### CITY OF IDAHO CITY



REGULAR CITY COUNCIL MEETING Wednesday, March 8, 2023 6:00 P.M City Hall, 511 Main Street, Idaho City, ID 83631

### JOIN ON ZOOM

https://us02web.zoom.us/j/4192717240? Meeting ID: 419 271 7240 Passcode: 144787

CALL MEETING TO ORDER ROLL CALL PLEDGE OF ALLEGIANCE

### I. CONSENT AGENDA

The consent calendar includes items which require formal Council action, but which are typically routine or not of great controversy. Individual Council members may ask that any specific item be removed from the consent calendar in order that it is discussed in greater detail. Explanatory information is included in the Council agenda packet regarding these items and any contingencies are part of the approval.

- A. APPROVAL OF MINUTES: FEBRUARY 22, 2023, ACTION ITEM
- B. IDAHO CITY EVENT CHECKLIST:

1.GOLD DUST RODEO JUNE 23, 2023, AND JUNE 24, 2023, GOLD DUST ARENA COMMITTEE **ACTION ITEM** 

2. IDAHO CITY 100 ENDURO 39<sup>TH</sup> YEAR JUNE 2, 2023, THROUGH JUNE 4, 2023, ACTION ITEM

C. BILLS/PAYABLES: FEBRUARY 23,2023 THROUGH MARCH 8, 2023, ACTION ITEM

### II. PUBLIC HEARINGS

Items listed as public hearings allow citizen comment on the subject matter before the Council. Residents or visitors wishing to comment upon the item before the Council should follow the procedural steps. In order to testify, individuals must sign up in advance, providing sufficient information to allow the Clerk to properly record their testimony in the official record of the City Council. Hearing procedures call for presentation by the applicant, submission of information from City staff, followed by public testimony. **ACTION ITEM** 

- III. ENGINEER'S REPORT
- IV. OLD BUSINESS

1. PUBLIC WORKS SHOP HEATER BID

### V. NEW BUSINESS

1. FS CIVIL RIGHTS TRAINING

### VI. ORDINANCES AND RESOLUTIONS

Ordinances and resolutions are formal measures considered by the City Council to implement policy which the Council has considered, Resolutions govern internal matters to establish fees and charges pursuant to existing ordinances. Ordinances are laws which govern general public conduct. Certain procedures must be followed in the adoption of both ordinances and resolutions; state law often establishes those requirements. **ACTION ITEM** 

- 1. CHRONIC NUISANCE PROPERTY
- 2. CITY SURPLUS ITEMS
- 3. AUTHORIZING RECORDS FOR DESTRUCTION 2023-01

### VII. EXECUTIVE SESSION

Certain City-related matters may need to be discussed confidentially as a matter of law subject to applicable legal requirements; the Council may enter executive session to discuss such matters. ACTION ITEM

- VIII. EMPLOYEE UPDATES
  - A. PUBLIC WORKS
  - **B. LAW ENFORCEMENT**
  - C. CLERK/TREASURER'S OFFICE
    - 1. BUDGET UPDATES
    - WATER AND SEWER UPDATES, ACTION ITEM 1.OLD LEASES AND AGREEMENT
  - D. CITY ATTORNEY
- IX. COUNCIL UPDATES
- X. MAYOR UPDATES

### XI. CITIZEN COMMENTS

This section of the agenda is reserved for citizens wishing to address the Council regarding City-related issues that are not on the agenda. To ensure adequate public notice, Idaho Law provides that any item requiring Council action must be placed on the agenda of an upcoming Council meeting, except for emergency circumstances. Comments related to future public hearings should be held for that public hearing. Repeated comments regarding the same or similar topics previously addressed are out of order and will not be allowed. Persons wishing to speak will have 5 minutes. Comments regarding performance by city employees are inappropriate at this time and should be directed to the mayor, either by subsequent appointment or after tonight's meeting, if time permitting.

### ADJOURNMENT

Questions concerning items appearing on this Agenda or requests for accommodation of special needs to participate in the meeting should be addressed to the Office of the City Clerk, 511 Main Street or call 208-392-4584.

Mayor:	Chief of Police:	Public Works Director:	City Cierk-Treasurer:	511 Main Street
Ken Everhart	Mark Otter	Tami Claus	Nancy L Ptak	PO Box 130
idahocitymayor1@cityofic.org	icpd100@gmail.com	idahocitypublicworks@cityofic.org	idahocityclerk@cityofic.org	Idaho City, ID 83631
Council members:	City officers:	Public Works:	Deputy Clerk:	(208)392-4584
Tom Secor Jr	Ericca Robbins		Sue Robinson	operating hours
Ashley M Elliott	Brent Watson		4cityfolk@cityofic.org	Monday- Thursday
Mari Adams	Janitorial:		Office Clerk:	8 am - 5 pm
Ryan Heffington	Dale Rutter			Friday 8am -2pm
			idahocityoffice@cityofic.org	



### CITY OF IDAHO CITY



REGULAR CITY COUNCIL MEETING Wednesday, February 22, 2023 6:00 P.M City Hall, 511 Main Street, Idaho City, ID 83631

https://us02web.zoom.us/i/4192717240?

Meeting ID: 419 271 7240 Passcode: 144787

MINUTES

CALL MEETING TO ORDER Mayor Everhart calls regular city council meeting to order at 6:00 PM ROLL CALL Clerk Ptak called roll Heffington, Elliott, Adams, Secor in attendance. PLEDGE OF ALLEGIANCE Mayor Everhart led pledge of allegiance.

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CONSENT AGENDA

The consent calendar includes items which require formal Council action, but which are typically routine or not of great controversy. Individual Council members may ask that any specific item be removed from the consent calendar in order that it is discussed in greater detail. Explanatory information is included in the Council agenda packet regarding these items and any contingencies are part of the approval.

A. APPROVAL OF MINUTES: FEBRUARY 08, 2023 ACTION ITEM

Elliott made a motion seconded by Adams to approve minutes dated February 8, 2023. No discussion, 4 ayes, Motion Carries

B. IDAHO CITY EVENT CHECKLIST' ACTION ITEM

C. BILLS/PAYABLES: FEBRUARY 09,2023 THROUGH FEBRUARY 22,2023 ACTION ITEM

Secor made a motion seconded by Heffington to pay the bills dated February 09.2023 through February 22, 2023, in the amount of \$19,306.49 Clerk Ptak informs council members that the grader is paid in full. No discussion, 4 ayes.

PUBLIC HEARINGS Н.

Items listed as public hearings allow citizen comment on the subject matter before the Council, Residents or visitors wishing to comment upon the item before the Council should follow the procedural steps. In order to testify, individuals must sign up in advance, providing sufficient information to allow the Clerk to properly record their testimony in the official record of the City Council, Hearing procedures call for presentation by the applicant, submission of information from City staff, followed by public testimony. ACTION ITEM

EXECUTIVE SESSION 111.

Certain City-related matters may need to be discussed confidentially as a matter of law subject to applicable legal requirements; the Council may enter executive session to discuss such matters, ACTION ITEM

 EXECUTIVE SESSION UNDER IDAHO CODE SECTION 74-206(1)(F) TO COMMUNICATE WITH LEGAL COUNSEL ABOUT IMMINENTLY LIKELY LITIGATION.

Secor made motion to move to executive session 74-206 (1)(F) seconded by Elliott to adjourn to an executive session Secor aye, Adams aye, Elliott aye, Heffington aye.

Called into session/adjourned at 6:05 PM

Back in regular session 6:41 PM

Secor makes motion to go back to regular session seconded by Elliott. Secor aye, Adams aye, Elliott aye, Heffington aye. IV. ENGINEER'S REPORT

2. SAND SEPARATOR RO PLANT DISCUSSION-

Michael Woodworth with MWW updated the council regarding finalizing the design for the Sand separator for the RO. The engineers are nearly ready to submit the plan to DEQ. After submitting Woodworth would like to come visit and to go over plans with everyone around mid-March to review

3. WASTEWATER ANNUAL REUSE PERMIT DISCUSSION-

The city was issued a new reuse permit from DEQ in July of 2022. Deadline is extended until the end of March. Information and report will be submitted. A task order needs to be put together and approved. Task order will be on next agenda. Mayor Everhart requests this be an annual contract and be show in the task order. Other items due as part of that permit. Engineers will discuss with Tami items need to be completed by summer.

V. OLD BUSINESS

4. K3 CONNECT PUBLIC BUILDING LOCKS ACTION ITEM

Estimate was submitted by Busy Bee lock and key, for 6 alarm locks. More research will be done. To get different bids. 5. CITY SHOP HEATER **ACTION ITEM** 

Tabled until next meeting.

VI. NEW BUSINESS

### 6. COMMUNITY HALL DOOR BID ACTION ITEM

Further research to be done. Tabled for ongoing discussion.

7. CREATING NEW PUBLIC WORKS/MAINTENANCE POSITIONS WITHIN CURRENT BUDGET ALLOWANCE ACTION ITEM

Mayor proposes to include the Janitorial position into a public works position to help with increasing the salary. Meeting set up on February 27, 2023, with Mayor Everhart, Tami, Elliott, and Clerk Ptak. Mayor Everhart will have further conversations with city attorney.

8. BOISE COUNTY HAZARD MITIGATION PLAN GRANT FUNDING LETTER OF SUPPORT ACTION ITEM

Secor made a motion seconded by Adams to authorize Mayor Everhart to sign Boise County Hazard Mitigation Plan Grant Funding Letter of Support. 4 ayes. No discussion. Motion Carries.

