 2021 bills – ACTION ITEM: Mayor Thomson reports we got looks two (2) sets of bills here. One (1) our yearly Nitro Lawn Care service agreement or pricing, we usually receive three (3) weed and fertilization controls, that's the top ones that we check off, we always pay that in advance and get the miniscule amount of discount. I don't know anything else in there, do you Canda that we want to even look. I know our guys go ahead and do the lawn aeration and that kind of thing. City Clerk Canda Dimick responds I gave you the list, in case you wanted to change the type of services but on the list of bills, I only put the amount that we normally commit to. Mayor Thomson comment the nine hundred and sixty cents (900.60). City Clerk continues so if you're wanting to change those we'll need to change the amount on the bills. Let's go ahead and go down to the bill. I do have a couple of questions. We have the annual service support for Black Mountain. That's an annual fee every January. Core maintenance, we can actually take that bill off. We've been billed incorrectly on that one so, you can scratch that off. Councilperson Benglan ask the Black Mountain? City Clerk responds no, the Core & Main. Councilperson Benglan ask what is Black Mountain. City Clerk responds Black Mountain that's our software for all of our programs for the water, the computer programs that we have. Four J's that's still hanging out there, I called again to get today and talk to them. They have a change of employment and so they haven't gotten that resolved yet. You'll still want to table that one. Councilperson Benglan ask what should it be. City Clerk resupplies that was for the full month of September. It was four (4) units for the full month but the units were picked up the Wednesday after Labor Day. So it should be prorated. So until we get that I would say table it. Gem Valley survey, I put a call in to him today. I didn't realize what his bill was until I pulled it out of the manila envelope that he had with the match today, but it's quite a bit higher than what our estimate that we got from him. So, I don't know if you're concerned about that. We did get an estimate before the work. For example, I just divided the bill in half because I didn't know how to separate it out because it wasn't like the estimate. So the estimate for the sewer lagoon portion was eight hundred and seventy (870.00) dollars but there was some additional work after we got that

estimate to be done. Then the estimate for the Kofoed well was four hundred and fifty seven dollars and fifty cents (457.50). I just split the bill eighteen hundred because I don't know, where the estimate didn't match up with the actual invoice and it's actually quite a bit more. I wouldn't have thought he had any more work than what was expected on the Kofoed well. So I'm thinking all the additional fees probably on this sewer, but that's a lot more. Councilperson Benglan so we probably should get clarification from him. Councilperson Frandsen ask if he spelled out all the detail. City Clerk responds we can look at it. He's got recovered deeds for the area seventy five (75), check survey maps thirty seven fifty (3750), prepare a map of record three hundred and thirty seven fifty. (337 and 50), recover field data three hundred (300), solve boundaries on the well and then lagoon access one hundred fifty (150), prepare the final map three hundred and seventy five (300 & 75). So there's two (2) of them, one (1) is three seventy five (375) and one the three hundred (300). Set final corners a hundred and fifty (150) and prepare. He's got another prepare final maps for seventy five (75). That's probably after you set the corners I would imagine but it's come up to eighteen hundred (1,800.00) dollars. Councilperson Frandsen comments he's probably got to justify. Mayor Thomson comments I know at the well there was one (1) boundary that was off. Literally fences in the wrong place so, I know that had to be redone. This includes the road all the way down to the Lagoons so, they have everything that's City property properly identified and State surveyed. I guess the only question is why the price jumped from the estimate to the final. Like you said it's probably justified or current prices or whatever. Part of that does the grant cover. City Clerk replies it doesn't pay for the survey. The only thing that grants to pay for is the fencing. Mayor Thomson continues fencing around the well. I suspect if we do any fencing along the road it well just be a fence repair, like the barb wire around the well we have the chain link. It's a ten thousand (10,000.00) dollar fence for that acreage around the well, it's pretty pricey stuff. I don't know what else you can without delaying it to the point where it's probably not worth it. Councilperson Benglan comment he did the work, that's the work he did. I think in the future we probably want to make sure the estimate more accurately. City Clerk comments most of the time, honestly, we don't get estimates. I did on this one just trying to figure out because we had some discussions about our property owners being involved and so I think was the main reason behind it but the city went ahead and paid for the full amount. So, I agreed to just do the survey. Councilperson Benglan comments I'm okay to pay the eighteen hundred (1800). Councilperson Guthrie comments me too. City Clerk comments so the other question is how I split it, is it okay? Or do you want that even different? I just split it between water and sewer. Mayor Thomson comments that's just for the accounting things? City Clerk responds yeah. Councilperson Benglan comments

does he not break it out. City Clerk replies it's not split out, it just references final map, final map it doesn't say water or sewer. Councilperson Guthrie comments I'm okay with the split. Mayor Thomson comments split the expense of the survey between the two (2), we've got two (2) budgets it has to come out of.

Councilperson Frandsen works for me. City Clerk comments we're okay. City Clerk continues Home Land web the city domain it was up for renewal and was through Melbourne and struggle with that one. We asked Ann Yearsley to help us with the website and she recommended switching over the domain to GoDaddy. She said is easier to do it, everyone she's dealt with that's how they went. So we won't have any more problems with Melbourne she went ahead in we moved it over to GoDaddy so we have a seventy (70.00) dollar there, and that was for that purpose. Ken Fagnant had bought some batteries at Battery Junction that he said it was quite a process to set up an account with them and it was a onetime thing. So I've got that on there as reimbursement for him. Do you see under Lava Ace that vehicle maintenance, Main Street lighting cross that out. Councilperson Benglan ask just the whole thing. City Clerk respond yeah, just cross out that whole thing. Just where it says the breakdown on the vehicle, the forty five forty two (4542) breakdown. So this is another thing on the Chamber of Commerce it looks like the increased a little bit. It looked like the bill probably for the city is going to be three hundred (300.00) dollars. There was different tiers under business, a business was like two fifty (250) for one to five (1 to 5) full time employees. So that would, I believe, would count for the city. They also had on their provision as far as a spot on the website and I think the city has paid that before. Normally we just get the bill, I was a little confused, because as we get an amount. We don't have to choose I guess, we're charged an amount for the dues. This time it looks like we had some option. I just wanted to make sure we're okay. Last year we paid, I believe, two hundred and eighty one (281.00) dollars, I think. So if they went up a little bit, I'm almost positive we probably need to pay the two fifty (250) and then the fifty (50.00) dollars for the one (1) listing. I'm figuring that they're probably counting the city park shown that their reservation and stuff possibly as a listing.

DeLosReyes comment from the audience two fifty (250) is based on the employees and plus whatever you want listed. City Clerk continues so I put three hundred (300.00) dollars down because we paid two hundred eighty one (281) last year and if they went up a little bit I figured if we're getting the same thing, we're probably three hundred (300.00) dollars. DeLosReyes comments that sounds right.

Councilperson Benglan comments so the second (2nd) listing is the City Park. City Clerk responds well, I take it would be a listing for the city of Lava, but I know on their website, it does show that the city reserves the Park, so I don't know if they count that as a listing. Mayor Thomson comments we know the two fifty (250) is right, there's five fulltime employees it's just the excess. Councilperson Benglan

comments so I guess I want to understand, the two fifty (250) is from the City of Lava and what would the additional fifty (50) be for. City Clerk responds it says one (1) listing. Councilperson Benglan comments members that have other business at the same location will be allowed additional listing for those other business a fifty (50) dollars per additional listing. So like for me, the golf course and the real-estate all come from the same one so, it would be fifty (50) for golf course and fifty (50) for real-estate it's two (2) different businesses. City Clerk responds so they're not counting as something posted on their website for that business. Councilperson Benglan replies I don't think so, I think the two fifty (250) is for the website I think so, that fifty (50) is for an additional business, to be allowed additional listings. That's how I understand it. City Clerk responds then it would have went down on price and I didn't understand that was the case. DeLosReyes responds I think it went up. Councilperson Benglan comments I think just ask them when they come in because Bryce is coming tonight and Sherril. City Clerk responds so that one I'm not positive. We got the option thing on there so I'm not sure but, I put three (300) down. Les Schwab we had backhoe tire sidewall blew out of it so, that's what you see there. We talked about the Nitro Green, if you want anything different than the services that you got last year, we'll need to change that. Councilperson Frandsen ask which car got towed. City Clerk responds they towed the car that was up on East Booth Street, and it's out at the land app site out behind the fence. So, you know, Solomon did act like he would have took it. I don't know what it takes to get that process set up with them, where they can just take it to their location, and they work on it but, he did kind of act like you he would have taken it. He made the comment if the city doesn't get paid back on it he doesn't have a problem with it, but I don't know what to do on it. We got to bill from it and we just one of the yellow invoice he didn't send a statement but that's what it costs to tow it that day. Gary Cooper, City Attorney comments I think the procedure is that we would have to take the action to get title to it, it wouldn't be the same thing as being towed from a rack or something like that into his yard and I think that's what we were concerned about is that we would be responsible for the storage fees until we did that and that was just a way to try to cut those expenses. But I mean, if he wanted to hold it there for no cost we could probably work something out. City Clerk response I think it's probably something the city needs to work on a contract. City Attorney responds yep, that's what I would think so, we don't run into that situation where the storage fees greatly exceed what we are likely to ever get out of it. Because as I understood that's really just a salvage vehicle. City Clerk respond it's a whole mess up deal. Apparently the title hasn't even been switched. City Attorney responds yeah, so that's going to be a problem. City Clerk continues we're on annual sales tax reporting, so this is the month the city reports the sales tax the city collected. The

things we pay sales tax on it's like the park pavilion rentals, a couple of picnic tables that were sold and the money came in after the first of the year, copies and things like that, so, that's what that amount is. Sterling Codifiers they've merged with American legal publishing, and they post the city code online. So they're the ones that pretty much handle the codification of the ordinances and then they host that so that annual web hosting fee is due in January. I think that's it. You have any other questions?

Councilperson Frandsen made a motion to approve the bills with the elimination of vehicle maintenance with Ace Hardware and table four J's September billing and subtract the Core & Main. Councilperson Guthrie seconded the motion. All voted aye, unanimous. Mayor Thomson comment you guys want to just stay with the Nitro Green that we had already, a repeat from last year. Council replied yes.

Mayor Thomson's appointment for City Council position and City Council's consent to the appointment - ACTION ITEM: Mayor Thomson reports as you all know Brian has left us, turned in his resignation. So I've had a couple of folks talk to me from our community showing interest in sitting in that chair for the remainder of term which, would until the election in next November so, they would be serving about eleven (11) meetings I guess plus, any extra meetings that we might have. Starting next month and running through the end of the year. I got a couple of names, Cody DeLosReyes has expressed an interest in it sitting on the council, and Craig Knutson has expressed an interest in setting on the council. It's been left up to me to try and pick what I think would fit best into the council and based upon a couple of items. Well you know Cody actually got a job, has to go to work every day which is a good thing but it's not really conducive to having a lot of extra time and run his business pretty much full time when he is not working at his full time job. Councilperson Benglan ask if we received a letter from Cody. Mayor Thomson respond I received an email from Cody actually a few months back. The other fellow gentlemen Craig is actually sent a letter giving us a little bit of history on his background. He's fully retired now and here all the time. You know Craig from a couple years' worth of input on music program at school and some of those items and pickle ball courts. I've given it some thought I think both folks, both guys would probably serve as well I think I'm going to recommend Craig Knutson to the council for a short term fill in position. I'll open for discussion on that, the elections are coming up in eight (8) months so that position will be open again and as well as you two if you don't decide to run again. We have an election then. With that in mind, I would nominate Greg Knutson to fill Brian Hinz position on the council. I guess, you know, having discussed that with Gary, once I've made that basic appointment then I make the nomination. I make a

nomination to put Craig in that position for the remainder of Brian's term, or until the next election, which is next November, then the council votes on that. Gary Cooper, City Attorney comments then the council vote on that nomination. Councilperson Benglan ask when does his service start, tonight. Mayor Thomson responds it would start next full meeting, we'll have a swearing in ceremony. He'll take his chair in February meeting. Councilperson Benglan comments as far as I'm concerned, I've read his letter and I know you vetted it, so I would be in support of that. Councilperson Guthrie announced she would be in support of it. Do we need to make a motion on it?

Councilperson Guthrie made a motion to approve that we accept Craig Knutson filling Brian Hinz spot for the remainder of his term or the next election. Councilperson Benglan seconded the motion. All voted aye, unanimous.

Law Enforcement/Code Enforcement:

A) Building Permit Report – Lindsey McCulloch, Code Enforcement Officer:

Mayor Thomson comment the next item is law enforcement, code enforcement. Lindsay you want to come up and go through these building permits please.

B) Certificate of Occupancies – ALL ACTION ITEMS:

1) 30' X 30' shop – 100 Bristol Park Lane – K & A Camping, Inc., Owner:

2) 20' X 30' shop - 89 North Center – Edge Water Resort, LLC, Owner:

3) Camping Cabin – 89 North Center – Edge Water Resort, LLC, Owner:

4) Residential Deck & Stairs – 135 East Elm – Kathleen Cochran, Owner:

Lindsey McCulloch, City Code Enforcement Officer ask what are you doing first the certificates. Mayor Thomson responds yeah, the certificates of occupancy. City Code Enforcement Officer reports they are all for Kody Tillotson. Mayor Thomson comments okay, but they are all actions do we have to vote on him individually. This are probably last fall or last spring, one (1) of them was a shop up there on KOA East, looks like a little garage up there, right off the side of the office, he has shop down here on North Center, a cabin and a residential deck and stairs, excuse me that's somewhere else. I have three (3) issues with Kody Tillotson that were completed and been complete for some time, I guess just we've got the electronic transfer of the certificate of occupancy. City Code Enforcement Officer respond Canda took the whip to the State. Mayor Thomson comment they go all action items, I think it's probably requirement that we do item one (1) thirty by thirty (30 by 30) shops 100 Bristol Park lanes. City Code Enforcement Officer responds they are state issued CO (**Certificate of Occupancy**). Councilperson Benglan ask do this we do in motion to issue a certificate of occupancy from the city or do we make a motion to approve these? Inaudible – cross talking. Councilperson

Benglan ask Canda how do we do that. Do we do we issue one (1) from the city as well or do we just approve these? City Clerk Canda Dimick responds the city has the final say. Councilperson Benglan replies okay, so how do we word the motion? City Clerk responds basically you issuing the certificate of occupancy. Councilperson Benglan replies okay,

Councilperson Benglan made a motion to approve that we issue a certificate of occupancy for, I can just list them all at once, a thirty by thirty (30 by 30) shops 100 Bristol Park Lane, a twenty by thirty (20 by 30) shop on 89 North Center, a camping cabin on 89 North Center and residential deck and stairs on 135 E Elm. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

C) Certificate of Completion – ALL ACTION ITEMS:

1) 18' x 20' Pavilion – 89 North Center – Edge Water Resort, LLC, Owner:

2) Retaining Wall – 100 Bristol Park Lane – K & A Camping, Inc., Owner:

3) Retaining Wall – 89 North Center – Edge Water Resort, LLC, Owner:

Mayor Thomson comment the next items are basically certificates of completion and the difference there is there's no occupancy in there. So it's more of an FYI, we issue a certificate of occupancy therefore it action item, but it just kind of a notification from our inspection guys that these things have been completed and they're closed out electronically, as a building permit. Actually, the retainer walls that went with these buildings, and the pavilion that was added to that, but again, since there's no occupancy in this building, typically they don't get certificate of occupancy. Councilperson Benglan comment okay, so do we need this as an action item?