 IDAHO CITY FIRE PROTECTION DISTRICT GRANT LETTER OF INTEREST ACTION ITEM Secor made a motion seconded by Adams to authorize Mayor Everhart to sign Idaho City Fire Protection District Grant Letter of Interest. 4 ayes. No discussion. Motion Carries.

### 10. MICHAEL STODDARD REIMBURSEMENT ACTION ITEM

Secor made a motion seconded by Elliott to authorize Mayor Everhart and City Attorney Joan to negotiate claim. No discussion. Secor aye, Adams aye, Elliott aye, Heffington aye. Motion Carries. Michael Stoddard commends Mayor Everhart and Tami, for their work and efforts in all they do.

11. LLEAH AND BEAU SYLVESTER REIMBURSEMENT ACTION ITEM

Secor made a motion seconded by Elliott to authorize City Attorney Joan and Mayor Everhart to negotiate claims for the Sylvester's. Secor aye, Adams aye, Elliott aye, Heffington aye. No discussion. Motion Carries

12. MONTGOMERY STREET DISCUSSION

Mayor and City Attorney will be working together to find a resolution/documentation to see who owns and is responsible for Montgomery Street. At this time there is no definitive paperwork that shows the county gave city the street, there was discussion but no physical paperwork that the city has. In the past county had given the city supplies to help maintain but never gave the City of Idaho City the street.

13. MYERS STREET DISCUSSION

No discussion.

### VII. ORDINANCES AND RESOLUTIONS

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### VIII. COMMITTEE REPORTS

### B. PARKS & RECREATION COMMISSION

Dax Olvera addressed the council and Mayor with questions. The school was asking about snow blowers to get snow off the field, Secor suggests for them to clear of the diamond and that will help with the melting. Dax wanted to know what's the plan with the shed, he would like to make it a lawn care shed. Mayor Everhart and Councilmembers are okay with that. Scheduling the field, Dax will oversee that. To schedule field please contact Dax. Ice rink area what will the space designated for? The Mayor and Council members are open to ideas for use of that space. What else does park and rec need to do? Need more members.

- C. HISTORIC PRESERVATION COMMISSION
- D. PLANNING & ZONING COMMISSION
- E. IDAHO CITY CHAMBER OF COMMERCE

### IX. EMPLOYEE UPDATES

### F. PUBLIC WORKS

Director Tami Claus gives big thanks to Mayor Everhart and Secor for the last few weeks with all their help. Sand bay will be needed to get cleaned soon its offline right now. Claus is currently working with the Forest Service, (the compound) has a huge leak, 30,000 gal a day. Water is turned off. Expected to be fixed on February 23, 2023.

### G. LAW ENFORCEMENT

Chief Otter everything is going well, with Camille doing the office admin, the officers have been able to be out policing and writing citations. There was swatting calls all around the nation saying there was active shooters, Idaho City did get one as well, no lock down was needed as there was a lot of police there to walk around and overlook the situation. He is currently working on a nuisance ordinance for properties. The idea is if a property becomes a nuisance and responders have to respond so many times there will be consequences and or fines for the property owners. This will be on the next agenda. At the end of the month Otter will provide a report to Mayor Everhart.

### H. CLERK/TREASURER'S OFFICE

Clerk Ptak informed council members, Mayor, and Claus that the city will have the inmate (cleanup crew) end of April.

### 022223M

OFFICE CLERK POSITION OPEN, will be posted on website and newspaper. Mayor and Ptak show appreciation towards Office clerk Emily Sinclair for everything Emily has done while she was in this position.

- 1. BUDGET UPDATES no update, will be on the next meeting.
- 2. WATER AND SEWER UPDATES

One account may have to be shut off on February 23,2023 due to nonpayment. City residence get a 7-day notice, if no payment is made, they get a 24-hour notice before getting shut off, this has been the a regular practice and not many have had to be shut off in the past. One account that was adjusted, due to city system picked up water usage as way over their normal usage. Council and mayor can see what was changed and updated. ACTION ITEM

### CITY ATTORNEY

City Attorney Joan Callahan informed council of the meeting that took place for the City of Moscow regarding renters for water usage. One residual matter at the district court, hasn't gone to the Idaho Supreme court yet but is headed that direction.

- Х. COUNCIL UPDATES
  - No updates at this time.
- XI. MAYOR UPDATES

Mayor Everhart extends a Big thank you to Director Claus, for everything she has had to deal with in this position. As a single public works employee, mayor heartly and appreciates Mike Stoddard's comments earlier and fully agrees, she keeps the city running.

### XII. CITIZEN COMMENTS

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Carrie Ann Gonzales spoke as a concerned citizen she went to commissioners meeting about Montgomery Street, one of the things she is confused on is there should be opportunities where the council members, and commissioners attend each other's meetings. There are a lot of he said/she said accusations. Mayor informed Carrie Ann that the time frame of the meetings is not ideal, due to everyone working. Chief Otter, Mayor and Council Members suggest to Carrie Ann to get on the commissioners' agenda so its publicly published so people may know about the situation and show support at the commissioners meeting.

### ADJOURNMENT 7:48 PM

ATTEST:

Nancy L Ptak, City Clerk-Treasurer

Date approved:

Ken Everhart, Mayor

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Mayor:	Chief of Police:	Public Works Director:	City Clerk-Treasurer:	511 Main Street
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idahocitymayor1@cityofic.org	icpd100@gmail.com	idahocitypublicworks@cityofic.org	idahocityclerk@cityofic.org	Idaho City, ID 83631
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### **IDAHO CITY EVENT CHECKLIST**

 EVENT SPONSOR: Gold Dust Arena Committee

 DATE(S): June 23rd and 24th 2023

 EVENT NAME: Gold Dust Rodeo

 PERSON IN CHARGE: Tonya Leonard & Rachel Rex – Arena Inspection

 ADDRESS: 140 7th St., Penrose, CO 81240

 PHONE: Daytime

 e-mail: gold dustrodeo tL @ gmail. LOM

### **1. PARK POLICY**

THE EVENT SPONSOR HAS READ THE IDAHO CITY PARK POLICY AND AGREES TO COMPLY AND TO SEE THAT EVENT PARTICIPANTS COMPLY WITH THE BEST OF THEIR ABILITIES. INITIAL HERE\_\_\_\_\_\_

### 2. EVENT DESCRIPTION

BRIEFLY DESCRIBE WHAT YOUR EVENT ENCOMPASSES: Idaho Cowboys Association (ICA) approved Prime Rodeo for a Rodeo

### 3. SITE PLAN

ATTACH A SITE PLAN SHOWING THE EXACT LOCATION OF ALL THE DIFFERENT FUNCTIONS OR YOUR EVENT (I.E. SHOW PERFORMANCE SPACES; VENDOR AREAS; EMERGENCY SERVICES; TRASH RECEPTACLES; PORTA POTTIES; PROPOSED PARKING USES, ETC.) Same plan as all years prior submitted. Mapped attached for reference.

### 4. EVENT HOURS

WHAT ARE THE DAILY HOURS OF OPERATION FOR YOUR EVENT?

3 Separate show times:

- Friday night 6 to 10 pm
- Saturday Slack 10 am to 12 pm
- Saturday night 6 to 12 pm

### 5. GENERATORS OR AMPLIFIED SOUND SYSTEMS

ARE YOU PROPOSING TO USE ELECTRICAL GENERATORS OR AMPLIFIED SOUND SYSTEMS? X YES NO Yes.

IF SO, PLEASE SHOW THEIR LOCATIONS ON YOUR SITE PLAN AND DESCRIBE IN THE SPACE PROVIDED BELOW WHAT THEY WILL BE USED FOR AND WHAT PRECAUTIONS YOU ARE TAKING TO SEE THAT THEY ARE USED PROPERLY AND SAFELY.

The Bird Box will hold all equipment needed for sound system. Announcer supplies own equipment that is all electrical. Lights will be supplied, delivered, set up and removed by Evergreen Lighting located in Idaho City. Saturday Night Band from 10 pm to Midnight 12 AM

### 6. \*\*\*DESCRIBE BELOW YOUR PLANS FOR TRASH DISPOSAL. WHAT ARE YOUR PLANS FOR TRASH COLLECTION AND CONTAINMENT, RECEPTACLE LOCATIONS AND AFTER-EVENT CLEANUP?

Boise County Sanitation will pick up trash daily and supply large dumpsters for our use for the weekend. We have a 4H group lined up to help with rodeo grounds clean up after the event.

### \*\*\*ITEMS 7, 8 AND 9 MUST BE PREAPPROVED BY THE CITY CHIEF OF POLICE AND INITIALED PRIOR TO SUBMITTAL TO THE CITY CLERK FOR COUNCIL REVIEW. \*\*\*

A FEE FOR COUNCIL APPROVED EVENTS WILL BE SET AT \$25.00 AN HOUR PER OFFICER TO COVER ADDITIONAL COVERAGE OF LAW ENFORCEMENT IF DEEMED NECESSARY. THE NUMBER OF HOURS FOR EVENTS WILL BE DETERMINED BY THE IDAHO CITY CHIEF OF POLICE.

### 7. \*\*\*DESCRIBE BELOW YOUR SECURITY PLAN AND YOUR EMERGENCY SERVICES PLAN FOR THE EVENT:

Rodeo Staffing of 20+ people will be on the grounds at all times and available. All gates are monitored by rodeo personnel. Idaho City Ambulance is on site for 3 all weekend events.

CITY CHIEF OF POLICE INITIAL HERE

### 8. \*\*\*DESCRIBE BELOW YOUR TRAFFIC CONTROL/PARKING PLAN:

We have a rodeo board person assigned to help with parking. We would like to use the baseball field parking in addition to the rodeo grounds parking. (NOT the actual ball field.)

CITY CHIEF OF POLICE INITIAL HERE

9. \*\*\*CONSUMPTION OR POSSESSION OF ALCOHOL

WILL ALCOHOL BE CONSUMED OR POSSESSED AT THE EVENT?

X YES NO

IF SO, IF MORE THAN A KEG OR THREE (3) CASES ARE POSSESSED BUT NOT OFFERED FOR SALE, A PERMIT MUST BE SECURED FROM THE CITY.

WILL THE ALCOHOL BE OFFERED FOR SALE? XYES NO

IF YES, PROPER PERMITS MUST BE SECURED FROM THE STATE OF IDAHO AND THE CITY OF IDAHO CITY AND A DESIGNATED AREA FOR SALE AND CONSUMPTION IS REQUIRED. SHOW THE LOCATION OF THIS DESIGNATED AREA ON YOUR SITE PLAN.

CITY CHIEF OF POLICE INITIAL HERE

### **10. PROOF OF INSURANCE**

ATTACH A COPY OF THE FORM SHOWING THE CITY OF IDAHO CITY AS CO-INSURED IN THE AMOUNT OF \$1,000,000. Will provide – currently getting from Farm Bureau.

### 11. VENDOR PERMITS

THE EVENT SPONSOR IS AWARE THAT ANY VENDOR WITHIN THEIR EVENT MUST HAVE A VENDOR'S PERMIT FROM THE CITY PRIOR TO CONDUCTING BUSINESS AND TAKES FULL RESPONSIBILITY HEREIN TO SEE THAT COMPLIANCE IS MET. INITIAL HERE \_\_\_\_\_\_\_

### **12. FOOD CONCESSIONS**

WILL YOU OR ANY OF YOUR VENDORS BE SERVING, SELLING, OR GIVING AWAY FOOD?

X	YES
N	) C

IF SO, THE PROPER PERMITS FROM THE CENTRAL DISTRICT HEALTH DEPARTMENT MUST BE SECURED. 1 request an alcohol variance. Permit will be with the food vendor, I will have central district health permit from the food vendor. I will instruct the food vendor to obtain the Idaho City catering permit.

### PARKS AND RECREATION FEE SCHEDULE

WHEREAS, THE CITY COUNCIL WISHES TO SET USE FEES FOR CITY RECREATION FACILITIES AS FOLLOWS:

1. COMMERCIAL OR DEDICATED USE OF ANY CITY RECREATIONAL FACILITIES SHALL BE 5% OF GROSS PROCEEDS OR A MINIMUM CHARGE OF \$75.00 PER DAY PLUS 6% USE TAX.

THE FOLLOWING SECURITY DEPOSIT IS REQUIRED, REFUNDABLE IF RENTAL REQUIREMENTS ARE COMPLETED:

50 TO 99 PEOPLE \$50.00, 100 TO 249 PEOPLE \$100.00, 250 PEOPLE OR MORE \$300.00

EXCEPTIONS MAY BE SET BY THE CITY COUNCIL BASED ON RECOMMENDATION FROM THE IDAHO CITY PARKS AND RECREATION COMMISSION.

### **VEDORS FEES**

- 1. VENDORS LICENSE DAILY FEE \$15.75.
- 2. VENDORS LICENSE DAILY FEES (NONPROFIT ORG.) \$7.35.
- 3. VENDORS LICENSE YEARLY FEE (NON-REFUNDABLE) \$52.50.
- 4. CARNIVAL OR PUBLIC ENTERTAINMENT WITH LESS THAN 10 CONCESSIONS, RIDES, OR SIDESHOWS, DAILY FEE \$210.00.
- 5. CARNIVAL OR PUBLIC ENTERTAINMENT WITH MORE THAN 10 CONCESSIONS, RIDES, OR SIDESHOWS, DAILY FEE SHALL BE \$21.00 PER CONCESSION, RIDE OR SIDESHOW.

AN ADDITIONAL EVENT LICENSE FEE MAY BE REQUIRED FOR CARNIVALS, PUBLIC ENTERTAINMENT, OR SPONSORED EVENTS IN AN AMOUNT APPROVED BY THE CITY COUNCIL AS MEETING THE CITY'S EXPENSES RELATED TO THE ACTIVITY, INCLUDING BUT NOT LIMITED TO THE PROVISION OF PUBLIC WORKS AND POLICE.

Gold Dust Arena Committee – Gold Dust Rodeo Event June 23rd & 245th 2023. Submitted by Tonya Leonard



requesting over flow parking over at the ball park parking lot. (NO Parking or animals are allowed on the ball field). where the entrance is located, spectator parking is located in the lower parking gravel area, rodeo personnel parking is one level up from the main parking and Contestant parking will be on the rodeo grounds along side the arena and highway 21, handicapped parking is allotted spacing directly in front of the rodeo grounds



Boise Ridge Riders PO Box 9185 Boise, ID 83707



Re: 2023 Idaho City 100 Enduro

February 23, 2023

To: Idaho City, City Council

Dear Council Members:

The 2023 Idaho City 100 Enduro will be held June 2-4 for the 39<sup>th</sup> year. The main body of trail for this year's enduro is in the Rabbit Creek area. There is no trail on the North side of Highway 21. The course uses Idaho Department of Lands and Boise National Forest trails. The trail use permits for this course have both been approved by the land managers.

The riders will access the course this year through the trail existing the back of the lot adjacent to the Sinclair station in Idaho City. There will be no Hwy 21 crossing or access through town in this year's course.

In addition to our traditional enduro, we may hold a mini-bike event as we have been doing over the past few years. Should we proceed with the mini-bike event, it would be held in the Steamboat area and there would be no mini traffic in Idaho City. All participants would truck their bikes over to the mini-bike event from town.

As of the time of this submission, we have no Covid-19 plans for the event. If circumstances change, we would take the necessary steps to be compliant with whatever state, county, or city requirements that in place at the time of our event. Please contract me immediately if you need any additional information for your review of our request.

Best Regards,

Scott Trosper President Boise Ridge Riders strosper@outlook.com

### 2023 Idaho City 100 Enduro Security Plan

Site Security at the Sinclair service station area and Community Center:

The security of the camping/impound is self-policing. We have never had any serious issues and the riders general keep an eye on the equipment and bikes there. Once impounded the bikes are again in an area surrounded by campers. We do light the area of impound at night to again discourage anyone from tampering with the motorcycles. If we had a serious issue we would call 911 or contact local authorities for assistance.

### Traffic and Crowd Control:

Saturday and Sunday morning from about 8am to 11am the area in front of and beside the Sinclair service station is congested. The club hires two Boise County deputies to assist in traffic and crowd control. Both officers are typically in the area of Sinclair service station each morning between 8-10am to assist with traffic movement. As riders begin to leave at 9am (3 riders each minute) the traffic congestion will decrease as support crews leave town.

Friday afternoon (06/02/23) there will be considerable traffic on Montgomery as riders go to the community center for registration. They are not required to bring their motorcycle to registration. Registration for Sunday is Saturday evening from 6-8pm, but numbers are much smaller.



### **IDAHO CITY EVENT CHECKLIST**

 EVENT SPONSOR:
 Boise Ridge Riders

 DATE(S):
 June 2-4, 2023

 EVENT NAME:
 Idaho City 100 Enduro

 PERSON IN CHARGE:
 Scott Trosper (President-BRR)

 ADDRESS:
 PO Box 9185, Boise Idaho 83707

 PHONE:
 Daytime

 Evenings

### 1. PARK POLICY

THE EVENT SPONSOR HAS READ THE IDAHO CITY PARK POLICY AND AGREES TO COMPLY AND TO SEE THAT EVENT PARTICIPANTS COMPLY WITH THE BEST OF THEIR ABILITIES. INITIAL HERE STT\_

### 2. EVENT DESCRIPTION

BRIEFLY DESCRIBE WHAT YOUR EVENT ENCOMPASSES:

This is 39th running of the Idaho City 100 Enduro-an off road motorcycle event. 300 riders will ride marked course of trail/road around Idaho City area. The start/finish/camping is in lot beside Tom's Service. Enduro headquarters is the Community Center.

### 3. SITE PLAN

ATTACH A SITE PLAN SHOWING THE EXACT LOCATION OF ALL THE DIFFERENT FUNCTIONS OR YOUR EVENT (I.E. SHOW PERFORMANCE SPACES; VENDOR AREAS; EMERGENCY SERVICES; TRASH RECEPTACLES; PORTA POTTIES; PROPOSED PARKING USES, ETC.)

### 4. EVENT HOURS

WHAT ARE THE DAILY HOURS OF OPERATION FOR YOUR EVENT? Friday registration/tech inspection/impound will run from 3-8pm on Friday at community center/Tom's Service. Enduro starts at 9am Sat/Sun. Last rider will be to finish by 5pm. Mini bike event, if held would be 2pm Saturday.