Councilperson Benglan made a motion to that we approve the certificate of completion for eighteen by twenty (18 by 20) pavilion on 89 North Center, retaining wall at 100 Bristol Park Lane, and a retaining wall on 89 North Center. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

D) Discuss establishing No Parking/Limited Parking on Main Street

regulations - Mayor Thomson: Mayor Thomson comment the last item I wanted to bring up again, we're going to go ahead with this. That is, we're back in snow removal. As you all know, and in the summertime, we have street sweeper that does basically the same thing that they do it early in the morning, Justin usually comes in at three to four (3 to 4) a.m. timeframe. Does streets sweeping down Main Street, snow removal, that usually starts about three thirty to four (3:30 to 4:00) o'clock in the morning with Tony making a pass down Main Street with the road grader and bringing everything towards the center of the streets. So in

conjunction with that, we've discussed this over and over and over because it doesn't take with one or two, three (1, 2 or 3) parked cars along stretch of Main Street and then you've got ice buildup and snow buildup and what have you. So, we tried to figure out a logical method of getting it in done better. So we thought if we can do no parking restriction from three (3) a.m. till six (6) a.m. in the morning, and only on one side of Main Street at a time. So say Monday, Wednesday, Friday, it's Northside and Tuesday, Thursday, Saturday, Sunday, it's Southside that would allow them to at least to get one side of that street completely clean and then when business starts opening up, no business opens before six thirty (6:30) and it's the Chuck Wagon restaurant, usually the first one open, and followed by the other restaurants in town. The only issues that we would have potentially on weekends when your hotels are full, no vacancy and you might have to have additional cars parked out on the street because not everyone has hundred (100) percent off street parking for all of the rooms, the Home hotel, the Lava Motel to occupy and George of course, occupies a few parking stalls on Main Street when they are at full occupancy. Other than that, you know, there's still quite possible to park on the other side of the street, keep one side open. That was the best plan that we could come up with and I'd like to push forward with that and get some signage made up and put that into effect here this winter and see how it works. I think again, it's going to take some while for people to get used to. They are going to have to notice that the signs says no parking tonight or tomorrow night whatever on this side of the street, which just means they parked on the other side street. It's not like there's no parking on Main Street. I feel like between parking all the cars on one side of Main Street and the available parking on the off side streets, that there should be plenty of parking even with full occupancy at the hotels. Every hotel in town has off street parking to some degree. So if they are not full there's really, probably not a problem there either and again it's from three (3) a.m. till six (6) a.m. so it doesn't effect our business community that opens up start businesses after six (6). That's kind of what that's about something we've been toying back and forth trying to find a way to better get the streets clean in a more timely fashion. I'll tell you what guys, I've driven that snow truck enough and been down there enough with them snow crews to know that if we do to clean passes down Main Street in an hour and a half, we've got pretty much Main Street whipped for the rest of the day, it just is that quick. If you don't get that done, then you're fighting it for days on end, because you've got a Car that will move, then you run up there trying to clean up that area and it just drags out all day. It's not an action item per se. It's just something that I wanted you guys to be aware of and I'm going to try to push through and hopefully by next month I'll have. We got sign budget. We can discuss it if you want. I don't know of any better hours, we're talking from three (3) a.m. till six (6) a.m. so, six (6) a.m. it doesn't matter where

you park. Councilperson Benglan ask does this follow under your power as a Mayor or does it need our approval. I don't know, I mean I have no problem with it. City Clerk Canda Dimick ask Gary won't it require an ordinance. Mayor Thomson ask is it an ordinance or regulation. Gary Cooper, City Attorney replies I don't think it requires an ordinance. We already have an ordinance that we can designate areas as no parking or things like that. So it's just a matter of signing it so people know. Mayor Thomson ask is that just the signage, no resolution or anything like that required. City Attorney replies No, I don't think so. Mayor Thomson comment then I would just move forward with direct them to take some funds from the budget for signs and get them ordered and get them up. Let's get going, at this point time I would have on everything else, we're going to have to have a trial period to get a folks used to but, I think sooner we do it the better off were going to be and then once it becomes old path and it's not a problem anymore, and it gives us a lot better cleaning of streets and a lot better look of Main Street and I think it helps parking, honestly. We've got a few folks down there that are a real problem, in that they there are some long term rentals on Main Street. They parked the vehicle and leave for a week at a time and that's going to have to seize. They're going to have to find a place other than Main Street Park. So that's being said let's move on.

E) Monthly Law Enforcement/Code Enforcement Reports:

Officer reports as far as us there nothing to report. Mayor Thomson ask if everybody had the report in their packages. Officer reports we were contacted by someone from the Fire & Ice committee for the festival in February through the Chamber, they contacted us to get some extra security. Talking softly indiscernible. Mayor Thomson comments in the event permit there's a section whether they want to request additional law enforcement. So there's a couple of avenues they go through in the past the city's been participating, obviously on some of the summer, Fourth of July, things like that. It's more of who's responsible to request and make payment. I think they've done that for this particular event in the past. Officer responds I think the only thing the city ever does is the 4th of July stuff, if I'm correct. Mayor Thomson comments right, we do that for the 4th. Officer comments I know Lt. Iverson asked me tonight concerning a sign-up that we had for law enforcement over the 4th. So, I think they're jumping into that already. I don't know what the city Lava is going to do this year based on whatever happens with the pandemic. I know that's probably coming down the road. We're trying to do some pre-planning for some of those summer events, already, get a jump on them. Mayor Thomson comment it can't get here too soon. Just to mention the fact, I was talking with the county extension office basically for senior citizen protection or senior protection. Anna Hooper was the subject there

trying to figure out some way to get her some help. In the discussion, Ian name came up again. They said they didn't have any idea and I said guys all you have to do is get a hold of Bannock County, they can give you a whole long list of reports but, apparently he falls into that category as well. So that's just another branch, I think of the same division but at least is another person that can potentially listen. Officer comment while we are on the topic of Mr. Green it's like when I pulled up tonight, he was stand out in the street yelling and screaming and as soon as he saw me he ran inside. We're still dealing with him and I don't know how much Lindsey is dealing with him but, it's usually a daily basis for the Sherriff office. I know he's got a female living with him and she's got kind of a history too, years ago she was kind of in the drug game back in the day, I guess. Our hands are kind of tied. Mayor Thomson comments I guess the only thing I had to say was at least we got more people listening even though we're not getting any better of a responds. More folks listening and hopefully someday we'll come up with a solution to it. Officer comments yeah, I just hope that he doesn't cross over that line where it's criminal. Surprising nothing did last summer with him, with a lot of tourism in town. I know that he was down last night, we had a call from the night watchman at Riverside he had some issues with him so, he's down late at night doing some stuff that he probably shouldn't be but, that's Ian. We are still dealing with him through mental health. I think it's going to be a long process with him but, other than that the only other thing that I want to add I'm not sure if you get Counsel and Mayor was that we had kind of a home invasion, not really a home invasion but, burglary up on Smith Canyon a few days ago they broke in, got inside and actually the home owner could see them on the camera. So we were really trying to get there to catch them in the act but they left. They did some damage to the home when they broke in. Councilperson Benglan asked if it would be in this report for Lava Ranch. Lindsey McCulloch, City Code Enforcement Officer yes, it should be. It just happened. Officer continues it was a male and female and we got some pretty good footage and then got some feedback from an owner that lives in the area she said she came across a male and female standing out here near that area a couple nights prior to this incident and so it kind of maybe match the description, it was late at night. It's all kind of open, just want you guys to aware of it. That was a pretty big incident and they stole some firearms. Councilperson Benglan ask they haven't caught yet. So there is a possibility that they may be on the prowl. Office responds especially if it the same people she seen a couple nights prior to the incident at two or three (2 or 3) in the morning. Just be aware of that.

Disannexation Request – Cameron Salt ACTION ITEM: Mayor Thomson reports Wade has completed all the survey reports. Cameron Salt reports the one

that the County had a different one than you guys had. So, I told him to go off of just the points. Map reviewed. Mayor Thomson comments I know the county had a couple of points in theirs at one time. Like they might have went long the boundary of your property rather than straight across from this boundary line because I remember seeing it on the parcel viewer and it had those little points in it. Cameron comments it was defiantly undetermined, weird. Mayor Thomson comment well, I think the reason that this justifies having a valid survey and a valid deed before you build anything in the town. We have the same problem in town because they laid the streets out many years ago, some are not square, and some aren't where they think they are. It's the just behooves the property owner to make sure were everything to ask before. Cameron comment I got a valid survey. Mayor Thomson comments we have the same problem here, we've got sewers on the wrong neighbor's property, and we've got all kind of crazy things. Cameron comments yeah, I've seen. We've got a valid survey. Councilperson Benglan ask what are we looking for as far as a motion. Gary sent this, it requires an ordinance, publication and notice to taxing authorities. Gary Cooper, City Attorney comments if you're going to de-annexation it, it's by ordinance. So you would have to have an ordinance, go through the process of adopting that ordinance. Other options are don't do that, enforce it, wave it. Mayor Thomson comments if we go with dis-annexation then we have to make an ordinance or amend one we've already got. City Attorney responds no, you would have to do it by ordinance, do a property description now and then you would de-annex that description of property, then you report it to the taxing authorities. Mayor Thomson comments that reestablishes city limit boundaries to that description. City Attorney responds correct, that's the process.

Councilperson Frandsen made a motion to de-annex and have Gary prepare papers for the ordinance for that purpose. Councilperson Benglan comments does that work for a motion. Mayor Thomson comments I would like to see that motion amended. Councilperson Benglan ask how do we need to word it. City Attorney comments I think what you really need to do is just give me the direction to draft an ordinance which then I would propose for you at the next meeting and then we can go through the process of addressing that ordinance, debating it and passing it or rejecting it. Councilperson Frandsen changed his motion to direct Gary to write up the papers for the ordinance to de-annex that three (3) acres property. Mayor Thomson interrupts do you have everything you need here Gary with this description? City Attorney responds I think so. I was a little confused about what was actually surveyed here but, I think I can figure it out. Mayor Thomson comments it is all meets and bounds and there's not hardly a straight line in it. City Attorney responds I can always call Wade if I need some clarification assuming

that it's the description of the property. Mayor Thomson comments and I would ask a couple of items of my council for discussion number one, who is going to bear the cost to do this process and I would also suggest that the city retain the right to re-annex in the future. Just because we de-annex now doesn't mean that we de-annex forever if we're seeing growth up that way we have to put together our long term plan on which what our growth paths are so we should always reserve the right to annex in any direction that is potential growth for the city. Cameron comments got you. Councilperson Benglan ask is that something you will agree to. Cameron respond well, I mean yeah, that's totally understandable with how it all works. You kind of have to look out for you guys. Mayor Thomson comments I've got two pieces of property on the other side there that's up for sale now. I'm not for sure what's going in there. Councilperson Frandsen asked Cameron if in the future it works out are you willing to do that and you did say you are willing to do the survey. Cameron comments yeah, the description there. Councilperson Frandsen comments so, that part is taken care of. Mayor Thomson comments and I'm looking at it as probably the least cumbersome method to go, probably the least expensive method to go in the long run. We're looking at what legal fees to put together, an ordinance, publishing the ordinance and whatever it takes to put the ordinance out on the streets and going through that process. We've already gone through the cost of getting surveys brought up today, we know they're current now. All in all I think it's much cheaper than moving the work you've already done. It's much cheaper than trying to provide services at this time so, probably the best of all.

Councilperson Benglan ask did you make a motion. Councilperson Frandsen respond yes. Councilperson Benglan seconded the motion. All voted aye, unanimous. Cameron ask is there anything else you need me to do. Mayor Thomson comments no, I guess just working with Gary. City Attorney responds I'll have it prepared for the next meeting so, you can have an agenda item at the next meeting to take that up. Mayor Thomson comments and I suppose at that point we adopt the ordinance and then there is a procedure that you have to do to publish the ordinance and get it out on the streets and that sort of thing. It takes a little bit of hand wavy and time. This is the tough part right here. Mayor Thomson ask Cameron what have you heard from the county as far as the building permit. Have they come in and left it intact. Cameron responds I think they're making thirty (30) percent on my money, I don't know. Mayor Thomson comments I don't understand, I mean obviously if you're in the city limits now and until we get you out of the city limits how can the county issue you a building permit in the first place. Cameron responds well, they're description shows it out of it. Mayor Thomson comments they're error sure doesn't help you or us. Cameron responds

no, and it's their error. Mayor Thomson responds that's right, if they thought you were in the county. Cameron comments I caught in the middle of it. Mayor Thomson responds I understand that. Inaudible – cross talking. Mayor Thomson ask have you heard anything back from Mike and the County on what their resolution status is. Obviously, once you're de-annex and you're in the county, then the building permit has to be issued again, or resurrected or extended or whatever. Cameron comments I think it's live right now. They think it's in County still, because I never got a letter from you guys saying it was in City. Annie Salt comments when we told them they're like, no, it's not it's in the County. Cameron comments they said Wade was wrong. Inaudible – cross talking. Mayor Thomson comments the County Parcel Viewer is now revised and goes along with what Wade came up with. I was just asking on that because you're kind of caught between a rock and a hard spot here with regards with who's overseeing the building permit and who's not. Councilperson Frandsen comments I think this will help resolve it. Mayor Thomson comments I tell you what, I'll reach out to the County and see if I can't shake something out of them and say look guys, we need something for you to go along with what we're doing here. Cameron comments I think it's alright, the permit still in place. If we have the lines just describe where they were. It's out and it will keep moving forward so, if we just have a de-annex I'm sure we can keep moving forward. Then I just won't ruffling any of their feathers.

2020 4th Quarter 1% Proposal:

A) Lava Chamber of Commerce – Book Direct Annual Hosting Fee -

ACTION ITEM: Sherril Tillotson comments you remember when we started with an addition to the website that allows for lodging membership to sign up for a book direct. In other words, I guess I would compare it to Airbnb, this is free to people, it's on the website and ties directly to their engine. So that's why they call it book direct, they can clicked on the button on the website, and that particular posts charges the chamber a thirty five hundred (3,500.00) dollars annual fee. I believe Gail brought it in first, like thirty two thousand and nineteen (32,019.00) and that was approved to move forward with it and at that time it was presented there would be a thirty five hundred (3,500.00) dollars annual fee there would be for that hosting that we would be coming in and talking to you about it every year and that's what this is. It's due in May and I for one like to be ahead of the game. The bill won't come out till May 3. Mayor Thomson comments I looked at that service today on chambers website looks like you're getting way over charged for nothing because basically all it does is a hot button for their booking page. Inaudible – cross talking. Bryce Church comment unless that individual doesn't have their own booking engine. Inaudible – cross talking. Bryce continues

correct, unless that individual doesn't have their own booking engine. Inaudible – cross talking. Bryce continues it's a link to forward to if you already have one. If you don't have one it is part of that. Mayor Thomson comments the other issue we discussed a little bit today and I'm not holding this up, I'm just pointing this out, I think there's certain issues that we need to be addressing on things like this where in this particular case, we have a function that is being funded by monies collected from chamber hotels, rentals and what have you that are within the city limits but services is extended to those outsiders that are *not* paying into that one (1) percent. Sherril comments they're paying chamber membership dues. Mayor Thomson continues so it becomes basically a questioned in whole, in my mind, are we spending the one (1) percent money as it is designated to be spent for tourism and/or advertisement. Sherril comment and I will tell you that we have not set our advertising fees yet this year, we chose as an administrative group to send the membership dues out separately from what we're going to be charging for advertisement and we have discuss a fee for anyone who wants to be associate. We haven't gotten there yet but, that's on the burner. Mayor Thomson comments as we go forward his relationship and this one (1) percent funding, there's going to be potential questions that can be asked in the future and we as the hosts or overseeing people that have to administer money are going to have to answer the same question is why did you spend monies that were earmarked for this purpose in this manner, because in my mind, it clearly has to be used for advertising, or tourism promotion for the whole city. That's not a problem. What does a booking button on a web page do with advertising and/or tourism? I'm not saying this is a bad deal, just asking are we really making sure true. Sherril comments it doesn't really matter where the people stay, whether they stay in the KOA in Lave, whether they stay in Cameron Lava's campground, or mine on up the road, or Lava Spa. Those people who are in this area, are spending money in Lava Hot Springs where you're getting two (2) percent. They are increasing your tax base in that matter. They're visiting your businesses. Granted, you know, they don't stay right in my Lava some travelers and what not but, the community as a whole does benefit from any promotion that the Chamber does, no matter where the people stay. We did look at the fact that yes, we probably need to make this more equitable and try to generate revenue ourselves. We have a big picture in mind and that conversation has come up in the Chamber. We did not move forward with it yet but, that's why we have set forth only membership dues at this time. Inaudible – cross talking. Mayor Thomson comment one of the issue we have as a City is yearly audits and an auditor from Boise could really not care a whole lot what the Harkness Hotel is in the area or not. That's the issue that I have to answer or possible. I'm not saying I have, I'm just throwing up a red flag guys that we have to be real careful about how we go about this. Bryce comment agreed and we've

talked about there's some pretty significant administrative tasks to do that. Which we get out of volunteers and so that's what we've kind of kicked back and forth do we add an additional charge for the businesses that are using that. Inaudible – cross talking. Mayor Thomson comments it's just one of those things where we're starting to look at everything too and saying here's a potential thing guys, be aware. Inaudible – cross talking. Councilperson Frandsen ask it might be something in the future that the business outside the city limit, that part of it would just contribute to the one (1) percent like the ones in city limits. Bryce ask that would clean it up on you guy's side. Mayor Thomson comments I'm just throwing out potential questions that can get asked. Sherril comments on the flip side of that is the Chamber can look at that as simply a tool that we feel are people who wants to participate in pay a fee generated enough to offset. Inaudible – cross talking. Sherril comment there are several option we can look at and we are but, it takes time to administer and execute. Inaudible – cross talking. Mayor Thomson comment I not questioning if anybody is in the area or not and they benefit Lava. I'm just saying is this really promoting tourism or advertising or is it a function to make our website better. DeLosReyes comment I know one thing Jon on the functionality of it, I'm sure everybody that has guests gets those calls on Friday night, if your full do you know anybody that's open. Then spend twenty minutes calling everybody you refer them to that and it's cool because it kind of narrows it down for me. Mayor Thomson comment I'm not saying it's not a good program. Inaudible – cross talking. I'm asking does it fall under the umbrella for tourism or advertising. Sherril comment I did bring some statistics along for the last two (2) months just too briefly give to you. There were five thousand three hundred and seventy five (5375) referrals from book direct to somebody so, from the book direct on the website it counts how many referral go out to an individual. So, for two (2) months, a very weak two (2) months there were that many. They can only estimate, I don't know, I don't understand all this stuff but, there estimate around a hundred and thirteen (113) bookings as a results of that. That of course we'd like to see increase but I found it interesting that in November and December there were that many referrals from the website to the businesses. Gail pulled this for us day before yesterday. Mayor Thomson comments I think it's just standard practice now when you're traveling and you are going to some location, destination the first thing you do is pop up that phone and pop up whatever websites are available and see what's there. I know many times when we've traveled we're booking hotels while we are driving. Yeah, technology is a great thing, no doubt about it. Bryce comment I guess you're kind of just giving us a heads up a little bit. Mayor Thomson comment I'm just raising red flags. Inaudible – cross talking. Mayor Thomson comment I just don't want to have to answer that somebody besides in this room. Councilperson Benglan ask need a motion on this guy. Mayor

Thomson comment yeah, unless you guys got any more questions. I'm sorry I took up all your time. Councilperson Frandsen ask you need approval to pay this. Sherril responds we submitted it in accordance with your ordinance last month for you to look at and approve if you will this month.

Councilperson Frandsen made a motion giving council permission to thirty five hundred (3,500.00) dollars book direct. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Lava Chamber of Commerce:

A) Fire & Ice Event Special Event Permit - ACTION ITEM: Mayor Thomson comments I want to know what we're going to do for Fire & Ice. Sherril Tillotson reports attached, I hope that's attached in your information because there's a lot going on so, I attached an activity sheet with the application on about page three (3), I believe. The only addition to that is we have been able to get a unicycle who is just going to be around. DeLosReyes comment he is on a unicorn. This guy is the unicycle that does festivals all over the world and he actually reached out to Nathen because he had seen an advertisement for our festival. Pretty reasonable to book but he does a show at varying levels so, depending on the weather he'll actually do a show kind of at a certain time but, obviously there's a lot of snow on the ground it's a twelve (12) foot unicycles so if there's a lot of snow on the ground. Councilperson Benglan ask he does it outside. DeLosReyes respond yeah. Councilperson Benglan ask does he sell tickets or how does that work. Sherril respond we're going to try, we haven't quite figured out how to barricade. We have it narrowed to have it at First East blocked off for a short period of time. That's part of your request. Bryce Baker comment the foundations has also given us permission to go on the parking lot at the pools to do something. Sherril continues we needed some options on what we can do with this guy. So we created a few options. Mayor Thomson comment that would be cool to see a unicorn on a unicycle go on the snow. Sherril continues and then we have the abominable snowman that we are planning on to have make a few appearances throughout the festival. We are going to have a parade of lights on Friday night to kick things off along with, of course, the regular wine tasting. Wine tasting will be held a little differently based on COVID restrictions it will be done in session with a maximum of probably twenty four (24) people to a sessions according to spacing their at the Riverside. It's been a challenge to plan this event and keep all COVID safety precautions in mind. There will be areas for hand sanitizer and that sort of thing. We have children's activities that will be having across from the Chuck Wagon in that lot and a cakewalk, without too much COVID issue I think. We are still looking everything like that determine exactly what we can do we feel

comfortable, that we are not creating any kind of exposure they won't get from life. It's still coming together. Time is tightening on us and we are panicking a little bit. We're having the relay race before the parade and I don't think we have the specifics of that tied down yet but, that that should be fun. We'll crown a king and queen sometimes throughout the carnival and give them a gift certificate. Prizes and games. Councilperson Benglan ask what do you need as a coordinator for, looks like you are doing a good job. Laughter! Bryce responds we are exhausted. Laughter! Mayor Thomson comment I only see one item on here that raises a red flag for me and that's fire logs. Who is going to be responsible because if I see one drug down Main Street your Fire Marshal will shut that down? Sherril I heard you had heard that but, I think Colin said that didn't happen but, I don't know. He said that won't happen. DeLosReyes comment the plan was if they have to move them, they would put them out, move them. Mayor Thomson comment it's not me that's hollering, it's your Fire Marshal and that guy has the power of knocking all the fire out. So you would just be ice. Sherril comment he is putting together the plan for the Fire Marshal to sign off on, Collin is in charge of that. Mayor Thomson comment appreciate that, I think the fire logs are kind of cool as long as they stay in place. Bryce comment we talked specifically about that Mayor, I'm going to be in charge of that one. Sherril comment we'll follow through. Mayor Thomson comment they are nice. They burn a long time and put off a lot of heat but, it the same issue we had over at the senior center when they burnt a hole in the parking lot, we need to keep it within restraints so. Porta-Pottie we got those coming out again. Sherril responds yeah, we have one (1) by Ace again, one (1) over by the Chuck Wagon, across from the Chuck Wagon. Bryce explained TJ talked to Davenue and they are going to try and have the new bathrooms open. Mayor Thomson comments four J's work pretty good. They come out on Wednesday, drop them off and pick them up Wednesday. Sherril ask does the city have their down town restrooms open. Mayor Thomson responds yes, we will have them opened. We don't open them all night but, we open at daylight hours. Sherril respond okay. Mayor Thomson have my people clean it twice for that weekend instead of just once in the morning so, we will have TP and that sort of things. Mayor ask any questions from council on this event.

Councilperson Frandsen made a motion to go forward with the special event for Fire & Ice. Councilperson Benglan seconded the motion. All voted aye, unanimous.

B) Event Coordinator Employee/Independent - ACTION ITEM: Mayor Thomson ask Gary did you have some corrections, updates or something with this. I'm just going on what Canda and I were talking about this afternoon on the event

coordinator position or are we ready to kind of go put this out on the street. Gary Cooper, City Attorney respond I have the contract with the job description that Sherril and I worked on with input from her. I don't know that got in your packet. Mayor Thomson comments you guys are all through massaging it so, we can go ahead and get it out on the street. Gary responds yep. Mayor Thomson comment I know we want to get this done by next month, right? Sherril Tillotson comment we are hoping someone else can plan the wellness in May. Gary explained to council that they need the updated job description to review. Mayor Thomson comment I think what needs to go on here now. Councilperson Benglan comment okay, you're just hiring a full time Event Coordinator now. Inaudible – cross talking. Councilperson Benglan continue that's what this is about? Bryce Baker respond yes, correct. Councilperson Benglan continues because we still have the Fire & Ice. Bryce responds okay, got you. Councilperson Benglan with the job and estimated hours and all that, this is for the full time position. Inaudible – cross talking. Mayor Thomson comments this will be replaced with from now on but there a little bit of messaging that needed to take place in some description and that sort of thing and an independent contractor was being thrown back and forth. I think that's been put to bed or whatever. Gary comment part-time employment. Mayor Thomson yeah, all we're looking for from the city is are you guys complete and ready to go, we can put it out and publish it and start taking resumes, applications or what have you. Inaudible – cross talking. Mayor Thomson comment what if you don't get anybody. Sherril comment I'm going to go out with a mega horn. Councilperson Benglan ask is this what going to be published the job description. I would just maybe add, will be required to work some weekends and holidays. Because this says will be required to work weekends and holidays. So someone might read that. Sherril and Bryce comment that's a good catch. Gary ask what do you want it to say. Councilperson Benglan respond will be required to work some weekends or occasional, however you want to say it. Because I would read that and say I'm not working every weekend. Gary comments I'll just say may be required to work some weekends and holidays. Mayor Thomson comment once we get it completed, we need to get it out on the streets. Once we start getting in application then we have time, if we get multiple applications, we have time to review them and interview or whatever. Tentatively we would like to have someone on board by the February meeting. Councilperson Benglan ask how do you guys advertise it. Inaudible – cross talking. Bryce respond it's a city job and the city does the advertisement. I had that same question for you. How's it going to be advertised? Councilperson Benglan comment I know the State, they'll put job opening on Facebook. Mayor Thomson comment we'll do a social media, we'll probably do publication in the local newspaper, whatever we got, postings, every way we can get the information out,

by word, whatever. Inaudible – cross talking. Councilperson Benglan ask so, we need a motion for this. Mayor Thomson comment yeah, I mean, if it's done getting a massage and I think the motion would be to forward it on and as a city publish it and start to process hiring.

Councilperson Benglan made a motion that we approve the event coordinator, advertising the event coordinator, the job descriptions to be put out for advertisement immediately. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

C) Carew Company Independent Contractor Agreement Addendum -

ACTION ITEM: Sherril Tillotson comments I had forwarded to the city the email Carew, you ask for something written and I don't know if she put that in your packets or not but I did forward it about a week or ten (10) days ago. He had said, yes, they could do that. We're having some conversations with him still about publication and so forth, at this point in time, because what's in the request right now only for writing them. Councilperson Benglan comment right. Sherril continues and they're not going to do much good, so we're working on that. We have identified some funding with High County that we can Co-op with. I just got an email from Destiny yesterday and I'll be going to a High County meeting next week. So as far as Carew taking on the project, we could go ahead and move forward with his addendum, he will do that and that chamber will be responsible to identify the additional funds for publication. Councilperson Benglan comment this is an actual like article. Sherril responds yes travel article. Councilperson Benglan that you would see in a visual magazine so, it would be pictures. Sherril responds we can probably get it on our website at very little cost, like a drop down on the things to do page or something is what we've been told and so as soon as it is ready, we will at least do that. But we're hopeful by working through High County and what not we can also move on forward with publication. Mayor Thomson comments Paul signature on the agreement just came in, looks like he's on board with it. Sherril comment I'll keep you informed is to how it moves forward as far as additional costs and what not. I won't be coming back for anything different there.

Councilperson Guthrie made a motion that we accept the Carew Company agreement addendum. Councilperson Benglan seconded the motion. All voted aye, unanimous.

D) Forrest Design Contract Amendment for 2020 Marketing Plan– ACTION

ITEM: Mayor Thomson reports next item would be the Forest Design contract

amendment for the 2020 marketing. Sherril comments yeah and Canda kind of alerted me on that. If you recall, I came to you last month and you approved actually moving some unused funds from a couple of line items, thirty some hundred dollars down to finish the video, which I can tell you that she said the video she almost finished and she would get that to us, the photoshoot is finish. She's all but wrapped up but, Canda has alerted me that she probably needs to sign an addendum were this was a line item contract for her auditing purposes and so forth. I'm guessing the line items need to be changed according to what was agreed on throughout the year and she needs to sign it. I've talked to her Birgitta about that just about two (2) hours ago and she was on board, she didn't have a problem with that. So in other words it's kind of as predicted and as agreed, as actual type thing that needs to be prepared for her to sign. Councilperson Benglan comment okay, so who will draft that. City Clerk Canda Dimick comments I started working on it to get the draft done. I'm having some discrepancy, how do I match these line items with a match, this sort of thing. I've got to have some help and I didn't get time to do it today but, we will get it signed and get it back tomorrow. Councilperson Benglan so do we approve pending. City Clerk responds you can table it or authorize the Mayor to sign.