### 5. GENERATORS OR AMPLIFIED SOUND SYSTEMS

ARE YOU PROPOSING TO USE ELECTRICAL GENERATORS OR AMPLIFIED SOUND SYSTEMS? XX YES 🛛 NO

IF SO, PLEASE SHOW THEIR LOCATIONS ON YOUR SITE PLAN AND DESCRIBE IN THE SPACE PROVIDED BELOW WHAT THEY WILL BE USED FOR AND WHAT PRECAUTIONS YOU ARE TAKING TO SEE THAT THEY ARE USED PROPERLY AND SAFELY.

If we have a riders meeting on Sat/Sun at 8:30 (see Covid-19 plan), a PA system will be used. Rider's meeting is held at Tom's Service by propane tank and lasts for 10 minutes. No other amplifiers are used.

### 6. \*\*\*DESCRIBE BELOW YOUR PLANS FOR TRASH DISPOSAL. WHAT ARE YOUR PLANS FOR TRASH COLLECTION AND CONTAINMENT, RECEPTACLE LOCATIONS AND AFTER-EVENT CLEANUP?

The club contracts with the local trash collection company. There will be dumpsters at Tom's Service and Community Center. Club will clean up Community Center and Tom's Service lot during and after event. Dumpsters will be removed by local trash company the week following event.

### \*\*\*ITEMS 7, 8 AND 9 MUST BE PREAPPROVED BY THE CITY CHIEF OF POLICE AND INITIALED PRIOR TO SUBMITTAL TO THE CITY CLERK FOR COUNCIL REVIEW. \*\*\*

A FEE FOR COUNCIL APPROVED EVENTS WILL BE SET AT \$25.00 AN HOUR PER OFFICER TO COVER ADDITIONAL COVERAGE OF LAW ENFORCEMENT IF DEEMED NECESSARY. THE NUMBER OF HOURS FOR EVENTS WILL BE DETERMINED BY THE IDAHO CITY CHIEF OF POLICE.

### 7. \*\*\*DESCRIBE BELOW YOUR SECURITY PLAN AND YOUR EMERGENCY SERVICES PLAN FOR THE EVENT:

As part of the Boise County Mass Gathering permit the club hires two Boise County deputies for security and traffic control. Emergency services are supplied by the EBCA. See attached security plan.

CITY CHIEF OF POLICE INITIAL HERE

### 8. \*\*\*DESCRIBE BELOW YOUR TRAFFIC CONTROL/PARKING PLAN:

Starting at 8am the deputies assist with traffic around Tom's Service. Riders do not cross Highway 21 at any time during the event this year but the deputies will assist BRR with traffic control in and around the starting area near the Sinclair service station on Highway 21. As the traffic subsides in the starting area, the officers may be deployed to other locations as necessary to ensure safety of riders and public.

CITY CHIEF OF POLICE INITIAL HERE

### 9. \*\*\*CONSUMPTION OR POSSESSION OF ALCOHOL

WILL ALCOHOL BE CONSUMED OR POSSESSED AT THE EVENT?

IF SO, IF MORE THAN A KEG OR THREE (3) CASES ARE POSSESSED BUT NOT OFFERED FOR SALE, A PERMIT MUST BE SECURED FROM THE CITY.

WILL THE ALCOHOL BE OFFERED FOR SALE? DYES XX NO

IF YES, PROPER PERMITS MUST BE SECURED FROM THE STATE OF IDAHO AND THE CITY OF IDAHO CITY AND A DESIGNATED AREA FOR SALE AND CONSUMPTION IS REQUIRED. SHOW THE LOCATION OF THIS DESIGNATED AREA ON YOUR SITE PLAN.

CITY CHIEF OF POLICE INITIAL HERE

### 10. PROOF OF INSURANCE

ATTACH A COPY OF THE FORM SHOWING THE CITY OF IDAHO CITY AS CO-INSURED IN THE AMOUNT OF \$1,000,000. Insurance certificate will be submitted when received by the club about first of May 2023.

### **11. VENDOR PERMITS**

THE EVENT SPONSOR IS AWARE THAT ANY VENDOR WITHIN THEIR EVENT MUST HAVE A VENDOR'S PERMIT FROM THE CITY PRIOR TO CONDUCTING BUSINESS AND TAKES FULL RESPONSIBILITY HEREIN TO SEE THAT COMPLIANCE IS MET. INITIAL HERE <u>STT</u>

### **12. FOOD CONCESSIONS**

WILL YOU OR ANY OF YOUR VENDORS BE SERVING, SELLING, OR GIVING AWAY FOOD?

IF SO, THE PROPER PERMITS FROM THE CENTRAL DISTRICT HEALTH DEPARTMENT MUST BE SECURED.

### PARKS AND RECREATION FEE SCHEDULE

WHEREAS, THE CITY COUNCIL WISHES TO SET USE FEES FOR CITY RECREATION FACILITIES AS FOLLOWS:

1. COMMERCIAL OR DEDICATED USE OF ANY CITY RECREATIONAL FACILITIES SHALL BE 5% OF GROSS PROCEEDS OR A MINIMUM CHARGE OF \$75.00 PER DAY PLUS 6% USE TAX.

THE FOLLOWING SECURITY DEPOSIT IS REQUIRED, REFUNDABLE IF RENTAL REQUIREMENTS ARE COMPLETED:

50 TO 99 PEOPLE \$50.00, 100 TO 249 PEOPLE \$100.00, 250 PEOPLE OR MORE \$300.00

EXCEPTIONS MAY BE SET BY THE CITY COUNCIL BASED ON RECOMMENDATION FROM THE IDAHO CITY PARKS AND RECREATION COMMISSION.

### **VEDORS FEES**

- 1. VENDORS LICENSE DAILY FEE \$15.75.
- 2. VENDORS LICENSE DAILY FEES (NONPROFIT ORG.) \$7.35.
- 3. VENDORS LICENSE YEARLY FEE (NON-REFUNDABLE) \$52.50.
- 4. CARNIVAL OR PUBLIC ENTERTAINMENT WITH LESS THAN 10 CONCESSIONS, RIDES, OR SIDESHOWS, DAILY FEE \$210.00.
- 5. CARNIVAL OR PUBLIC ENTERTAINMENT WITH MORE THAN 10 CONCESSIONS, RIDES, OR SIDESHOWS, DAILY FEE SHALL BE \$21.00 PER CONCESSION, RIDE OR SIDESHOW.

AN ADDITIONAL EVENT LICENSE FEE MAY BE REQUIRED FOR CARNIVALS, PUBLIC ENTERTAINMENT, OR SPONSORED EVENTS IN AN AMOUNT APPROVED BY THE CITY COUNCIL AS MEETING THE CITY'S EXPENSES RELATED TO THE ACTIVITY, INCLUDING BUT NOT LIMITED TO THE PROVISION OF PUBLIC WORKS AND POLICE. A PERMITTEE FOR A CARNIVAL, PUBLIC ENTERTAINMENT, OR SPONSORED EVENT SHALL ESTABLISH FINANCIAL RESPONSIBILITY IN THE FORM OF AN INSURANCE POLICY ISSUED JOINTLY TO THE OWNER AND THE CITY OF IDAHO CITY IN THE MINIMUM AMOUNT OF ONE MILLION DOLLARS, SINGLE LIMIT.

### **COMMUNITY HALL RENTAL FEES**

WHEREAS, THE CITY COUNCIL WISHES TO SET USE FEES FOR THE COMMUNITY HALL AS FOLLOWS:

- 1. NON-PROFIT GROUPS \$42.00 PER DAY PLUS (\$2.52) 6% USE TAX
- 2. PRIVATE GROUPS AND GOVERNMENT AGENCIES \$84.00 FOR 5 OR FEWER HOURS PLUS (\$5.04) 6% USE TAX
- 3. PRIVATE GROUPS AND GOVERNMENT AGENCIES \$157.50 FOR MORE THAN 5 HOURS PLUS (\$9.45) 6% USE TAX

A \$50.00 DEPOSIT REQUIRED; REFUNDABLE IF RENTAL AGREEMENT REQUIREMENT'S ARE COMPLETED.

THE COUNCIL CAN WAIVE A PORTION OF THE FEE OR SET A MONTHLY USE FEE FOR GROUPS DESIRING TO USE THE HALL ON A SET SCHEDULE FOR A CLASS OR MULTI-DAY EVENT.