Councilperson Benglan made a motion that we approve the Forrest Design contract amendment for 2020 marketing plan upon completion and give the Mayor authority to sign. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

E) Miscellaneous: Sherril Tillotson reported on visitor data statistics summery. I got this at 4:13 p.m. today so, that's why it's not in your packet. I had asked Birgitta for a little update on summary of success or failure with our marketing. She said, I'm pleased to report that 2020 saw fifteen (15) percent increase in total visitation over 2019. Although March, April, May, and December 2020, had fewer visitors in the same month in 2019, overall visits increased from two hundred and fourteen thousand and eighty seven (214,087) in 2019, to two hundred and forty seven thousand and seventy seven (247,077) in 2020. Councilperson Benglan ask this is to the Chamber website. Sherril respond yeah, I don't know if it's just the website or if website, Facebook and all that. Mayor Thomson comment it pretty much follow the curb of everything else. We had a slow start and then we caught back up at the end of the summer. Sherril continues and Birgitta basis this next statement on some kind of, she gets a report through a program that she has joined that the use pings off cell phones and so forth. I can tell you I don't understand all electronic stuff so, please don't ask me to explain. She said that you need, with each visitor counted only once no matter how many visit the have. The unique

visitors actually increase from one hundred and fifty one thousand, seven hundred and ninety nine (151,799) in 2019 and to a hundred and twenty nine thousand and one ninety nine (129,199) in 2020, which is a difference of twenty two thousand six hundred (22,600). However, this just means that forty seven (47) percent of the total visitation in 2020 was from returning visitors and that makes sense with COVID. It was down from other places but up on returning visitors. That's kind of her summary, she'll be sending me some that I can put in your packets next time if you want to sit by the fire some not and look at the graph and try to figure out what they say cut, she did not have them ready for her tonight. Mayor Thomson ask if there is any other question. Council comment no. Mayor Thomson responds thank you guys. Inaudible – cross talking.

Councilperson Frandsen ask about the membership dues that were presented during the review of bills earlier in the meeting. He explained he understood the membership due is two hundred and fifty (250.00) dollars but, asked for explanation on the additional fifty (50.00). Councilperson Benglan question so, it's two hundred and fifty (250.00) dollars for your first business, and then you have if you have additional business at the same location that has fewer full time employees and you can pay fifty (50.00). Sherril announces for a listing not a membership. Bryce Church explains it's not a separate membership it's just an additional listing on the Chamber website or the chamber brochure if they choose to go that way. Mayor Thomson comments we have five (5) in employees so our membership was two hundred and fifty (250). What's the additional fee for? Councilperson Benglan comments we wouldn't have it. Sherril comments you don't pay it. Inaudible – cross talking. Mayor Thomson comments last year we paid two eighty one (281) so, are we going down this year. Inaudible – cross talking. Bryce comments we made some adjustments in the way the fees were. Councilperson Benglan so the difference between being listed and membership is voting rights. Sherril responds right. City Clerk Canda Dimick ask so we don't need to pay for the listing. Sherril respond no. Councilperson Benglan comments you get a listing with the two hundred and fifty (250) the extra fifty (50) for an additional listings if you have another business. Talking softly indiscernible. Mayor Thomson comments we had just questioned it because last year are fee was two eighty one (281). It didn't seem logical when we are saying things are going up. Bryce comments we've made some adjustments. This is a push for me to kind of make it better since, I looked at a similar tourist type communities and tried to align it with those dollar amounts and then some places went up. Mayor Thomson comment it was just a clarification. Sherril comment then we used to send them out with both membership and advertising opportunities on the same document.

Sherril Tillotson announce we are annual reorganization in January. Bryce Church reports on the status or the reorganization, he is still President, Colin is Vice President, Sherril is the treasurer. Inaudible – cross talking. Mayor Thomson comments they swap positions, that's about it. Bryce comments yeah, there's a little change in the committee's, Sherril is still the chair person on the marketing committee. Talking softly indiscernible and cross talking. We have the economic development which last year we called it beautification, I believe. Colin and Cameron will be working on that as well. A couple of things we've talked about. We had the Sheriff Manu come to one of our meeting early on and we talked about some of our concerns with him and we want to see maybe interact with the Sheriff's department and the city if there is some community watch program. Tools that the community could be involved in. Mayor Thomson comments we discussed that a few years back when I was on Council before I took over the Mayor position I talked about that with a few concerned citizen up here, if you're really concerned about what goes on in the community have a community watch. It doesn't cost anything but your time. Bryce comment correct and we brought that up with you and it was just a thirty thousand (30,000) foot discussion but I think it's something. I think the sheriff's department does phenomenal job for our community and I think our community should have the opportunity to give back in some way in that area, because it's a challenge at times in this town. Mayor Thomson comments they really are a bunch of good guys. Sherril comments yea, they are. Bryce comment they do a great job. So, that was one of the things I talked with the economic development committees something we should dig into a little bit and see if there's some opportunities that the chamber can either do with the city or whatever, kind of find some opportunities to help out. I just don't like complaining, doing nothing, I'm just not a fan of that, so, let's find some ways. If you're going to complain, give us some input, here are some opportunities for you to help out as well. So that's really what it's about. Mayor Thomson comments you as the Chamber representing hopefully the business community downtown did you hear my pitch for no parking on Main Street. Sherril and Bryce responds kind of. Mayor Thomson continues basically what we're trying to do and I'd like you to pass that on to your members. I've talked to most of the business in the community already. We don't want to interrupt anybody's business. It's from three (3) a.m. in the morning until six (6) a.m. Chuck Wagon being usually the first business that opens with exception being the hotel if they happen to be at maximum occupancy they have to have some overflow on the streets. We felt like we could do a better job of getting street clean if we had no parking Monday, Wednesday and Friday on the north side. No parking Tuesday, Thursday, Saturday, Sunday on the south side between three (3) a.m. and six (6) a.m. That gives us a shot if the snow comes down or if we're doing street sweeping to make that first good clean pass down

Main Street and that sets the tone for the rest of getting that street cleaned off. Because the first thing that happens is Tony comes out with the road grater and he makes a pass right down Main Street and they roll everything to the center of the street. Well, if you've got cars parked on both sides, now you're doing this, and pretty soon you've got a mélange, a mess and so on and so forth. We thought that the least impact on everybody. We're not trying to ban parking, we assume even with full occupancy. There can be enough parking on one side of the street every other to get it clean and then you're open for business. Everybody's got a place to park. So that's our concept. We're going to go ahead and try that. See if it works and in the summertime it does the same thing with the street sweeper. This is usually before anybody else is up. If you want to get up and watch the street sweeper or snow removal you're welcome to. Sherril comments thank you for all your support. We do appreciate you.

Building Permit(s) /Development Permit(s):

A) Window Replacement – 91 West Fife Street – Theresa Cochran (owner) Brook Leslie (applicant) - ACTION ITEM: Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Business License(s):

A) Lava Hot Springs Suites Gift Shop 2021 Business License – Julie Hill: Julie Hill online report here's the situation and my concern, I got the typical renewal that I've received every year since I've had the hotel, filled it out, send it in, got a call from Amantha, the 31st. I think that was the day I even turned it in letting me know that it was not acceptable, because the city ordinance has changed, and no one had informed me. There was nothing in my renewal. There's been nothing at the time that the ordinance was changed saying that, you know, this was going to impact me, I wasn't even aware that it had changed. What I was being told was that because I have a gift shop in the hotel, I needed to have a separate business license for the gift shop, which I'm not quite sure I understand the purpose behind that. Everything that I do is run through the same state tax ID number, the same federal tax ID number. I have a non-property tax permit from the city of lava and I've always paid taxes on that. So I'm confused as to why that additional requirement has been put into place. Mayor Thomson comments we'll hopefully get around to answering some of those questions as we go through. We've got other folks that want to make a statement as well. We'll have a clarification after we're all this done discussing. So standby Julie well hopefully get some of your questions answered. Julie responds okay.

B) Candle Light Cottage 2021 Business License Clarification– Kathryn

DeMott: Kathryn DeMott online report I will give just a brief history, I'll try to make it quick. I have held a business license since 2005, in good standing for sixteen (16) years for Lava Adventures. Throughout the years, every property that I have dealt with the city had changed the rules and decided I need to have additional licensing for any property that I have managed. I have complied with that. So my little DBA Lava Adventures went from submitting one form to the city to submitting six (6) forms seven (7), depending on what the activity was. Bottom line never changed as far as what I owe the city. But at that time, their reason for licensing was ownership. So in 2011, I became the owner of candlelight cottage, which held its own license at the time. And the city said, okay, we dropped that license. And because you are now the owner, it becomes reported under your DBA Lava Adventures. So this year, I renewed again, multiple licenses in plenty of time because they expire on December 31. And on December 28, I still had not received one of them, nor had I received any kind of phone call or anything else. So I called the office. And they said my main business license was being withheld. And I said, can you tell me why? They said because I had multiple activities they believed but they weren't really quite clear. So after speaking with both Amantha, Canda and Lindsay, I didn't get a clear understanding. So at this point, buying one more license is not going to make or break me. But the things I would like the city to consider are, how much our efficiency is and how many forms, postage, print and paper that we're generating, when the bottom is the same. And someday, I would hope that we would get on to some recycling, the first issue there is to reduce. So it'd be nice if we could look at our efficiency and why we're doing this. So I still don't have an understanding of why I need an additional license. Again, the bottom line doesn't change. And then the only other thing I would really appreciate is maybe some transparency or some more open communication. There are ways that we can quickly and easily communicate nowadays, there's a phone, there's a text, there's an email, and I just think that would be you know, a reasonable way for these things to be handled instead of generating ill will and animosity. I don't think that's really what we need to do. So anyway, I, you know, I'll do whatever the city is requiring, it seems really unclear at this point whether I need to have another license or not. I do own Candlelight Cottage, and I manage one other rental at this time, and it already has a license as well. So I guess I need clarification whether I need more licensing or not. And then, again, what's our bottom line? What are we trying to accomplish here? That's the question I've yet to be able to get answered. Mayor Thomson comment okay, we'll attempt to do that for you to, Kathryn.

C) Lava Hot Springs Inn 2021 Business License – George Katsilometes:

George Katsilometes is not present or online. Moved on to next category. George joined online between Business License and Non-property tax category. Council agree to hear his statement.

Mayor Thomson comment George we're ready for you sir, would you like to make statement? George Katsilometes comment thank you for letting me attend the meeting and I'm sorry I'm tardy and getting in here but I came as quickly as I could. I don't know exactly what's going on, I just barely got here. I don't know what I'm going to make a statement about because, I'm not sure what's happened. Mayor Thomson comments what I have you down for on the agenda is to make a statement concerning the 2021 business licensing. George respond okay, we applied for a business license in around the first (1st) of December Betty sent the money in for the license and what happened, we didn't get a license and she was wondering what happened. Then the code enforcement officer came by my one of my buildings I was working in and told me that that I needed licenses for that building and for the building across the street and for another building down in North first east and for my pools and all this stuff. And I said, well I've operated for thirty two (32) years under the same business license, and have been able to get a license for one (1) business. Because we've always had just one (1) business, one (1) business name. We're an LLC with the state of Idaho, as the Lave Hot Springs Inn, we're doing business as the Lave Hot Springs Inn, our loans are under one (1) one name. All of our inspections are done. When they come to inspect, the health department for instance, when they come and inspect me, they inspect me as being the Lave Hot Springs Inn. I don't understand, this retroactive, I guess I'd say. Reach for multiple licenses. What is the reason for that? Why are you doing that? First of all, and I don't think you can can't apply it to my place. I don't haven't built anything. I haven't met established anything new in the last ten (10) years or so. I don't know what's going on but why it should I add a new or several business licenses? What's the reason? Mayor Thomson responds the basic reason is, is as we tried to explain it a little while ago is that we have revised an existing ordinance in order to establish what we feel like is a more fair practice to all the business owners in town to get everyone on the same playing field. We went through three or four (3 or 4) months of different criteria trying to set some form or pattern of or method of establishing what was and what was not a business. In that process, we wrote, published, put on record, a new ordinance that defined business licensing. The confusion that has come about was it just took effect. The first of the year, and some folks were caught by surprise, to learn that what they had been doing under one licenses is now requiring multiple licenses. That is the position that you're at? George responds well, I think people are caught by surprise, frequently by the City of Lava, in business there in Lava, because the City of Lava does is not

reaching out to business, business support Lava. The City of Lava doesn't appear to reach out to the businesses to inform them of these things. I had no idea this was going on. Nobody come to me and said look we were having, we're going to have you make a comment on or we're going to have businesses gather up and see what they think about having multiple business licenses and all this. I didn't hear anything about it. Maybe other people did, but I didn't. And so this was the first time I'd ever heard about it. I guess it was less than a month ago. A couple of weeks ago, when she came over to the Aladdin there. I was working in there and we were real busy. And she says hey, we got to have you sign this and you've got to do this and sign that and I said wait a minute, I said I don't know anything about this. You know, I didn't know anything about it. And she said she mentioned some other things which I'm okay with. As far as changing addresses and things like that. I don't mind that. That does not affect me. But having multiple business licenses is going to cause me a problem. Because I've got my place as one (1) unit to one (1) business. And let's say in the future, I'm getting at that age where I want to retire if I want to sell it, and I'm going to have to sell multiple businesses, you know, I'm going to have to say to the new owner, hey, you're not just buying the Lava Hot Springs Inn, you're buying the Aladdin Inn, you're buying the Old Cowlshaw, you're building, you're buying Martha Hammers house down there on North 1st East, you're buying all this other stuff, and they're all licensed differently, and they're all described differently and all of that. And that's, that's going to cause me a problem, and it will cause me a problem. And so, you know I don't think you can do that with my federal income tax for instance, is paid as one business. And I don't think you can say now that, George, you have to go and change all everything you've done for thirty two (32) years and make it go this way, you know, make it be described it as this when you it's always been described another way, and always been legally looked at, and all of that differently. So that's why I got I got upset when she said you have to do this, I said wait a minute, I don't think I have to do that. And I don't, I don't have to do that, by the way. And I'm not going to do that. I'm not going to go along with the program like that, because my business as over the years has been established, and has been described, and has been documented legally and documented by the federal and state, and even this, even the local government there as a single business up until two (2) or three (3) weeks ago. Mayor Thomson comments George I'll apologize for the City for the shortcomings that we have, and disseminating information out to the public, that's been expressed before, hopefully, we will find a better method of getting information out to the public in a more timely fashion. All your words or, and statement has been recorded and we'll take that into consideration. We're reviewing, hopefully, some of the some of the shortcomings of our business licensing ordinance, and we'll take that all into consideration. George comments

yeah, what is the reason? I mean, what really was the reason behind this? Because the city need more money, more revenue? Or what? Why do you do that? Why did you do this? Mayor Thomson responds well, we did this because of various reasons that we've gone through already tonight, we would be more than happy to sit down and go through this with you on a one on one. I don't want to take up any more meeting to repeat what I've already repeated. It's criteria that we set down to establish a business. Some of its based on state statutes, some of its based on common sense, some of is based on what other folks are doing. There's a lot of reasoning behind it. It was a three or four (3 or 4) month process. It was not something that was trying to be snuck in upon the business owners, it was out there for anybody to see and review as it went through the process of being written. So sorry, we didn't get the information to you. George comment well, I'm just telling you that I don't think you can do this, at least not to me, maybe other people who are building, adding on to their business or whatever, and adding different applications or whatever they're doing. Will have to require licenses that apply to that business. But my business has always been the same. It's always been the way it is and that's the way I've always operated. I haven't changed it. I haven't really done anything to modify the way I do anything. I haven't really, you know, it's a single business and it always has been in it. That's the way it's recognized by the State of Idaho. The federal government recognizes me as a single entity. And the people who inspect me recognize me as a single entity, and anybody that comes around there and wants to inquire about what I'm doing. They come to my business, you know, it's under one name always has been. Mayor Thomson comment alright, thank you for that statement. George comment that's the way it's been. I want you to know, that's the way it's going to stay.

Mayor Thomson returned the meeting to category named Non-Property Tax Permit(s), page 40.

D) Riverside Hot Springs 2021 Business License – Gail Palen: Gail Palen reports my situations, I guess, kind of the same, a little bit different. My business license is for hotel, restaurant lounge and spa operation of which has been consistent for almost a hundred and five (105) years. So I haven't lived that long, but close. Lindsay had called me about the café requiring an additional license. It's all under the same DBA, which is the Riverside Hot springs in Hot Springs Resort LLC, with the state and a one tax ID for both the state and the federal. So that is true on all of them. The cafe actually has been there for, I think since a least Joan and Duke owned it. The only difference really, always served breakfast up there. It just changed some of the rooms around so, we could accommodate the breakfast a little bit. And just too kind of bring everybody up to date. When every

guests that makes a reservation at our hotel, it also includes breakfast. So in Idaho, this is a sort of quirky kind of twist on what everybody else is doing. But in Idaho, if you're considered a B&B, which we are and I think George's is too, every reservation includes breakfast, and you pay eleven (11) percent tax, like you would this eight (8) percent and the three (3). But that also is charged to that Breakfast. So it's really kind of considered lodging, don't ask me. So, let's just say a room for one hundred (100.00) dollars and twenty (20) of it is breakfast, I pay 11% on all of it. So it's a little bit different than how the rest of the hotel in town function unless. Lions Gate is probably the same way. Councilperson Benglan ask so you pay eleven (11) percent on any items sold at the café. Is that what you are saving? Gail respond as part of the reservation? Councilperson Benglan so it's on the rooms, the room reservation. Gail responds it's considered a room reservation but if it's a one hundred (100.00) dollars and twenty (20) dollars is food. So it's just kind of a little quirky thing on the Idaho State tax commission and how they do that. So it's not totally really separate. I mean it is consider still, I guess under a restaurant, restaurant B&B. That's just something really unique to Idaho. I know, George, I think is under the same thing as well. Lindsey McCulloch, City Code Enforcement Officer but George doesn't offer his to the public, right. Inaudible – cross talking. Councilperson Benglan ask so this cafe is open to the public. Gail respond yes, but so little, but it always has been. So, I think the biggest thing that probably happened was we put a name to it, you know an identity because it was pretty hard to say, Riverside, Riverside, Riverside. So that's, you know, just that's just really the difference. The volume of outside business is maybe four (4) percent. A lot of times when all the restaurants are closed and it's a holiday, you know Home or Lava Hotel will send people over because there is nowhere else to eat. So right now, I won't consider it a big draw. A little bit different but again, I think it's should go under the same name license and not having to file another license. However that works, I know but, it is tied into the restaurant or in the hotel. Any question on that. Mayor Thomson respond no, I understand it.

E) Discuss establishing criteria to determine need for separate business

license: I will make a statement and then I'm going to let Gary make statements. We've spent the better part of three (3) months or more, trying to establish an equal and fair playing field. As of today, I passed two hundred and seventeen (217) business licenses in the City of Lava Hot Spring. For a view, it's not a large amount. Gail comments no. Mayor Thomson continues you know, now, in your case that two hundred and seventeen (217) represent three (3), so. We established a lot of criteria, we looked at a lot of different criteria, and we started with what state basically lays down his criteria for a business. We went and reviewed various items, you know, is this an independent business is open to the public, is it

advertised as a separate business, is it part of, as you point out part of the fee for staying in the hotel? Is it a standalone business? Is it likely to still be there, if the rest of the business left I mean, there's multitude of criteria that we tried to try to lay down, got into locations, which parcel of property is it on, how it's tiled. There's just thousand's (1000's) of issues, and we try to weed out all the ones that were ambiguous and come down with something that remained logical and was kind of fair, for all folks concerned. The guidelines that I kind of point out here and this is kind of an answer to Katherine and, or Julie as well was, that if you establish an independent business and treat it like an independent business, it looks like an independent business. George is unique in the fact that he served breakfast too, as part of his room fee, but he doesn't advertise a restaurant open to the public to come in. He on the other hand, advertises our hot pools open to the public, and that's not part of his guests. Julie, has a gift shop along with a lot of hotels and facilities in town. I know, most of the hotels have some form of a gift shop in conjunction with your operation that you can get a t-shirt or something, but we don't advertise it as a separate business and, show it as a separate business. That met two (2) criteria's in her case. In Kathryn case, she operates a nightly rental, which requires a license, and then she operates a separate business on her own as property management. So she represents other people. So different than having Megan over here where the real estate license and I something else she has. Talking softly from audience indiscernible. Well, I mean, but that's the way it is you have a license to sell real estate, you have a license to run this, you have a license to do property management, you know, those are separate entities. Those are some of the criteria's and there's a multitude of criteria. I don't know how many hours Gary has spent on the legal side of this thing, trying to establish what is and isn't a business and business practices. I would say in no way shape or form is anything that the Council comes up with going to be hundred (100) percent perfect and satisfy hundred (100) percent of the people but, it's as good as we can do. Change is here. I mean, it happens and so we're trying to come together and say, you know, we've got some folks that have seven and eight business licenses under this law. We've had people that had seven or eight in the past. Very good examples yourself here. You've come in and asked specifically to have a separate license for your duplex. Gail respond yeah, it's not on by the same company. Mayor Thomson ask what criteria are you using. See that's some of the things that we look at as well. You know, is it the same point of sale? Is it the same business? Is it the same type of business? There was a countless number of issues that we went through, and we're still going back and forth. Does this fall into that category, this category or that category? I won't say that is perfect and obviously we need a lot of input, a lot of help, but we had to start somewhere and this is where we started. Gary what would you have to say on top of that? Gary Cooper,

City Attorney responds well, I guess what I would say is I think that the comments that we're hearing right now come from enforcing a new ordinance and I'm not sure that everybody was aware of this ordinance, it came up in city council for at least three (3) different city council meetings, was voted on and finally approved and it went through a number of modifications while we were in the process of trying to get it finalized and then it was published in the newspaper, like all ordinances are and, you know, was available here at City Council. As in many cases, people are unaware of a change in the ordinance and so we're kind of working through that at this point. I think the things that seem to be causing the biggest problems are how we define business and the business was defined broadly. I know one of the changes is it included long term rental contracts that had not been previously considered a business that required license. It also included every business conducted at different physical location by the same person or operator and that changed, some things that had gone on in the past. It also included different businesses conducted in the same building or on the same parcel of property, even when conducted by the same person, or operator and that was a change. So you know, this is where we are right now. I think the thing that all of us want is to have this enforced, the same for everybody. And it was really impossible to try to figure out all of the different criteria that might apply at any particular business or circumstance in the like. And I think if we did anything from this point forward is that we might study some of the criteria that we would use in determining whether a business such as in Mrs. Palen whether that's one business or two (2) businesses. I'm not going to say whether it is or not, it's a complicated thing but, we might look at adopting some rules or regulations that we would use to apply to all businesses so that everybody was treated the same, whether it's two (2) business licenses or one (1) business license Mrs. Palen and everybody else is similarly situated. I've thought of a few criteria, you've mentioned a few criteria here and I think that that's something that we might look at adopting here in the coming months and the like, so that this is better understood by everybody and fully applied. Mayor Thomson comments further response to Kathryn statement, I don't know of a perfect way of getting communication out to the entire community. I mean, this was put in Water bills, this was published, and it was all the communication devices that we normally use with city. I'd be more than welcome to entertain any suggestions on how to improve communication between the city and, and the public, in general, from anyone. So, if we can do a better job of getting the information out, disseminated amongst the communities, that's just a better deal for everybody concerned. City Attorney comments it's a complicated ordinance. It's twenty four (24) pages long and it deals with not just business licenses. It deals with things that we've dealt with today, applications for events, and those sorts of things. It's an extensive ordinance and we're going to

run into this issues as we go through it. Mayor Thomson comments and I realize the end of the year, I've got writer's cramp from signing business license, they all come due in December, I think we're probably going to have to establish, obviously into a grace period now until we get everyone understanding what's going on. Again, part of the criteria was we looked at the way some people and set their businesses up, and some people in the same particular situation set theirs up different. We asked the question "why", what was the best way to go? Multiple licenses doing business as licenses, one (1) license? Granted, you still only have to have one tax stamp, how you run your tax structures is solely up to you, how you run your business is solely up to you. So we had a lot of things that we were looking at, and I will say it's perfect. It's just the first step in the direction that we hope we will someday satisfy everybody. And as far as like I said, getting the news out, we're always open to suggestions on how to do that better to the community. I wish there was a magic bean that we could plant and everybody just knew what we were doing. Lindsey McCulloch, City Code Enforcement Officer comments I just texted Gail. Mayor Thomson comments but, you didn't test the other one hundred and forty seven people in town. Lindsey comments I will, everyone give me your numbers. Gail comments I think for myself, and I'm not going to speak for everybody else, but it's just clarification. You know, we're under one (1) roof under what tax code? I mean one (1) tax number and I think it's having clarification and that would help. Mayor Thomson comment s and new always is difficult until people get used to it, it's different and we have to get everybody on the same page and understanding why, when and where. As soon as we get there, we'll change it again, hopefully not. Gail respond again, I think clarification is probably the key, just so we understand it, you know. Lindsey comment for us to we got slammed with like everything at the end of the month, we got with dog and cat renewal, business Renewal, all this other stuff and was just hard to call and talk with everyone. Every person I talked to was upset. Gail responds what. Councilperson Benglan respond everybody except Gail. Inaudible – cross talking. Mayor Thomson comments in all honesty, you go back a few years. That was probably when I was on planning and zoning, there was issue in town here. We have business licenses for a reason. I mean, my downtown business area and group come in and specifically requested that because it protects them. People in this town have a major investment in property with businesses that they have to maintain year round, they didn't want people coming in town for a month in the summertime and setting up the business on short term and taking the profits and running when they didn't have to maintain a business year round. So we put a lot we put a lot into the business licensing for protection for those folks that do have the investment here in town and that's kind of the basis for having business licenses, as I remember it. Lindsey comment to protect them, brick and mortar.

Inaudible – cross talking. Mayor Thomson continues I don't think anybody wants to go back to not requiring anything and just have chaos again. Gail responds no, I don't think that's the case, I think it's just clarification. Bryce Baker comments I would say its simplification. This has gotten complicated. It's difficult for us simple retail people to understand when it gets complicated. Mayor Thomson comments I would suggest that you look at one criteria, and this is something that's always stuck in my mind doesn't always apply, but apply liability to it. You know, there's issues where if you have multiple businesses under one (1) license and an issue takes place at one of those businesses, it puts all of your businesses in the same liability slot, whereas, you know, if you have separate licensing and separate business issues, you know, it may not put you at risk for as much and I'm talking more like injuries, things like this. Gary can better addressed that than I but, I would say that would be one (1) criteria as a business owner, I would certainly be interested. With that I think we should move on and get the rest of these business licenses put together and the folks that had questions and wanted to make statements, I hope we've answered your questions. If not, please visit us at City Hall and I'll personally help you go through it. Councilperson Benglan ask as far as establishing that criteria, I mean, is that something you'll just work on that. City Attorney responds I think we just need to work over it for the next year so by this time next year we'll have something in place so that it is equally applied in the future. What I would say is that the more licenses that you passed on, those aren't action items and so they're going to come up next month so, in meantime, you know, you can take input from these business owners and make a decision next month as to how you're going to handle the business license and like you said we just move on the ones that are action items now. Julie Hill online comments I do have a question. My license was not issued for the hotel. So I'm not sure what I'm supposed to do at this point.

Mayor Thomson asked do you have the application in here for your hotel. Julie responds I sure do and it's the same application that I've turned in every year. Mayor Thomson comments I will take care of it tomorrow, has that. Amantha Sierra, Office Assistance comments she did put changes on her application. Does she need to do an updated one? Inaudible – cross talking. She added a stand at Ace to her renewal form. Inaudible – cross talking. Mayor Thomson comments did you hear that conversation Julie? Julie responds yeah, I understand that I need to do something based on what you've got for the gift shop, and then if I'm going to be over at Bryce's I have to do a separate application for that, too. All I'm asking is for that hotel to be renewed. Inaudible – cross talking. Julie continues my next question is, then is it late? Mayor Thomson comments no, part of the discussion was we obviously can't put penalties on things that that's not understood. So, there's grace periods involved till we get the understanding going and yes, we'll

take care of your hotel license. Julie responds okay, I'll be down tomorrow. Inaudible – cross talking. Mayor Thomson comments I don't know whether it'd be behoove us to put together some criteria list and posted. I don't know what the best answer is. City Attorney comments I think what we should do is discuss that and come up with the list and pass a resolution. Inaudible – cross talking. Lindsey comments I think we've got a time timeframe. You hear some complaints, you get some knowledge, you know what's going on and then you make the changes. Mayor Thomson comments right and like I said we spent three (3) months on this. So, it's not like it was just something we decided to do. City Attorney comments I think these criteria we can do by a resolution, we don't have to adopt the new ordinance. Now the lighting ordinance we may have to. Inaudible – cross talking. Mayor Thomson comments I'm just talking about clarification, questions and things. I don't think there's anything in there that's mind boggling as far as understandable.

F) Cliff View Enterprises (Updated Information) - ACTION ITEM:

Councilperson Benglan asked this is an updated one. Councilperson Guthrie comments that's what it says I don't know what this update is. Councilperson Benglan ask how is this updated, it the address. Councilperson Guthrie ask how is it updated Cliff View Enterprises. Lindsey McCulloch, City Code Enforcement Officer responds they took off the liquor license. Councilperson Guthrie okay, they just have the apartments. Inaudible – cross talking.

Councilperson Guthrie made a motion to approve Cliff View Enterprises. Councilperson Benglan seconded the motion. All voted aye, unanimous.

G) Elderberry and Spruce Barefoot Massage & Herbal Kitchen – (Updated Information) – Afton Naranjo/Elderberry and Spruce, LLC,

Owner/Applicant - ACTION ITEM: Lindsey McCulloch, City Code Enforcement announced she changed the address. Councilperson Benglan asked if this business is allowed in the zone. City Code Enforcement Officer responded yes. Councilperson Benglan comment is just a home business. Lindsey responded yes.

Councilperson Guthrie made a motion to approve Elderberry and Spruce Barefoot Massage & Herbal Kitchen. Councilperson Benglan seconded the motion. All voted aye, unanimous.

H) Archibald Rentals – 173 S. 4th West (Monthly Rental) – Kathy Archibald, Owner/Applicant (New License) - ACTION ITEM: Lindsey McCulloch, City

Code Enforcement Officer report we required her to get a monthly rental business license. Councilperson Benglan comments this is the yellow house over on 4th West. City Code Enforcement Officer respond yes. Councilperson Benglan asked if it meets the parking requirement. City Code Enforcement Officer responded yes.

Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous

I) Auto Deals, DBA Ryan Shuman Fine Art – 129 East Main – Ryan Shuman, Owner/Applicant (New License) - ACTION ITEM: Bryce Church explained he is renting a spot from him and he didn't understand that an annual lease is required to purchase a business license. Mayor Thomson explains if you are applying for a business license and you own the property we require you to bring in the deed for that property. If you are opening a business and you are leasing property then the city requires you to bring in a copy of the lease. Showing that you have the lot that you are leasing available. Bryce questioned if an annual lease is required. Lindsey McCulloch, City Code Enforcement Officer explains a business license is fifty five (55.00) dollars with an annual lease and business license for a one month lease is one hundred and fifty (150.00) dollars. Bryce explains for him it will work. Mayor Thomson ask how is that tied to a lease. Bryce responds he's leasing my property. Mayor Thomson respond I understand that how is a four (4) month lease applied, I have to have a one year lease. Inaudible – cross talking. Bryce responds the business license is a year. Mayor Thomson explains we have businesses all over town that have already set the example of having a yearly business license. I guess they do have a year's lease they're just not they're accept in the summer months. Lindsey McCulloch, City Code Enforcement Officer ask do you require them to have annual lease to have a business license for the least annual lease. City Clerk Canda Dimick confirmed to be eligible for an annual license a year lease is required. City Code Enforcement Officer ask if he breaks the contract, the lease agreement, then what happens. Mayor Thomson comments he doesn't have a license anymore. Councilperson Benglan comments we are talking about seasonal verses an annual business license. Bryce asked what it is for a monthly lease. City Clerk responds one hundred and fifty (150.00) dollars for the first thirty (30) day and seventy five (75.00) consecutive for each thirty (30) day extension. City Code Enforcement Officer comments the fine for doing business without is three hundred (300) dollars. Bryce responds I understand that and on my lease I require a business licenses. My point is why he has to have it for a year. With him it might work out because he starting this month. For the summer, oblivious it already booked up every other space is booked but, it's only

for a three (3) month period or whatever it is. Councilperson Benglan comments but, they cover the cost of the business license. Bryce responds I understand that but, they are paying as much for the business license is about what they're paying for the rent. I mean is that's my point. Mayor Thomson explains this all goes back to trying to not have someone coming in to town. Bryce responds I understand. Mayor Thomson continues this aback a long ways back. Bryce responds I understand what you are saying there, anyway, I don't know I'll just come in and try to get clarification and maybe give you some input. Mayor Thomson comment we're asked to set the business community where they didn't have to contend with the short term rentals. Bryce comment my perspective would be that there's people coming into this town that have more things to do every summer and although my business I lose money every month of the first (1st) quarter, it's just how it is. Some of these little guys can't do that. Mayor Thomson comments we require that from the food vendors, we require that from the gal that runs the clothing trailer. Bryce comments I'll come in and get some clarification and maybe tweak to my lease a little bit. Mayor Thomson continues the tube stands, it goes on and on. Councilperson Frandsen ask are we ready to approve this business license. Councilperson Benglan ask this kind of the same as situation like a food truck you don't have any parking requirement for it because it's mobile. Mayor Thomson comments Ace has parking in the back. Councilperson Benglan ask is it required in are ordinance. Inaudible – cross talking. Mayor Thomson comment I think that for most of the business that are doing things like that they have space to park. I think is required, at least one (1) space. Obviously for the person that's running the business. Councilperson Benglan respond yeah. Inaudible – cross talking. Mayor Thomson continues a lot of the customer are walking. Inaudible – cross talking. Mayor Thomson everybody that has a food truck we always say do you have space beside the food truck. Councilperson Benglan respond yeah, I don't think it's required in our ordinance though. City Code Enforcement Officer responds it's not required in the ordinance but, you guys made Sam have one for his little coffee shop in his parking lot. Inaudible – cross talking.

Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

J) Cedar Springs Condos #2 – 222 East Main – Shawn Midkiff, Owner/Applicant (New License) - ACTION ITEM: Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

K) Educational Development Corporation, DBA Usborne Book & More (New License) - ACTION ITEM: Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

L) Gavin Gunter – 142 West Merle (Monthly Rental – New License) - ACTION ITEM: Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

M) Lava Mobile Estates Campground – Campground South Hwy 30 – Richard & Barbara Guthrie, Owners/Applicants (New License) - ACTION ITEM: Councilperson Benglan ask is this the one we need to look at as far as two (2) businesses. Councilperson Guthrie explains this is a new license for the campground. Councilperson Benglan confirms this is just for the campground. Councilperson. Guthrie respond yes. Mayor Thomson comments did he let his expire. Lindsey McCulloch, City Code Enforcement Officer explains no, he got his renewal, he did his renewal for the one on the other side. You guys wanted him to get another license for the one on the other side. Councilperson Guthrie comment yeah, and this is the new license. Councilperson Benglan so, he has one for the mobile Park and then he has one for the campground. Mayor Thomson comments this is the campground.

Councilperson Guthrie made a motion to approve. Councilperson Benglan seconded the motion. All voted aye, unanimous.

N) Paterson Rentals, LLC – 426 West Elm – (Monthly Rental – New License) ACTION ITEM:

O) Patterson Rentals, LLC – 69 West Main – (Monthly Rental – New License) - ACTION ITEM:

P) Patterson Rentals, LLC – 85 South Center – (Monthly Rental – New License) - ACTION ITEM:

Q) Paterson Rentals, LLC – 175 East Elm – (Monthly Rental – New License) - ACTION ITEM: Councilperson Guthrie made a motion to approve Paterson Rentals, LLC on 426 West Elm, 69 West Main, 85 South Center and 175 East Elm. Councilperson Benglan seconded the motion. All voted aye, unanimous.

City Clerk Canda Dimick announced George Katsilometes is online. Mayor Thomson respond he too late. Do you want to stop, go back and George make a Statement. Councilperson Guthrie comments let finish this. Mayor Thomson comment stand by George we got two (2) more to go. Then we'll get you on here.

R) Secret Lava Hideout, LLC, DBA Lava Hideout Cabins – 337 West Main Street – Steve and Sara Roberts, Owners/Applicants (New License) - ACTION ITEM: Leah Navorro from the audience comments he just put secret in front of Lava Hideout, new Owner.

Councilperson Guthrie made a motion to approve. Councilperson Benglan seconded the motion. All voted aye, unanimous.

S) Victor Quinonez – 171 West Booth (Monthly Home Rental - New License) - ACTION ITEM: Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Mayor Thomson returned to category C) Lava Hot Springs Inn 2021 Business License – George Katsilometes, page 27, in order to hear George Katsilometes statement.

Non-Property Tax Permit(s) - ALL ACTION ITEMS:

A) Auto Deals, LLC – DBA Ryan Shuman Fine Art – 129 E. Main Street: Councilperson Guthrie made a motion to approve. Councilperson Benglan seconded the motion. All voted aye, unanimous.

B) Secret Lava Hideout, LLC, DBA Lava Hideout Cabins – 337 West Main: Councilperson Guthrie made a motion to approve. Councilperson Benglan seconded the motion. All voted aye, unanimous.

C) USB Leasing LT: Councilperson Guthrie made a motion to approve. Councilperson Benglan seconded the motion. All voted aye, unanimous.

Lava Hideout Cabins Sign Permit – 337 West Main – Steve and Sara Roberts, Owners/Applicants - ACTION ITEM: Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous

Discussion on Direct Communication Right-of-Way Use Agreement:

Mayor Thomson report at this point in time, I'm totally confused on where we're at. Last I got from that issue was a copy of something that came from Soda Springs, it made absolutely no sense at all. And I've not heard or seen anything else attempts to establish a contract with us. Gary Cooper, City Attorney that's right we are in the same confusing. Mayor Thomson comment I think it goes back, if I remember correctly to our meeting with I guess the general manager. City Attorney responds

whatever his position is. Mayor Thomson continues yeah, whatever his position was here in Chambers and he indicated that they had that an agreement, a right away agreement with Soda Springs and we asked at that time if he would furnish us with a copy to see kind of what it was like, and we get this. I don't know what it is, is some kind of a thing that they have with Soda Springs for TV, I don't know what it is. City Attorney comments it's not a right away agreement. Mayor Thomson continues it's not an agreement for running lines. Inaudible – cross talking. Councilperson Benglan ask so the example they gave you wasn't what you asked for. Inaudible – cross talking. City Attorney it does *not* addressing the issues that we had. Councilperson Benglan ask did they send the wrong PDF. Mayor Thomson comment I don't know since that time we've *not* heard anything back from them. Inaudible – cross talking. City Attorney comment we never got one from Direct Communication. Canda got it from the city, Soda Springs and I have pressed Direct Communication to provide us with what they said is the form agreement they want to use and I've received nothing. So we're at a point that I think we have to do now is we have to adopt a right away ordinance that addresses this. What we wanted to do is to avoid having a problem with them objecting to the ordinance. That's why we reached out to him and tried to come up with an agreement but we're getting nowhere. Mayor Thomson comment well, I know for a fact that the subcontractor that they used to install, we've had several variances of rework. They went in and backfilled, didn't compact and then it settled and so they went in, dug it back up and backfilled a second time. Hopefully they got a little bit better. They dug up, I don't know what you call one section of sidewalk from expansion joint to expansion joints but, replaced about three or four of those throughout town for this underground boring. That was all blamed upon the subcontractor, we want to do great work, we want to have a good report but we can't seem to get any kind of an agreement from them and so I can only go with Gary's recommendation for the next step towards this. As far as I'm concerned, they don't have any agreement in place to do anything in town and that includes maintain the lines they've already got. Councilperson Benglan comment yeah, that was my thinking when we were talking about before is probably shouldn't let them do anything till they have an agreement. Councilperson Frandsen ask the one that was from soda of springs was very bad. I would never suggest that we agree to those terms. Mayor Thomson comment it didn't have anything to do with installing cable, fiber optic or anything. I don't even know what to do with and then they didn't send it. It was sent from Canda request from the city of soda wasn't anything do with going through there as and saying this is what we've got. Again, I don't know that represents what they even wanted us to do. City Attorney comment exactly, I mean we were concerned that we weren't getting the agreement that Direct Communication was talking about because it didn't address the issues

that they said it did. Mayor Thomson comment I would suggest one thing and then I'll open this up to the council for discussion. My gut feeling is to direct Gary to pin off a letter towards Direct Communication that says cease and desist all activity in Lava Hot Springs until we address this issues and then go ahead and start working on what it takes, ordinance or whatever it takes to protect ourselves. City Attorney comments I think the first thing I'm going to do is immediately write a letter to them and tell them that because they have not followed through with negotiations towards an agreement we are going to begin consideration of an ordinance, adopt one and enforce it. Inaudible – cross talking. Mayor Thomson comment we talked to them way back in the spring, oh yeah we'll get right back with you, then the next time they got back with us was two (2) weeks before their deadline. They are put together with an office over here that does negotiation while the build crews is out here digging up your streets or alleys in this particular case and they just went ahead. Pretty soon they get their installation done and these guys disappear. Councilperson Benglan comment we kind of anticipated that, didn't we? Mayor Thomson comment so, I'm going at this point in time I don't know, you've got no recourse, I mean, is their service installed, up and running are there are people actually paying. Customers actually paying for the service, I'll have to ask Mike's Market and see. They were supposedly hooked up Mike's Market, Lava Home Hotel, and the Lava Hotel. There was like those three (3) businesses for sure and we actually volunteered to let him cross the bridge to get to the State because State made postures of getting hooked up. I don't know if they're doing business or not in this town. City Attorney asked do they have a business license Canda. Inaudible – cross talking. City Attorney comments so they never had a business license because there was a franchise agreement in place that is no longer in effect. . Councilperson Benglan aske so they would be required to get one. City Attorney comments so I'll tell them to get one. Inaudible – cross talking. Mayor Thomson comment I would entertain a motion to direct Gary to go ahead and take action. City Clerk Canda Dimick announces that's not listed as an action item. City Attorney comments it's just direction to me. Mayor Thomson comment anyway like I said we don't seem to be getting anywhere with it maybe something like that will shake a nut out of a tree or something, who knows.

Meetings/Announcements/Miscellaneous:

A) Area of Impact Joint Powers Agreement Report on Meeting with Bannock County Commissioners – Mayor Thomson and Council Person Benglan:

Mayor Thomson reported I was really almost astounded by the reception that we got. I was thinking we were about to get the runaround and it turns out that that their planners, their engineer and even to some degree their legal advice, their

district attorney seemed to be on our side. The one statement that stuck in my mind Randy and I'll let you jump in here and make a little report on it too. This was like their commission, entire staff, Randy and I and one of their own guys made the statement to the commissioners that the fastest growing portion of Bannock County today is Inkom and Lava Hot Springs and that they welcomed any form of communications and effort to guide the growth in those two (2) areas and this came from the county planner. I was encouraged by that. I'll let Randy go ahead and say what his impression was too. Councilperson Benglan comment yeah, it was good reception they were there. I mean, the purpose of the meeting was for us to visit with the county commissioners and the staff about our concerns about our area of impact around the city. And where we have an area of impact that we don't have an agreement addressing the Joint Powers between the city and county within that area. And so it creates a situation where the county is basically planning compliance right up to our city limits. And over time, we're going to eventually get landlocked by planning that isn't part of our comprehensive. So the purpose of the meeting was to say, we'd like to come up with the new boundary for our area of impact, and then an agreement to address how the city and the county will work together on development within that area of impact. And they were pretty responsive to that. Reading through the comprehensive plan, a lot of that is in their comprehensive plan about ACI and the county working with the cities, and just making sure there's cohesiveness between the city and the county on planning. It was really good meeting. Mayor Thomson comment yeah and I got the impression that the next step was to put together a tentative comprehensive plan defining basically what we would like to see as our impact zone and with that in mind, start putting together the documents that go with that and present them back to. I didn't get all this guy's name other than Mikes. Councilperson Benglan comments Mike and Hal, Hal's the planner. Mayor Thomson comment they were more than willing to come forward and work with us and then whatever needs to be done on either case, like their legal was on board. Gary Cooper, City Attorney as how do you envision that working, do you envision that in the impact area that we would have a vote in planning decisions. Councilperson Benglan comments I think they're pretty open to if we create an impact area, the boundary, their main concern is making sure that's not arbitrary, just drawing on paper that within a ten (10) year period, or twenty (20) year period, the city will reasonably be able to provide services. They would then look at our comprehensive plan for growth and the goal is that they wouldn't prove anything contradictory to our comprehensive plan within the area of impact. City Attorney ask what would you envision. Would we have a vote or would we just have input, would we be notified that there was going to be a permit issued in that area? Councilperson Benglan comments yeah, I think that's something we would have to work through. City Attorney ask