OFFICE USE ONLY:	
ALL ATTACHMENTS AND/OR SITE PLAN	PERMITS AND FEES RECEIVED:
PROOF OF INSURANCE	
ALCOHOL/CATERING PERMIT	rs
	CEIVED AND FOUND TO BE COMPLETE:
APPROVED:	DENIED:
COMMENTS	PROPERLY IN A TIMELY FASHION?  YES NO SET ALL OF THEIR OBLIGATIONS AND RESPONSIBILITIES?  YES NO
	OWED TO USE CITY PROPERTY AGAIN? 🛛 YES 🗌 NO
SIGNED:	

### 2023 Idaho City 100 Maps

### Community Center -**Rider Registration**







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03/08/23 13:54:59

CITY OF IDAHO CITY Fund Summary for Claims For the Accounting Period: 3/23

> Page: 4 of 5 Report ID: AP110

Fund/Account		Amount	
10 GENERAL FUND			
10100 Checking-Cash in Bank		\$5,814.01	
51 WATER FUND			
10100 Checking-Cash in Bank		\$9,331.30	
52 SEWER FUND			
10100 Checking-Cash in Bank		\$3,287.47	
	Total:	\$18,432.78	

Authorized by:	CASH VOUCHERS	Ciy of Idaho City PO Box 13C 511 Main Street Idaho City. Idaho 83631-0130	03/08/23 13:54:59
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			CITY OF IDAHO CITY Claim Approval Signature Page For the Accounting Period: 3 / 23

Page: 5 of 5 Report ID: AP100A





2975 LANARK ST. MERIDIAN, ID 83642 PHONE (208) 886-1727 FAX (208) 895-9699

PROPOSAL SUBMITTED TO
City of Idaho City
Attention:
City of Idaho City
STREET ADORESS
511 Main St/PO Box 130
idaho City ID 83631

\_\_\_\_

Proposal

PHONE 208-392-4584 DATE 3/7/2023 EMAIL idahocityclerk@ciryofiC.org

Work Site:

202 Commercial St Idaho City, ID 83631

We propose to:

Install Reznor 125k btu unit heater with LP kit shop heater, all labor, venting and thermostat **INCLUDES:** Heater, LP kit, venting, thermostat and labor to install **EXCLUDES:** Anything not specificed in proposal \$5,214.00 Payment to be made upon completion Five Thousand Two Hundred Fourteen Dollars and Zero Cents YMC DISCLOSURE STATEMENT 1. The homeowner or residential real property purchaser shall have the right at the reasonable expense of the homeowner or residential real property purchaser to require that the general contractor obtain lien waivers from any subcontractors providing services or materials to the general contractor. 2. The homeowner or residential real property purchaser shall have the right to receive from the general contractor proof that the general contractor has a general lipbility insurance policy including completed operations in effect and proof that the general contractor has worker's compensation insurance for his employees as required by Idaho law. 3. The homeowner or residential real property purchaser shall be informed of the opportunity to purchase an extended policy of this insurance covering certain unfied or unrecorded liens. 4. The homeowner or residential real property purchaser shall have the right to require, at the homeowner's or residential real property purchaser's expense, a surely bond in an amount up to the value of the construction project. All material guaranteed to be as specified. All work to be completed in a workmanlike Authorized Rick Hazzard manner according to standard practices. Any alteration or deviation from above Signature **Rick Hazzard** specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. Exclusions: Roofing, Electrical, any after hours work, temporary heat, and any work Subcontractors/Suppliers/Rental Equipment not mentioned in proposal above or normally considered within the scope of another trade. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance, Warranty is null and void if YMC, Inc. is not contacted to perform any and all warranty work.

### Note: This proposal may be withdrawn by us if not accepted within 30 days.

Acceptance of Proposal - The above prices, specifications and conditions are salisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance :\_\_\_\_\_

Signature:

Signature:





### Civil Rights Training

For Special Use Permit Holders

## Federal Laws on FS Special Use Permits that Deliver Public Services

Service, have certain responsibilities to comply with Federal Civil services to the public under such permits issued by the Forest Special use permit holders and their employees, who provide Rights Laws

These Laws Include:

✓ Age Discrimination Act of 1975, as amended Title IX of the Education Amendments of 1972, as amended ✓ Section 504 of the Rehabilitation Act of 1973, as amended ✓ Title VI of the Civil Rights Act of 1964 as amended

# See Your Permit for Relevant Clauses

- Equal Access to Federal Programs (B-2). In addition to the activities are open to the general public on an equal basis and without nondiscrimination policy, the holder agrees to insure that its programs and regard to any non-merit factor.
- Non-discrimination (B-1).

facilities, services, or use privileges offered to the public generally. In addition, the holder and its employees shall comply with the provisions of Title VI of the Civil Rights Act of 1964 as amended, Section 504 of the as amended. age, or disability or by curtailing or refusing to furnish accommodations, on the basis of race, color, sex (in educational activities), national origin, 1. The holder and its employees shall not discriminate against any person Amendments of 1972, as amended, and the Age Discrimination Act of 1975, Rehabilitation Act of 1973, as amended, Title IX of the Education

2. The holder shall include and require compliance with the above nondiscrimination provisions in any third-party agreement made with respect

# See Your Permit for Relevant Clauses (cont.)

## Non-discrimination (B-1, cont.)

The Forest Service shall furnish signs setting forth this policy of directed by the Forest Service nondiscrimination. These signs shall be conspicuously displayed at the public entrance to the premises and at other exterior or interior locations, as

nondiscrimination provisions by suit for specific performance or by any other 4. The Forest Service shall have the right to enforce the foregoing the violation occurs. available remedy under the laws of the United States or the State in which

# A Closer Look at the Aforementioned Laws

## Title VI of the Civil Rights Act of 1964, as amended

States that no person in the United States shall, on the "ground of race, color, or national origin, be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

### <u>Section 504 of the</u> <u>Rehabilitation Act of 1973, as</u> amended

This act prohibits discrimination on the basis of disability. Section 504 states that "no qualified individual with a disability in the United States shall be excluded from, denied the benefits of, or be subjected to discrimination under" any program or activity that either receives Federal financial assistance or is conducted by any Executive agency.... It further defines the rights of individuals with disabilities to participate in, and have access to, program benefits and services.

## A Closer Look at the Aforementioned Laws (cont.)

### Title IX of the Education Amendment of 1972, as amended

The principal objective of Title IX is to prohibit sex or gender discrimination in federally conducted or assisted education and training programs and activities.

## <u>Age Discrimination Act of 1975, as amended</u>

This act prohibits discrimination on the basis of age. The act states that: "no person in the United States shall, on the basis of age, be excluded from participation in, be denied from penefits of, or be subjected to discrimination under, any program or activity receiving Federal Financial Assistance.

# Also Note: 28 CFR 42.406

Data and Information Collection, 28 CFR 42.406. Federal agencies shall in regard to each assisted program provide for the collection of data and information from applicants for and recipients of Federal assistance sufficient to permit effective enforcement of Title VI of the Civil Rights Act of 1964, as amended.

This CFR is where reporting comes in ☺.

 The FS completes a Compliance Review, using a FS-1700-0006A form.
 Depending on the type of use, these reviews happen before a permit is issued and every 5 or 10 years after the permit is issued.

## The Forest Service & The Permit Holder Are Evaluated on FS-1700-0006A

whether the agency did its part to: The Reviewer Response section prompts the to FS reports

- Explain civil rights responsibilities to special use permit holders (in this case)
- ' Give permit holders the program delivery brochure and required poster
- Give permit holders info on the complaint process
## The Forest Service & The Permit Holder Are Evaluated on FS-1700-0006a (cont.)

- ✓ In the Applicant/Recipient Response section, the permit holder answers questions 3-8 and 10-14. (Question 9 doesn't pertain to special uses.)
- Elaborate on any answers and describe deficient/remedies in writing in Part III
- Part IV asks if the permit holder did a Self Evaluation of questions If not, the form prompts the permit holder to answer nine more Accessibility, according to Section 504 of the Rehabilitation Act.

## FSM 1772.1 – Public Notification

financial assistance Forest Service to ensure that recipients of Federal The Department of Agriculture (USDA) requires the

sex, age, or disability. (See FSM 1620; Departmental Regulation 4300-3 and 4330-2). discriminate on the basis of race, color, national origin, 1. Notify the public that the recipients' institution does not

2. Cite their affiliation with the USDA Forest Service

3. Place notification elements on all materials produced for public information, public education, or public distribution

Post the USDA nondiscrimination statement for

## FSM 1776 – Compliance with Civil Rights Laws & Regulations

they meet the nondiscriminatory essential eligibility criteria. a. Sign a statement of assurance not to discriminate in the delivery of programs and services based on the individual's race, color, national origin, sex, age, or disability. Ensure that all persons have equal opportunity to participate in programs for which

programs provided through assistance from the Forest Service. the past, know about the availability of and are encouraged to participate in the b. Ensure that all persons, especially those who may not have participated fully in

c. Maintain participation data by race, color, and national origin.

## FSM 1776 – Compliance with Civil Rights Laws & Regulations (cont.)

Forest Service on all materials prepared for public information, public education, or d. Print the nondiscrimination statement and a statement of affiliation with the USDA public distribution.

areas, and include diverse populations in photographs and graphics e. Post signs explaining the USDA program complaint process in public reception

A, 15b.18. related problems and to achieve program accessibility as required in 7 CFR subtitle f. Complete a self-evaluation on the accessibility of programs and related facilities. Prepare, retain and implement the necessary transition plan to correct accessibility

FSM 1773 Complaints of Discrimination
1. Written complaints shall be filed with the USDA Office of Civil Rights within 180 calendar days of the
date that a person "knew or should have known of the alleged discrimination."
a. A complaint may be filed by: "Any person who believes a program or activity receiving Federal
financial assistance from USDA is not in compliance with equal opportunity and anti-discrimination
laws."
b. The complainant need not be the injured party.
c. The complainant does not have to identify any injured party nor does the complainant have to allege
any injury to have the complaint accepted by the USDA Office of Civil Rights.
2. Basis for civil rights complaints includes race, color, national origin, sex, age, or disability.
3. If a complaint is filed with an agency, it must be referred to the USDA Office of Civil Rights within 5
calendar days.