what do you want to see. Councilperson Benglan respond well, I would like them not to prove anything contradictory to our comprehensive. That's what I would like to see and I don't know how you do that. We comment as an agency, or we we're at the front of the line as an agency and just say, we have this agreement in place that you're not going to prove anything that's contradictory to a comprehensive plan. City Attorney comment I'm not sure that it's possible that we get a vote at the table but, that would certainly be nice. But I think the thing that I've heard the most from all of you is that we hear these things after the fact, they've already issued a permit and then we find out about it and it's contrary to what we envision, I think. So we at least need to be notified of it so that we can show up and voice are concerns. Mayor Thomson comment a couple of topic that we touched on was better communication and in a more timely fashion where we had actual time to voice some form of input back then before their decision making process took place. That's the first step, whether they listen to what you got to say they can't they can't make a decision if they don't have any information. At least getting it back to them. City Attorney comment that would be good relations. Inaudible – cross talking. Mayor Thomson comments that the first step I think in any agreement. Inaudible – cross talking. That's the same problem we have with communication to our citizen here in Lava. Not many people read the Idaho Journal on a daily basis and that's where we put all our publications. City Attorney comments and not to mention the illegal section. Mayor Thomson continues nowadays most people are looking on Facebook to see what's going on or Twitter of something along those lines but, that's maybe something we have to grow into and I don't know how Bannock County publicize there's, we seem to get notification of a public hearing. It's like this there is a public hearing on Wednesday night, next Wednesday night. Councilperson Benglan comments yeah, it's the first we've heard of it right. Mayor Thomson comments yeah, obviously I would like to say okay guys, we you have a development going in here that you're looking at west of town. That is, let use Kofoed's project, our input on Tommy's thing was you're putting a commercial enterprise in what we have designated as a residential zone. If you move it the other side of your property up against the lawn road, now you're in a commercial designated zone, per hour long term plan, you move it over on highway 30, you're in a commercial zone, our twenty (20) year look ahead. Now do they have to do that, of course they don't have to do that but, at least they know that it doesn't meet with ours. My other main point was that I have wells that I have to protect that are two (2) miles of Fish Creek out of my impact area. And I have a land application two (2) miles west of town. That's also out of my one (1) mile impact zone. So I would like to see a one (1) mile impact and a two (2) mile back so I can encompass those at least have a say. I don't particularly want a deep well oil rig parked up here side by water supply. That sort

of thing a little fallacious out her but, you know a least we would be notified and have a say at what's going on and a reasoning that we can convey back to them of what makes that detrimental to the Lava. Councilperson Benglan comments the comprehensive plan that they're publishing are getting ready to approve has some really good language, which I think we should use to our advantage in this negotiation. Like for example, it says ensure that new development within ACI that do not annex to the city limits meet county standards unless otherwise noted in adopting ACI agreements. Which that would apply to ACI agreement that we have. And then they say ensure the new development within the ACI that do connect with municipal services, and they request annexation in the city limits and follow associated cities standard. So that language in the comprehensive plan under the growth section, is the language that I think we should piggyback off from because it new from them and so they're going to be thinking well, we need to follow these guidelines that we just barely adopted. Mayor Thomson comments I don't know if we're ever going to see in my lifetime, see the new highway come in but, if we do that turns the existing highway 30 into a business loop through Lava, which we've already designated as commercial. That's already in our plan and there's different things like that. I honestly believe if we continue to grow, we better start looking forward to have some kind of industrial park unless you want to dynamite fireworks factory here on main streets that you have anything to prevent. Councilperson Benglan comment those are all things we can work through with our new comprehensive plan. Mayor Thomson comments those are types of issues that you could convey back to the county. You're right, that'd be the perfect way if we get a vote on what they say but, I don't see that ever happen any more than I would allow the county planner to come in here and tell me as developed in town. I probably won't listen to his reasoning, but I don't know. Councilperson Benglan comment this is unique situation because these ACI's, correct me if I'm wrong are created by state statute. Gary respond they're authorized by statute. Inaudible – cross talking. Councilperson Benglan comment area impacts created and agreements is a common thing. They say that one of the things they say is define and maintain updated ACI boundaries to allow for interagency agreements to be formed. Mayor Thomson comment and see one of the things I don't know how far you got into this. I went to the review, public hearing review they had they had down at Downey and they had overlay map, we're all along the corridors of I-15, Highway 30, 89 and some of those. You know the main corridors around Bannock County. They actually put additional restrictions on agriculture. In that they took and revised a lot of lands that were recreational. Recreational has the caveat of being able to have agriculture that can go to recreational for one and then change back to agriculture. That property is designated rural residential under that guideline, if it changes from agriculture to something else, it cannot go back. So

that impacts all of our agriculture along Highway 30. There's just little caveats like that, that we need to be aware of our growth plans and what have you. Anyway, I thought it was pretty encouraging that we least could have an agreement, and they seem to be in agreement. City Attorney comments good input, I'll reach out. Mayor Thomson continues and the comprehensive plan draft, January 20, which is next Wednesday. That's the Bannock County one, it was supposed to be published and on the street by the end of the year, I guess its running a little late.

B) Bannock County Comprehensive Plan Draft – January 20, 2021 Public Hearing Notice – ACTION ITEM: Mayor Thomson reports we have a public hearing notice at the county courthouse. I think, for their planning department. Then once they their planning department goes through it, then it goes for the commission for publicly next Wednesday, is that a public hearing. Inaudible – cross talking. City Clerk Canda Dimick comments the reason it's an action item are you going to pick someone to attend to represent the city. Councilperson Frandsen responds I think we should. Mayor Thomson comments I would like to try and go with I don't know. It's like Wednesday evening or something in the courthouse, but I will try to attempt to go and sit in on that. Just because I did the one in Downey and I'm kind of interested to see how it's changed. This thing that they sent out here, I still need to be out there. Councilperson Frandsen ask Randy I he is going to try to go to it. Councilperson Benglan respond, yeah, I mean, I may be gone that day but, if not I'll go. Councilperson Guthrie comments they will probably have it online too. I bet they will have it on zoom.

Councilperson Benglan made a motion to appoint the mayor to represent us at the meeting. Councilperson Guthrie seconded the motion. All voted aye, unanimous. Inaudible – cross talking. Mayor Thomson comments if we can zoom in on it even better, I don't particle want to drive to Poky and back in the middle of the evening. You know, there are worse things.

C) Itafos Husky 1/North Dry Ridge Project Support Letter – ACTION ITEM: Mayor Thomson reports I don't know what this Itafos Husky North Ridge that's the new mine that's going in over Soda Springs. They would like our support because we support the community with employment, and all that kind of stuff. It's nothing new, it's just one of those things that go around all cities and would like your letter of recommendation for them to put in mine. It's pretty much an open pit mine like Rasmussen mine out basically in the same area. Rasmussen pit is kind of going dry, from what I understand a minute of the mining world. Inaudible – cross talking. Mayor Thomson comment you want me to sign the support letter for that. Is that what we're doing Canda? City Clerk Canda Dimick explains that what they

are asking for. There was something when T. Paul was here I believe you guys wanted to see the environmental impact study before and I don't know if that has been addressed in there. Inaudible – cross talking. Mayor Thomson comments I think the Caribou County Commissioners looked at the impact survey on that mine it's in Caribou County. Councilperson Benglan comment I don't know, I mean, I don't know that I would presume to speak for the entire Lava community to say I support this mine over in Caribou County. City Clerk comments I think the reason they do is because of Lava work force. Councilperson Benglan responds right, I get that. City Clerk continues so, if the mine wasn't there how it would impact the people living here that works there. That's why they reach out to all the areas where they have people that their employees are living. Councilperson Benglan comment yeah, I get that. Mayor Thomson comments they make up fifteen (15) percent of Caribou County workforce, we're just barely there. Councilperson Frandsen comment I think we should do that. Mayor Thomson ask do want to me support it or not guys. You make the decision, you're the council. Councilperson Frandsen comment I think we should support it.

Councilperson Frandsen made a motion to draft a letter of support. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Gary Cooper, City Attorney comment we just looked up that meeting on January 20, you can participate by zoom.

D) Cooperating Technical Partners (CTP) Grant to Remap Portneuf River Executive Summary - February 15th Deadline – ACTION ITEM: Mayor Thomson reports the next item is a FEMA issue. We can get a grant to remap all of our floodways, waterways and stuff like this it's controlled by FEMA, to make sure they're up to date. Where this becomes important is that if we approve as a city, any building in floodway that is affected by FEMA regulations we are responsible for the enforcement of those regulations. So, it's good to know what you're approving and what you're not approving by where it's at. Councilperson Benglan ask this is to approve an application for grant to remap. Mayor Thomson continue so, what this is all amounts to, is that there is grant money out there to help pay for it. We're applying for grant money to help pay for the remapping. Remember, I mentioned it with the county in there, if they want to piggyback on top of us and get the whole county map. They are eligible just like we are. Councilperson Benglan comment yeah. Mayor Thomson comment this basically would cover what's in in Lava. I think it's a good thing. We always need to know, because we have to make educated decisions on building permits that take place in that. If you haven't looked at the floodways they come up right into the town.

Councilperson Benglan ask wasn't that done before they did all that construction along the river those floodways. Isn't that based off of before they did the engineering? City Clerk Canda Dimick comments it was like seventy nine (79) was the very first one. Inaudible – cross talking. Mayor Thomson ask was the one we are using now, do you know. City Clerk responds it's not much newer than that, I don't think. Mayor Thomson comments but it's something that we need to get done, don't you think.

Councilperson Benglan made a motion to that apply for the grant to remap Portneuf River. Mayor Thomson ask that's just through town isn't it Canda. City Clerk respond yes. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

E) Temporary Seasonal Positions – Mayor Thomson - ACTION ITEM:

Mayor Thomson reports I am just saying that it is not too early to start putting out for seasonal help for this summer. I would like to get at least four (4) people hired in a part time basis. This is for the city cleanup, bathrooms, trash and COVID control everything we did last year that that seemed to be very well received in town. I think in order to improve it, instead of having one (1) person or two (2) persons responsible, I can do teams and shifts. That way I can run morning shift and afternoon shift and not put the burden on one (1) guy to be here all day long. Councilperson Guthrie comments a split shift. Mayor Thomson continues I would like to get those people in place and hired prior to June so that we have a little bit of time for training, get them going and that sort of thing. Basically all I'm asking is the go ahead to start advertising for seasonal positions now. Councilperson Benglan ask for example, this public restroom custodian, they basically worked one week on and one went off and they alternate with someone else. Mayor Thomson responds that's the way it works right now. What I have right now, because we only have downtown restroom. I have Becky work in one week and I have Michael working the next week. What I've proposed for this summer because I want to increase that, I don't think COVID is going away. Like I said, we were pretty well received with the program that we tried to initiate last year, we've lost the girls on the river cleanup. Therefore, I've moved everything on this side, I don't clean up on that side of the river. The state's taken that over. Over on this side, we wanted them to clean the restrooms twice a day, and stock them. We wanted them to empty the trash cans, all up and down Main Street. Now then they have the park as well. You know, bathrooms there. Empty the trash cans twice a day, or one a day at least and twice a day on the weekends. Sanitize everything, we bought a couple of backpack sprayers and we put a sanitation solution in it, where they're spraying down the handles and the doors and the playground

equipment, those types of things daily. We tried putting Michael on full time, seasonal, at 40 hours a week and working Friday, Saturday, Sunday, Monday, ten (10) hours a day. He had to come in the morning and open the thing up, stock it and then take a break in the middle of the day and then come back and work four (4) or five (5) hours in the evening. It was pretty tough to do after a couple of weeks of that. So I thought the best thing here would be to have a two (2) teams and have one (1) person work four (4) hours in the morning, the other person work four (4) hours in the afternoon and then have one (1) team on for a week one (1) team off for a week. Kind of doing the same pattern we're doing in wintertime but more extended to where I can actually employ four (4) people and keep them on part time and not go with the seasonal. Councilperson Guthrie comment I think it's hard to have to work in the morning and then come back in the evening. Mayor Thomson comments it is and it really puts a bind on them whereas if you're here and you do their four (4) hour worth of work. That's cleaning all the bathrooms, stocking them and emptying all the trash cans and stocking them and getting ready to go. The next shift comes in and does the same thing in the evening, hopefully it will work out and give us a better production. City Clerk Canda Dimick ask are you combining those job description, right now you have Michael doing both and Becky only doing the bathrooms. Mayor Thomson responds yeah. City Clerk continues that's another issue you are hiring two (2) more, right. Mayor Thomson comments I'm hiring four (4) and the two (2) that we have right now have priority to come on but the job description will change. City Clerk as if they have to apply too. Mayor Thomson comments well, I think they should I mean it's a different job. I mean, if we if we change the requirements. Like I said for Michael it's not a change but, for Becky it is. Councilperson Benglan comment you can just keep them on that position. Councilperson Guthrie comments and tell them they have other job duties. Mayor Thomson comments well, Becky's problem, she's got another full time job with UPS and I don't know if ours is going to interfere with her or not. It's a choice that she has made. Councilperson Benglan comment got you. Mayor Thomson continues am I going to jeopardize my full time job for a part time job or do I want to try to do both or what, you know. Councilperson Benglan comment yeah, I'm okay with however you want to do it as long as the end result the same. City Clerk ask but we're going to combine the job description, right. Mayor Thomson responds it's going to get expanded out for trash cans and that kind of thing. Now we're not talking about doing heavy lifting you just take the plastic bag out of the trash can and throw it into the city truck. Councilperson Benglan comment I've got two (2) job descriptions here. Councilperson Guthrie comment one (1) is the custodian and (1) one is the bathroom. Councilperson Benglan responds right, so there that's what we're talking about, it will be one (1), right? Councilperson Guthrie yes, it will be

one (1). Mayor Thomson comment what we'll do, we'll combine them into one (1) job description and we'll put them out. I'm not going to have picking up trash along the riverbank. We are going to clean pick up trash and empty cans on Main Street. The tubing trail has nothing to do with this job description. Anything that's across the river is on State property and they take care of that.

Councilperson Frandsen made a motion to re-draft temporary seasonal job description and go forward with it and advertise. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Projects:

A) East Main Street Pedestrian Bridge - Mayor Thomson - ACTION ITEM:

Mayor Thomson reports another one of my pet peeves, Gary going forward on that pedestrian bridge and I'm not sure exactly what we want to do next. Do you want me to reach out one more time to Victor brothers. Gary Cooper, City Attorney responds yes. Mayor Thomson continues and at that point, I'm going to offer them a deal they can't refuse and if they do refuse it, I'm going to offer one called eminent domain. City Attorney responds right. Councilperson Benglan comments so as far as an offer, what are we talking about it. Have we figured out the value? Mayor Thomson comments I wasn't privy to the conversations that T. Paul had with them. But I know from the conversations I had with T. Paul, he offered issues like, I'll give you water, hot water from chicken soup springs to heat your sidewalks. They didn't want that. They just went ahead and poured new sidewalks and didn't bother heating. Because we had to bring the hot water overheats bridges, anyway. That was our long term plan to bring hot water from chicken soup to keep the ice off the pedestrian bridges. They're already plumbed for that issue. The urgency in my mind is that we have a major project, Ricky jump in here, a major project going on the State Foundation side, but they're knocking down the Tumbling Water's hotel and they're going to revamp that whole riverbank over there and I'm going, I don't want to come in after that works all done and say can you tear up a big chunk of now and let's put this pedestrian bridge in, let's get it done as part of that. The only thing holding this up, we still have an active agreement with State Foundation that they're willing to participate in and provide the landing on that side of the river, all I have to secure is landing on the city's side of the river, which belongs Victor brothers and I think there's every arguable case in the world to be made as a safety issue. I would like to block the street bridge to pedestrian traffic before somebody gets killed. That's just putting it in a nutshell. Councilperson Benglan comment so there's been enough conversations with them. Is another conversation going to get us anywhere? Mayor Thomson responds I would be happy to visit with T. Paul find out just

exactly what the conversations went and how they went. I'd offer them anything, I'd give them world, I'll name the bridge after you, your firstborn son can have free passage across the bridge, whatever. Guys, it can't do anything but enhance your property. Now look at this way you've got a brand new, I don't know what the long term plan is over Ricky but, I think that's supposed to be the park.