# FSM 1773 Complaints of Discrimination (cont.)

4. According to DR 4330-2, resolution of issues is "strongly encouraged" throughout the process

investigation. The USDA Office of Civil Rights will complete all investigations within 180 days after it accepts the complaint as complete 5. All cases shall be investigated by the USDA, unless resolved or settled prior to

found, the USDA will issue requirements for corrective action and will monitor that action to 6. The USDA Office of Civil Rights will issue a final agency decision. If discrimination is compliance.

7. If the recipient does not cooperate with the investigation, or refuses to take corrective

action, the USDA will request intervention from the Department of Justice

### By the way.... ©

\*In accordance with Federal law and U.S. Department of Agriculture policy, programs.) this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age or disability. (Not all prohibited bases apply to all

Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). \*To file a complaint of discrimination: write USDA, Director, Office of Civil USDA is an equal opportunity provider and employer."



### CHRONIC NUISANCE PROPERTY:

A. Purpose: Chronic nuisance properties present grave health, safety and welfare concerns, and occur when the property owners or persons in charge of such properties have failed to take corrective action to abate the nuisance conditions. Chronic nuisance properties have a tremendous negative impact upon the quality of life, safety and health of the neighborhoods where they are located. Additionally, chronic nuisance properties are a financial burden to the city due to the repeated calls for service to the properties because of the nuisance activities that repeatedly occur or exist on such properties.

This section of the Idaho City code is a means to ameliorate those conditions by providing a process for abatement and hold responsible the owners or persons in charge of such properties. This remedy is not an exclusive remedy available under any state or local laws and may be used in conjunction with such other laws.

B. Chronic Nuisance Property Violation:

1. Any property within the city of Idaho City which becomes chronic nuisance property is in violation of this section and subject to its remedies.

2. Any person who permits property under his or her ownership or control to be a chronic nuisance property shall be in violation of this section and subject to its remedies.

C. Definitions: For purposes of this section, the following words or phrases shall have the meanings prescribed below:

To repair, replace, remove, destroy, or otherwise remedy
a condition which constitutes a violation of this section by
such means and in such a manner and to such an extent
as the applicable city department director or designee
determines is necessary in the interest of the general
health, safety and welfare of the community.
Any property upon which three (3) or more of the below
listed behaviors occur during any sixty (60) day period as
a result of three (3) separate factual incidents that have
been independently investigated by the Idaho City Police
Department.
The ability to regulate, restrain, dominate, counteract or

govern property, or conduct that occurs on a property.

NUISANCE ACTIVITY:

1. Any nuisance as defined by Idaho Code or this code occurring around or near the property, or;

2. Any of the following activities, behaviors or criminal conduct:

a. Any felony;

Means and includes:

b. Domestic battery, Idaho Code section 18-918;

c. Stalking, Idaho Code section <u>18-7905</u>;

d. Battery, Idaho Code section 18-903;

e. Assault, Idaho Code section 18-901;

f. Violation of a protection order, Idaho Code section <u>39-</u> 6312;

 g. Violation of a no contact order, Idaho Code section <u>18-</u> 920;

h. Disturbing the peace, Idaho Code section 18-6409;

i. Refusal to disperse, Idaho Code section 18-6410;

j. Indecent exposure, Idaho Code section 18-4116;

k. Any firearms violation listed in Idaho Code sections <u>18-</u> <u>3301</u> through 3324;

 Any drug related activity listed in Idaho Code sections 37-2701 through 2751;

m. False alarms, Idaho Code section 18-6711A;

n. Fighting, section 4-12-5 of this title;

 Resisting and obstructing officers, Idaho Code section <u>18-705</u>, and;

p. Any attempt to commit and/or conspiracy to commit any of the above activities, behaviors or conduct.

OWNER: Any person having any interest in the real estate in question, as indicated in the records of the office of the Ada County assessor. "Owner" further means any tenant, renter or lessee, or any person, agent, firm, or corporation having a legal or equitable interest in a property.

PERSON: Natural person, joint venture, partnership, association, club, company, corporation, business trust, organization, or the manager, lessee, agent, officer or employee of any of them.

PERSONAny person who, on the occasion of a nuisance activity,<br/>ASSOCIATEDASSOCIATEDhas entered, patronized, visited, or attempted to enter,<br/>patronize or visit, or waited to enter, patronize or visit a<br/>property or a person present on property, including,<br/>without limitation, any officer, director, customer, agent,<br/>employee, or any independent contractor of a property,<br/>or a person in charge of or owner of a property.

- PERSON INAny person, in actual or constructive possession of aCHARGE OF Aproperty, including, but not limited to, an owner,PROPERTY:occupant, agent, or property manager of a property under<br/>his or her control.
- PREMISES ANDMay be used by this section interchangeably and meansPROPERTY:any building, lot, parcel, dwelling, rental unit or units, realestate or land, or portion thereof, including property usedas residential or commercial property.
- RENTAL UNIT: Any structure or that part of a structure, including, but not limited to, single-family home, trailer, mobile home, room or apartment, which is rented to another and used as a home, residence, or sleeping place by one or more persons, or for commercial purposes.

### D. Procedure:

1. When the chief of police, or his designee, receives police documentation confirming the occurrence of three (3) or more nuisance activities within a sixty (60) day period on the property, the chief of police, or his designee, may review such reports to determine whether they describe the nuisance activities enumerated above. For the purposes of this section, an arrest or conviction of an individual for the above described nuisance activities

shall not be necessary to qualify said activity as a nuisance. Upon a finding of the occurrence of three (3) or more nuisance activities within a sixty (60) day period on the property, the chief of police, or his designee, shall notify a property owner at the address shown on the Ada County assessor records and shall notify the person in charge of the property in writing that the property is in danger of being declared a chronic nuisance property.

2. The notice shall contain:

a. The street address or a legal description sufficient for identification of the property;

b. A concise description of the nuisance activities that exist, or that have occurred on the property;

c. A demand that the owner or person in charge respond to the chief of police, or his designee, within fifteen (15) days of service of the notice to discuss the nuisance activities and create a plan to abate the chronic nuisance;

d. Offer the person in charge an opportunity to abate the nuisance activities giving rise to the violation; and

e. A statement describing that if legal action is sought, the property could be subject to closure, civil penalties and costs assessed up to one hundred dollars (\$100.00) per day after the notice of the chronic nuisance property is received.

3. Such notice shall be either: a) personally served; or b) delivered by first class mail to the person in charge of the property, with a copy mailed to the owner at the address indicated by the Ada County assessor, if different than the person in charge of the property.

4. If the person in charge fails to respond to the notice within the time prescribed, the chief of police, or his designee, shall post such notice at the property. If the person in charge fails to respond to the notice of chronic nuisance, the matter shall be referred to the office of the city attorney for further action.

5. If the person in charge responds as required by the notice and agrees to abate the nuisance activity, the chief of police, or his designee, and the person in charge and/or property owner, may work out an agreed upon course of action which would abate the nuisance activity. If an agreed course of action does not result in the abatement of the

nuisance activities or if no agreement concerning abatement is reached, the matter shall be forwarded to the office of the city attorney for enforcement action.

6. It is a defense to an action for chronic nuisance property that the person in charge at all material times could not, in the exercise of reasonable care or diligence, determine that the property had become chronic nuisance property, or could not in spite of the exercise of reasonable care and diligence, control the conduct leading to the determination that the property is chronic nuisance property.

### E. Commencement Of Action; Enforcement:

1. Once the matter is referred to the city attorney, the city attorney shall immediately review and make a determination whether to initiate legal action authorized under this section or state statute, or may seek alternative forms of abatement of the nuisance activity. The city attorney may initiate legal action on the chronic nuisance property and seek civil penalties and costs in district court for the abatement of the nuisance.

2. In determining whether a property shall be deemed a chronic nuisance property and subject to the court's jurisdiction, the city shall have the initial burden of proof to show by a preponderance of the evidence that the property is a chronic nuisance property. The city may submit official police reports and other affidavits outlining the information that led to the investigation of nuisance activities occurring or existing at the property. The failure to prosecute an individual, or the fact no one has been convicted of a crime is not a defense to a chronic nuisance action.

3. Once a district court determines the property to be a chronic nuisance under this section the court may impose a civil penalty against any or all of the persons in charge of the property and/or the owner of the property, and may order any other relief deemed appropriate. A civil penalty may be assessed for up to one hundred dollars (\$100.00) per day for each day the nuisance activity continues to occur following the date of the original notice by the chief of police, or his designee, as described above. In assessing the civil penalty, the court may consider the following factors, citing to those found applicable:

a. The actions taken by the person in charge and/or owner to mitigate or correct the nuisance activity;

b. The financial condition of the persons in charge;

c. The repeated or continuous nature of the nuisance activity;

d. The cost to the city of investigating and correcting or attempting to correct the condition;

e. The statements of the neighbors or those affected by the nuisance activity; and

f. Any other factor deemed relevant by the court.

4. The district court which determines the property to be a chronic nuisance property shall also assess costs against the person in charge and/or owner in the amount it costs the city to abate, or attempt to abate, the nuisance activity.

5. If the district court determines the property to be a chronic nuisance property, the district court may order the property closed and secured against all unauthorized access, use and occupancy for a period up to six (6) months, and may impose a civil penalty and costs.

6. Once a determination has been made by the district court that the chronic nuisance property shall be subject to closure, the court may authorize the city to physically secure the premises and initiate such closure. Costs for such closure shall be submitted to the court for review. Any civil penalty and/or costs awarded to the city may be filed with the city treasurer, who shall cause the same to be filed as a lien on the property with the Ada County assessor.

7. The district court shall retain jurisdiction during any period of closure or abatement of the property.





### **RESOLUTION NO. 2023-02**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IDAHO CITY, IDAHO RELATING TO SURPLUS PERSONAL PROPERTY; DECLARING PERSONAL PROPERTY SURPLUS; AUTHORIZING AND DIRECTING THE DISPOSAL OF SURPLUS PROPERTY; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Idaho City, Idaho ("City") has acquired certain personal property for the purpose of carrying out services in the public interest; and

WHEREAS, certain items of personal property of the City have become worn out, obsolete, or are no longer needed by the City; and

WHEREAS, the City Council has deemed it unnecessary to maintain ownership of surplus personal property of the City specifically listed and described in Attachment A attached hereto and by this reference incorporated herein ("surplus property"); and

WHEREAS, the City Council, desires to dispose of the surplus property listed in Attachment A.

NOW, THEREFORE, it is hereby RESOLVED by the City Council of Idaho City, Idaho as follows:

<u>Section 1</u>: The City Council finds and declares that the City no longer has a use for the surplus property listed and described in Attachment A.

<u>Section 2</u>: The City Council adopts the valuation of the surplus property listed and described in Attachment A.

<u>Section 3</u>: The City Clerk is authorized and directed to partner with Public Surplus for the purposes of selling the surplus property to the highest bidder for cash after public notice.

<u>Section 4</u>: The City Clerk is authorized to donate or otherwise dispose of any item of surplus property if the bids on the surplus property are not in the best interest of the City, if no bids are received, or in the event that surplus property has no saleable value because of condition, obsolescence, or if the surplus property is inappropriate for use by the public.

Section 5: This Resolution shall take effect and be in force immediately upon its passage and approval.

Passed and approved on this day

By\_\_

Kenny Everhart, Mayor

ATTEST:

Nancy Ptak, City Clerk

RESOLUTION 2023-02

Page 1 of 1

### Surplus Property

			MAKE, MODEL,	ESTIMATED
Location ITEM		DESCRIPTION	SERIAL #	VALUE
Public Works	Equipment	1989 International Dump Truck		
Public Works		Sander		
Public Works		Water Tank		
Public Works		Blue Dump Truck		
Public Works		2 Well Pumps		
Public Works		Motor for Pump		
Public Works		Redwood		
Public Works		Misc. repair from old H2O Tank		
Public Works		Large Snake		
Public Works		Small Snake		
Public Works		Small 50 gal. Propane Tank		
Public Works	1 1	Red Dodge?		
Public Works		Misc. Office Chairs		
Public Works		Map Drawers & Cabinet	· · · · · · · · · · · · · · · · · · ·	
Public Works		Electric Cook Stove		
City Hall (closet				
right side)	Monitor	Samsung monitor	Z656HCLDC00301K	
↓ ↓		HP Monitor	CNC21	
		Dell Monitor	011021	
		Epson Receipt Printer	M253A	
		Cannon R40	JY305698	
↓ Image Formula		Adapters	02K6545	
¥	Dap	Neptune Microflex	CE5320BWE	
			CESSZOBWE	
City Hall (closet				
left side)	Hand Sanitizer	Automatic hand sanitizer stand		
↓ Staplers		3 - older staplers		
		2 - big speakers		
		Old Locks & Old Keys		
<u>↓</u>		Old door knobs & hardware		
↓ Cash register		Casio cash register	DL1335	
<u> </u>	Cyber Power	3 Sova plug in		no good
<u>↓</u>	Powerhorn	Radio Shack (2)	40-1239A	
		Auto Reflex TC & Hanimex w/ bag	737444 & TB655	
		Radio Shack (kanica) 35 watt	32-2042	
4	Amplifier	Radio Shack 20 watt	950603319	
↓	Charger Adapter	JVC Power Charger	AA-V40U	
$\checkmark$	Wireless Mic	Wireless microphone system	32-1221A	
	Speaker System	Technics, Optimus	SB-517, HU3CA23205	
$\checkmark$		3 hole punch		
$\checkmark$		Back-ups 350 APC	BE350G	
City Hall		Black plastic shelfs		

Location	ITEM	DESCRIPTION	MAKE, MODEL, SERIAL #	ESTIMATED VALUE	
City Hall		Paint			
City Hall	1	Primer			
City Hall		Carpet adhesive			
City Hall	Filing Cabinet	4 drawer brown (no lock)	1		
City Hall	Chairs	4 orange rolling chairs			
City Hall	Monitor	Broken Insignia B539EPD0545	NS-190220NA16		
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### CITY OF IDAHO CITY

### RESOLUTION NO. 2023-01

### A RESOLUTION OF THE CITY OF IDAHO CITY, A MUNICIPAL CORPORATION OF IDAHO, PROVIDING FOR THE DESTRUCTION OF TEMPORARY AND SEMI-PERMANENT RECORDS; AND PROVIDING THAT THIS RESOLUTION BE IN EFFECT UPON ITS PASSAGE AND APPROVAL.

WHEREAS, Idaho Code Section 50-907 outlines rules under which records are to be destroyed; and,

WHEREAS, the City Council deems that certain records of the City of Idaho City are semi-permanent records and are only required to be kept for five (5) years after date of issuance or completion of the matter contained within the record.; and,

WHEREAS, the City Council deems that certain records of the City of Idaho City are temporary records and are only required to be kept for two (2) years after date of issuance or completion of the matter contained within the record.; and,

WHEREAS, records may only be destroyed by resolution of the City Council after regular audit, and advice of the City Attorney; and,

WHEREAS, such resolution shall list in detail the records to be destroyed; and

WHEREAS, the disposition is to be under the direction and supervision of the City Clerk; and,

WHEREAS, the Idaho State Historical Society is empowered under Idaho Code Section 67-4126(8) to require that cities deposit official documents not in current use that are of definite historical importance with the Society for preservation,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Idaho City that the City Clerk is hereby authorized to destroy the records described in "Exhibit A" attached.

PASSED by the Council and APPROVED by the Mayor of the City of Idaho City, Idaho, this <u>day</u> of <u>, 20</u>.

Kenneth Everhart, Mayor

ATTEST:

Nancy L Ptak, City Clerk/Treasurer

CIT	Y RECORDS TO BE DESTROYED	EXHIBIT	A
Semi-Permanent/ Temporary	Record	Location	Schedule of Destruction
SP	Vendor Vouchers "A-D" 2018-2019	Box A	Destruction
SP	Warm Springs Emails	Box A	
SP	Warm springs Owner info	Box A	
SP	Warm springs Grant	Box A	
SP	Warm Springs letter of support for extension	Box A	
SP	Warm Springs Notice of Public Hearing	Box A	
SP	Warm Springs Questions	Box A	
SP	Warm Springs Resort	Box A	
SP	Warm Springs Right of Way Encroachment App and Permit for Utilities	Box A	
SP	Warm Spring Sewer Extension	Box A	
SP	Warm springs Water and Sewer Feasibility	Box A	
SP	warm springs cdhd	Box A	í I
SP	Warm springs GEM Grant Revised	Box A	
SP	Warm Springs Mores Creek Restoation Highway Saftey	Box A	
SP	Warm Springs Preliminary Engineering Report Sewer Extension 1	Box A	
SP	Warm Springs Preliminary Engineering Report Sewer Extension 2	Box A	
SP	Warm Springs Preliminary Engineering Report Sewer Extension 3	Box A	
SP	Warm Springs Reopening Support	Box A	
SP	Warm Springs Sewer Extension groundwater protection project	Box A	
SP	Warm Springs Sewer Request	Box A	
SP	Vendor Charge Accounts	Box A	
SP	Public Records	Box A	
SP	Cert of Vaccination - Dog	Box A	
SP	Liquor Catering Permits 2015	Box A	
SP	Liquor Catering Permits 2016	Box A	
SP	Liquor Catering Permits 2017	Box A	
SP	Liquor Catering Permits 2018	Box A	
SP	Liquor Catering Permits 2019	Box A	
SP	Business License 2018	Box A	
SP	Martin Water / Sewer public notice 12/17	Box A	
SP	Business License 2019	Box A	
SP	Dog License 2018	Box A	
SP	Dog License 2019	Box A	
SP	Liquor License Application Checklist 2018	Box A	
SP	Liquor License 2018	Box A	
SP	Liquor License Application Checklist 2019	Box A	
SP	Liquor License 2019	Box A	
SP	Vendor License 2018	Box A	
SP	IC Days Vendors 2018	Box B	
	Vendor License 2019	Box B	1
SP	IC Days Vendors 2019	Box C	
	ID Power copies VC 2013	Box C	
	ID Power copies VC 2014	Box C	
S	ID Power copies VC 2015	Box C	
	ID Power copies VC 2016 ID Power copies VC 2017	Box C	
	ID Power copies VC 2017	Box C	
	ID Power copies VC 2016	Box C	
	BBIA Old Power Bills	Box C	
	Attorney Correspondence		
SP	Land Issues		
, I		1	1 1