Councilperson Frandsen yes. Mayor Thomson continues so you've got a beautification project from the State over here, right across the river from you. Won't it be nice for your hotel guests to have a pedestrian bridge right over to it? They run a bunch of cut rate hotels in several towns around here, this is not the only one. You make the approach to show them that it's a good business plan and it's a good deal for them too. I'd be more than happy to put up a big sign that this land is donated by the Victor brothers. If it gets our bridge in. The city already has the money set aside for the bridge, it's already funded. It's just a matter of getting it in. I think it's time to move ahead and do whatever it takes.

Councilperson Frandsen made a motion to authorizing Mayor to reach out to the Victor brothers one more time. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

B) East Main Street Traffic Bridge – Mayor Thomson: Mayor Thomson reports they did the core samples on the concrete. That information still be processed in the lab. Whether the whole bed needs to be replaced or whether it's can still be capped off. All the core samplings done I talked to Keller the other day, talked Matthew two (2) nights ago he called and we visited on various subjects. There no update or news, unless Gary has something from Knife River. It's pretty much just kept its course right now. Councilperson Benglan comment we're just waiting on the on the results of those studies. Mayor Thomson yeah, and then the next step. I think they're still want to schedule that as soon as they can, so they can decking done and the bridge done before our summer season starts. That includes sandblasting rails and redoing paint or the power coat or whatever you're doing on rails. I don't know, it depends on how you look at, you can either do the original plan, which was put a cap on what's existing, because it's not bad. That still leaves you with a five and a half (5.5) inch deck. Whereas if you have to replace the whole back, then they're probably going to go with the required code, seven (7) inch deck, which is a better product, but it's going to cost us more money. Councilperson Benglan comments so, we'll see when the results comeback. Mayor Thomson comments until we get the results back we don't know what we have to do there. That's just kind of a report on that.

C) Fire Station Addition:

1) Perspective Design Studio Revised Agreement - ACTION ITEM: City Clerk Canda Dimick explains last month he had revised the insurance, he stated the five hundred (500) but now with the extended time that it's taken to get the contract there is no way he will meet the deadline. Talking softly indiscernible. Councilperson Benglan ask is that revised in this, April 1. So you've looked at this, Gary, it looks good. Gary Cooper, City Attorney responds yes. Councilperson Benglan made a motion to approve. Councilperson Frandsen seconded the motion. All voted aye, unanimous.

Councilperson Benglan made a motion to approve Perspective Design Studio revised agreement. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

D) Wastewater Land Application Site Photovoltaic Relocation Feasibility Study:

1) Rocky Mountain Power Interconnection Agreement Extension Report– Mayor Thomson: Mayor Thomson reports last month, you all directed me to sign Rocky Mountain Power interconnection agreement and write them a check, and go on forward with that. What's happened this month was that our engineer at Keller has reached out to them and had a couple of conversations with them. Number one (1), he got us an extension on the deadline for the timeframe that we had to sign the agreement, I have already signed the agreement by the way, but it hasn't been delivered. I signed it just in case the extension didn't get done, he was kind of setting on it. I didn't sign the check the reason. The reason for the delay and the reason he's pushing for the delay, he's finally found somebody that's willing to sharpen their pencil and relook at this issue before we go to the power to be. So there is a chance that we're going to get better numbers, before we commit to the check. I'm working on the assumption, I still have your direction as a council to sign the check, or sign the agreement and all I've done is it's got an extension date and haven't delivered. Councilperson Benglan comments there's a possibility we might have a better deal. Mayor Thomson continues I took it on myself, you guys told me to do but, you didn't tell when I had to do it. Councilperson Frandsen when we look at this money we got from solar systems this last month, its less than twenty (20) dollars in the past we've gotten around a hundred (100) dollar a month. We can't justify getting to crazy. Mayor Thomson comment well, I tell you what, and I've talked to this young electrical engineer he is not stupid he's pretty sharp and I said, you know, we ought to be able to figure out a way that when we kick the pumps on and the meter goes spinning way a lot faster than what our twenty three (23) kia gigs solar panels can handle it, we can bleed some of this other system without them knowing and provide power to that pump, thereby sneak

underneath the table and get a higher rate. Whether that's capable, though, I don't know. Councilperson Frandsen comment it is, and you can use all you can generate. Mayor Thomson comment pretty much. Councilperson Frandsen continue you can only sell twenty five (25) KW but, if we are generating a thousand (1000) KW and using ninety nine. Mayor Thomson comment see when those big bumps kick on we burn about burnt about seven (7) or 800 (800) KW then. All the pumps are running, but you got to have the pumps on before you kick it over and you got to have it kicked off before the pumps kick off or it spikes the meter that they're on. I mean, it's playing under the table Ricky but you know there's ways of doing that. I'm asking him to take a look and see. Anyway, so the interconnection service agreement is moving forward. Hopefully we'll get a better deal on it.

E) Kofoed Well/Sewer Lagoon Road Survey & Fencing - ACTION ITEM:

Mayor Thomson reports the Kofoed well sewer lagoon road survey and fencing I think we looked at that as far as paying the bills what we're wanting to do. Paper shuffling, indiscernible. City Clerk Canda Dimick comments question is on the fence. Mayor Thomson comment the fence that goes around the well. Paper shuffling, indiscernible. Mayor Thomson continues I think the survey property going down to the, Randy I got a question for you about this you might or might not know. Going down to the lagoons is just needed to be upgraded and firmed up so we know where our properties at. Was there an agreement, Kit Tillotson claims it is. Kit has a little bit of knowledge because he did the road work. He told me down there on phase two (2) that doesn't have the road part in it on towards the river he said they had made an agreement with Mark, I guess or the developer down there that they could use. There was a cul-de-sac that kind of comes out towards the city property and there was a plan that you could come out that way and use this road coming from our lagoons as a secondary emergency egress road, is that true. Councilperson Benglan respond that's correct, it's on the plat. So there was an agreement with the city somewhere. City Clerk comments actually Mark came to the city council, the city council agreed with him. Councilperson Benglan comments that's on the final plat. Mayor Thomson comments another usage for that road that goes beyond the usage of the proposed RV storage. So that's something that we want to keep in mind, not something that's going to be heavy traffic but if we ever have to use it, it's an agreement that we will provide that. Means we need to maintain the road for a firetruck at least. Councilperson Benglan ask so as far as this this action item, I mean what we are doing. City Clerk comment I guess some of the things, I'm just trying to figure out. I know the situation is move forward now on getting a contract with the guy that's going to put the fence in around the well and so I'll move forward on that but there's a couple

other issues. Are we going to be looking at, sense the surveys done, putting fence lines on the survey line? Up here it's pretty close, down here you'll notice it starts going off a little bit. Councilperson Benglan comment this is existing. City Clerk respond yes, and so as they talked about at one time in the discussions at counsel meeting they talked about fencing the city's roadway down through there, so you know exactly where the roadway was establish. Mayor Thomson comment I don't know if that needs to be chain link, won't that be five (5) strand barbed wire. City Clerk respond normally on fencing you that you share half and half with neighboring property owner. I don't know if that's something you want to do. Is the city going to fund it all? Councilperson Benglan ask what's there now. City Clerk respond there's a barbed wire on this side, this side would be nothing. Council reviewed map survey. Mayor Thomson comments the key thing is, once you establish city property it's always a question where your property goes. Maybe that won't get developed in our lifetime, maybe it will, I don't know, whether it needs to have a fence on it I don't know. That's just open it hasn't had to have a fence on it before. Obviously we have a gate down at the lagoon so you don't get cattle or whatever up and down in there but as far as fencing the road just to keep the road fenced. What's the purpose of it? City Clerk comment you talked about fencing even when you talked with Kofoed, you talked about fencing along here. When Kofoed was in here you guys talked about fencing. Mayor Thomson comment the rest of Tommy's property from the city. Well, I think if we continue that conversation with Tommy, we would continue it in that vein that you share the cost of fence, like every other fence put up in this country. You know, mean, it's new fence there and so the landowners splits the cost of it. The old fence on the on the east side is more of a fence repair. Again, you really shouldn't share it with the neighbor but maybe the neighbor can argue that the fence in good shape, why move it? Hello this is Tommy, Tommy Kofoed online. Tommy comment on the fence as far as that goes, I mean, it's always been barbed wire down there. And as far as I understand the laws go. The land owners depending on left, right, they share ownership. I believe, as we stand on that one, if something was to be replaced as the far as the fence goes, I would be fifty (50) percent responsible or actually probably hundred (100) percent responsible for the lower half of that fence, and the below project and or the city, I'm not sure how this works out. Whereas, you guys, the city has that partial property would be responsible to replace to like, or improved upon the existing fence that is currently along the road. If that makes sense. Mayor Thomson comment is this existing fence or just new fence. City Clerk comment Tommy along the road would be a total new fence. Tommy responds right. City Clerk continues anything down along the lagoon would be an existing or, any other area would be existing. Inaudible – cross talking. City Clerk continues you guys wanted it survey for a purpose and the

move now is do you want the fences. What do we need to move forward with? Councilperson Benglan ask was it always the plan to fence the well site. City Clerk comment the chain link fence around the well site is required and city has a grant to do that full amount around the wellsite. There is a power pole, trying to think where it is at, that that needs to be moved. Tony says it's in pretty bad shape, has a guide wire on it, leaning. He talked with the power company about getting it moved. And I guess there's a process they want us to go through, their planner to come out and look at it. I tell you the problem I see is that usually they want an expense behind, it even though it probably is ready to have something done with it. Councilperson Frandsen comment I kind of think that as a city we should probably fix this part, so that road has the width it should, so, then the gates like where it needs to be and that will look nice. In front, it looks like this a lot, it will improve the looks a lot to fix that up. And as far as this end down by the lagoon I don't think it matter if we do anything. Mayor Thomson comments any agreement we've made Tommy as far as fencing property adjacent between Tommy and the city, we should share the expense of the fence. You know, if it's required, I don't know that it's required, you know, unless there's reason to have a fenced off. It hasn't been fenced now. I'm talking about the road going on down to the lagoon. Councilperson Benglan comment I think, do we need a motion to go ahead and approve this one to be billed. City Clerk comment we can make a motion to go ahead and prove that and to get a contract in place. Mayor Thomson comments we've got bids on it, already. Councilperson Benglan respond okay and then I agree with Ricky on moving this fence here. Tommy comments quick question for you. What you guys are speaking about right now is surrounding the well, is that correct? Mayor Thomson responds we don't have any choice surrounding the well Tommy, we have a grant and the well has to be fenced. So we already have grant money for it. We're entertaining a contract, we're talking about a couple three (3) items here at one time. That's not in question we're going to go ahead and approve the fence around the wellsite as required. We're now talking about fence adjacent to the road going into the sewer ponds and/or exiting off of Maughan road and different portions of that. Tommy respond okay, so quick question on as far as what goes around to the well because maybe I'm just probably behind the eight ball. On that are you going to going to follow the existing fence line there? Or are you guys going to change and move out further. I guess what's the plan? City Clerk responds the existing fence line it's pretty much online. Tommy comment okay, the reason I ask is, you know, all things said and done if you know I know we're planning on going forward with the RV park, should that fall through I still have acres and I still continue to use for agricultural as well as for animals. I just want to make sure to maintain the water rights for trough. I just want to make sure everybody remembers that. Inaudible – cross talking. City Clerk responds yeah,

we remember on their water access. Tommy comment yeah, we can run Pipe down and a course we will try to move around whenever we can. Inaudible – cross talking. Mayor Thomson comments Tommy this is Jon Thompson we had Wade come in there and resurvey everything. We have a requirement from DEQ (Department of Environmental Quality) on what size of a fence and how much acreage we have to fence off around our well. We wanted to be sure that we're on site and it seems like when the survey come back that we're pretty much right on where we need to be so it'll just be replacement of the existing fans. Inaudible – cross talking. Tommy respond no issues then, I'm good with that. Mayor Thomson comments we didn't know until we got the survey. Tommy comment I know I was surprised with where some of the property lines hit but yeah so if you guys guarantee you're just replaced where the barbed wire is that runs around the wellsite then there's no issue. I have zero qualms about that so, I'm on board. Mayor Thomson comment and I think anything else will be a discussion with you on what we want to do between the two of us. Tommy comment absolutely and you know that I'm more than willing to work and we can make this work out for both of us. Mayor Thomson ask any question for Tommy while we got him on the phone. Councilperson Benglan ask as far as an action item we need to direct. City Clerk explains move forward on a contract. Councilperson Benglan ask move forward on a contract for this fence and then. Do we want to do anything tonight with Ricky's suggestion? Mayor Thomson comments I don't see any reason why we couldn't. Let's go ahead and get a bid on it while the fence guy is out there, if you want to. City clerk comment and I guess the other thing is, Tony would like to move forward on putting something with Rocky Mountain Power to see what's involved with moving the power. Councilperson Benglan ask and where is the power pole right now. City Clerk reviewed map location with council.

Councilperson Benglan made a motion that we move forward with the contract for the wellsite and also a bid on the entrance. City Clerk ask are we going to bid it or are we going to do it ourselves. Councilperson Benglan ask if that something Tony can do. City Clerk response I would think we got the equipment to do it, don't we. Mayor Thomson ask is it just five (5) strand wire. City Clerk respond well we are going to have to build road, right here. Mayor Thomson comments okay, let's talk to Tony and see if he wants to take that on. They should be able to like you said it's not a big project. What are we wanting to do widen the road a little bit and then fence it? Councilperson Benglan comment the total is twenty one (21) feet, I don't know what that is, it's probably five (5) or six (6) feet, maybe. Councilperson Benglan comment as far as motion go, let's do this first and then have Tony. Mayor Thomson comment that and then and then the power company take care of that pole, or get them in there.

Councilperson Benglan made a motion that we move forward with the contract for services to put in a fence around the wellsite, have the power company take a look at this power pole as far as replacement and all that stuff. Have Tony, look at the widening of the road and putting in a fence at the entrance at the Lagoon access road tomorrow. Councilperson Guthrie seconded the motion. All voted aye, unanimous. Mayor Thomson comment anything else that we need to do out there from there on down to the lagoon we'll just negotiate with the adjacent land owners as we go because, like I said if we have an agreement for emergency access coming out of the development site then we might need to leave that open too for certain extent or a gate or something there.

F) Miscellaneous: Mayor Thomson ask anything from the council and Canda if they have anything under miscellaneous. Council and City Clerk replied no.

Discussion: No discussion from audience or online.

Motion to adjourn - ACTION ITEM: Councilperson Guthrie made a motion to adjourn. Councilperson Benglan seconded the motion. All voted aye, unanimous.

Meeting adjourned at 09:05 p.m.

Amantha Sierra, Transcriber

Jon Thomson, Mayor

Canda L. Dimick, City Clerk