	SP	Building Code Violatiopn 2002	2-2003
	SP	Voided / not picked up BLDG	Permits
Ì	SP	Building Permit Register	
	SP	Vouchers and Invoices 2012 /	/ 2015
	SP	Vouchers and Invoices 2018	/ 2019
	SP		FY 11/12 Audit
	SP	Time Cards	
	SP	Bank Statements	
- 1	SP	Cash Reciept Books	
	SP	Deposit Reciepts	
	SP	Check Register	
	SP	Deposits	
	SP	2012 W2 1099s	
	SP	Journal Entries	
	SP	Water Sewer Account Ledger	
	SP	Cash Reciept Ledger	
	SP	Cash Disbursement Ledger	
	SP	Payroll Ledger	
	SP	Budget Prep	
	SP		FY 12/13 Audit
	SP	Time Cards	r f 12/15 Audit
	SP		
	SP	Bank Statements	
	SP	Cash Reciept Books	
	SP	Deposit Reciepts	
		Check Register	
	SP	Deposits	
	SP	2013 W2 1099s	
	SP	Journal Entries	
-	SP	Water Sewer Account Ledger	
	SP	Cash Reciept Ledger	
	SP	Cash Disbursement Ledger	
	SP	Payroll Ledger	
	SP	Budget Prep	
	SP		FY 13/14 Audit
	SP	Time Cards	
-	SP	Bank Statements	
	SP	Cash Reciept Books	
	SP	Deposit Reciepts	
	SP	Check Register	
	SP	Deposits	
	SP	2014 W2 1099s	
	SP	Journal Entries	
	SP	Water Sewer Account Ledger	
	SP	Cash Reciept Ledger	
	SP	Cash Disbursement Ledger	
	SP	Payroll Ledger	
	SP	Budget Prep	
	SP		FY 14/15 Audit
	SP	Time Cards	
	SP	Bank Statements	
	SP	Cash Reciept Books	
	SP	Deposit Reciepts	
_	SP	Check Register	
	SP	Deposits	
\$	SP	2015 W2 1099s	

Journal Entries	
budget Frep	FY 15/16 Audit
Time Cards	
Budget Prep	
	FY 16/17 Audit
Time Cards	
Bank Statements	
Cash Reciept Books	
Deposit Reciepts	
Check Register	
Deposits	
2017 W2 1099s	
Journal Entries	
Water Sewer Account Ledger	
Cash Reciept Ledger	
Cash Disbursement Ledger	
Payroll Ledger	
Budget Prep	
	Bank Statements Cash Reciept Books Deposit Reciepts Check Register Deposits 2017 W2 1099s Journal Entries Water Sewer Account Ledger Cash Reciept Ledger Cash Disbursement Ledger Payroll Ledger



City of Idaho City				
	Monthly Budget Report			
	Fiscal	Year-to-Date as	5	
	Feb	ruary 28, 2023	10	
	OPERATING		AMOUNT	PERCENTAGE OF
GENERAL GOVERNMENT	EXPENSES	REVENUE	BUGETED	APPROPRIATIONS
Administative	\$ 41,950.00	\$ 60,065.00	\$ 164,773.00	25.46%
Law Enforcement	\$ 103,065.00	\$ 76,818.00	\$ 273,304.00	37.71%
Total Government	\$ 145,015.00	\$ 136,883.00	\$ 438,077.00	33.10%
Street Fund	\$ 26,161.00	\$ 34,100.00	\$ 72,177.00	36.25%
Water Fund	\$ 207,966.00	\$ 124,627.00	\$ 367,660.00	56.56%
Water Bond	\$ - • •	\$-	\$ -	
Sewer Fund	\$ 64,765.00	\$ 73,022.00	\$ 193,229.00	33.52%
BUDGET TOTAL	\$ 443,907.00	\$ 368,632.00	\$1,071,143.00	41.44%
Citizens are invited to inspect the detailed supporting records				
of the above financial statement.				
Vancy L Ptak 511 Main Street				511 Main Street
City Clerk-Treasurer Idaho City, ID 8363				Idaho City, ID 83631
March 6, 2023	March 6, 2023 208-392-4584			



CONTRACT FOR USE OF SEWAGE TREATMENT FACILITIES

THIS AGREEMENT made and entered into as of the A day of <u>Moutmain</u>, 1974, by and between Idaho City Sewer Association, Idaho City, Boise County, Idaho, first party, hereinafter referred to as the "Adspciation," and Esco, Inc., 2417 Bogus Basin Road, Boise, Idaho, an Idaho corporation, developers of a parcel of land known as "The Idahoan Placer Claim" that is being subdivided into residential lots and will be known as "Mores Creek Crossing Subdivision", hereinafter referred to as the Subdivision.

WITNESSETH:

WHEREAS, the Association owns, operates, and maintains a system of sanitary sewage treatment and disposal through the maintenance and operation of sewage disposal facilities herein commonly referred to as sewage treatment facilities; and

WHEREAS, it is deemed to the mutual benefit of the health and welfare of the inhabitants of the Association and of the residents and inhabitants of the Subdivision that the sewer lines to be constructed by the Subdivision be connected to, and the sewage of the District be treated at sewage treatment facilities provided and maintained by the Association.

NOW, THEREFORE, in consideration of the benefits accruing to each party hereto by reason of the health and welfare of the residents and inhabitants of both parties hereto and in consideration of the agreements herein contained, it is hereby agreed between the Association and the Subdivision as follows:

> The Association hereby grants to the subdivision the right to connect the proposed sanitary sewer system of the Subdivision

> > -1-

to the sanitary sewer system of the Association so that the sewage treatment facilities maintained and operated by the Association can be used in the treatment of the sewage of the Subdivision.

It is understood that the Subdivision shall connect directly to the said sanitary sewer system of the Association, which is described as follows:

A tract of land situated in Sections 25, 26, 35, and 36, T. 6N., R. 5E., B.M., Boise County, Idaho, being a portion of the Idahoan Placer Claim according to the official plat of Mineral Survey No. 1541 on file in the U.S. Bureau of Land Management Office, Boise, Idaho, more particularly described as follows: Commencing at a steel pin marking the south one-quarter corner of Section 25, T. 6N., R. 5E., B.M., Boise County, Idaho, thence N. 79°33'30"W., 237.12 feet to a steel pin with cap at Corner No. 1 of said Idahoan Placer Claim, the real point of beginning; thence N. 50°03'10"E., 326.9 feet to a steel pin with cap at Corner No. 2 of said claim; thence N. 40°03'50"W., 326.0 feet to a steel pin with cap at Corner No. 3 of said claim; thence S. 88°50'10"W., 1190.5 feet to a steel pin with cap at Corner No. 4 of said claim; thence N. 76°20'50"W., 2620.88 feet to a steel pin on the southerly right-of-way line of State Highway No. 21; thence S.85°18'W. along said right-of-way line, 66.81 feet to a steel pin; thence along said right-of-way line to a curve to the right with a radius of 2914.79 feet, a central angle of 13°55' and whose long chord bears N. 87°44'30"W., 706.24 feet to an existing brass cap; thende N. 80 47 W along seaton igntented av

> line, 278.06 feet to a steel pin; thence along said right-of-way line on a curve to the left with a radius of 2814.79 feet, a central

> > -2-

angle of 5°57'19" and whose long chord bears N. 83°45'40"W., 292.44 feet to an existing brass cap; thence S. 9°32'E., 393.03 feet to an existing brass cap; thence S. 88°53'W., 300.00 feet to an existing brass cap; thence S. 9°32'E., 453.11 feet to a steel pin on the line between Corners No. 7 and 8 of said Idahoan Placer Claim; thence S. 79°22'50"E., 1229.33 feet to a steel pin with cap at Corner No. 8 of said claim; thence S.78°35'50" E., 2775.5 feet to a steel pin with cap at Corner No. 9 of said claim; thence N. 83°01'10"E., 1324.3 feet to a steel pin with cap at Corner No. 10 of said claim; thence N. 9°23'W., 306.22 feet to the real point of beginning. Said tract contains 110.40 acres more or less, subject to easements of record or in use and subject to a road easement described in Instrument No. 73048 which is recorded in Book 59 of Deeds at page 435 in the Boise County Recorder's Office, Idaho City, Idaho.

Further, it is understood and agreed that the Association will provide all facilities required to transport, pump and treat the sewage flows of the Subdivision from the connection point hereinafter mentioned and described.

It is understood and agreed that the Association will maintain all lines installed by said Subdivision within its boundaries.

It is understood and agreed that the sewer lines be extended at the developer's cost in conformance with state health require-Association & Correct State a hook-on Association & Correct State a hook-on charge be established by the Oity to be paid by the homeowner at the time of book-on, to pay for future additions to the sewage treatment lagoons; that each homeowner, after hook-on, would be Association & Correct State and State and

This agreement is intended to apply only to the grant to the Subdivision, the license or permission to use the said sewage Association fell Association Ef. treatment facilities of the City, and the City will establish the

subject to a monthly sewer charge as established by the City.

-3-

amount to be paid therefor. In no event shall this agreement be deemed to include the right to the use of the streets or alleys of the City for installations of sewers, nor as to the installation in any particular of a sewer system.

This agreement shall continue in force for a period of fifty (50) years unless sooner terminated by agreement of the parties hereto.

IN WITNESS WHEREOF, the parties hereto by their corporate and municipal officers have executed this agreement as of the date above mentioned.

IDAHO CITY SEWER ASSOCIATION

By Iderar Cast President

ATTEST:

M Yelen

Secretary

ESCO, INC.

By Ca lee Pase

ATTEST :

Bann. To

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