

**ALBION CITY COUNCIL MEETING  
MINUTES NOVEMBER 1, 2022.**

CALL TO ORDER – The meeting was called to order at 7:02 pm in the Albion Civic Center by Mayor Isaac Loveland.

OPENING CEREMONIES – The Pledge of Allegiance was led by Council President Kevin Lloyd.

ROLL CALL – Present: Mayor Isaac Loveland, Council President Kevin Lloyd, Councilpersons Dallan Doc Carlson, and Brad Woodrow, City Clerk-Treasurer Mary Yeaman and Linda Hutchison, City Attorney Kerry McMurray, and Maintenance Director David Hageman.  
Councilperson Wayne Winder arrived after the meeting had started.

OTHERS IN ATTENDANCE – Earl Warthen, Brenda Hastreiter, Adeanna Jenkins, Deputy Clerk Deric Bell, Tony & Giselle Prescott, Resident Deputy Tanner Allred, Virginia Hall, Theresa Johnson, Jim & Susan Kempton, Linda Prefontaine, Jan Johnson, James and Kathy Endres, Lance Holman, David Chatterly, Troy Mortensen, John B. Davis, Leroy Robinson, Wylee Douglas, Lisa Field, and Dwight Parish. There was another couple who did not sign in.

APPROVAL OF MINUTES- Upon motion made by Lloyd, seconded by Carlson, and unanimously carried, with the following vote: Lloyd-aye, Carlson-aye, Winder-aye, and Woodrow-aye, the Council moved to approve the Minutes of the October 4, 2022 Council Meeting as presented.

APPROVAL OF BILLS – Upon motion made by Woodrow, seconded by Lloyd, and unanimously carried, with the following vote. Lloyd-aye, Carlson-aye, Winder-aye, and Woodrow-aye, the Council moved to approve payment of the Bills as presented.

LAW ENFORCEMENT REPORT – Resident Deputy Tanner Allred reported for the month of September there were six (6) Traffic Stops, with no citations issued. Also reported was one (1) Alarms (All), one (1) 911 Hang Up/Open Line/Prank Call, one (1) Abandoned Vehicle, two (2) Business Checks, one (1) Juvenile Incident, two (2) Civil Paper Service, and one (1) VIN Inspection.  
Resident Deputy Tanner Allred reported for the month of October there were ten (10) Traffic Stops, with four (4) citations issued. Also reported was one (1) Fire Alarm, one (1) Information, one (1) Parking/Tag Vehicle, one (1) Accident-Minor, one (1) Transport/Transfer Prisoner, one (1) 911 Hang Up/Open Line/Prank Call, one (1) Foot Patrol, one (1) Public Relations, two (2) Sex Offender Registry, two (2) SRO Calls, one (1) Insurance-Fail to Maintain Liability Insurance-INF, one (1) Drivers License-Fail to Purchase/Invalid-MSD, one (1) Speed-Exceed Maximum Speed Limit-INF, and one (1) Speed-Exceed Maximum Speed Limit-INF 50/25.  
Resident Deputy Allred also reported the portable radar machine set up along Highway 77, by the Campus property, is slowing people down coming into town.

Resident Deputy Tanner Allred asked the Council if they had any questions, to which the Council asked if the STOP Signs on Market St. have made a difference. Allred replied Yes, the added STOP Signs are slowing people down.

The Mayor and Council thanked Resident Deputy Allred for his service.

ANIMAL CONTROLREPORT – Maintenance Director David Hageman reported he took a stray dog to the pound in Burley.

## **CITIZEN'S ISSUES**

### **SPEED LIMIT ON S. MAIN ST. – VIRGINIA HALL**

Virginia Hall reported she is concerned about the trucks and other vehicles speeding on S. Main Street. Speed Limit Signs were posted, which she appreciates, but they are not slowing people down. Drivers punch the gas when they come off Main St., and continue onto S. Main St., and the same happens when they leave Main St., and are back on Highway 77 heading towards Creekside Store.

Resident Deputy Tanner Allred reported he will patrol that area more, and he can move the portable radar machine to that end of town. Hopefully that will continue to help slow people down.

Mayor Isaac Loveland reported he would like to discuss the Water Project, and clear up all misinformation, before going to the Agenda Business Items. Mayor Loveland reported our current water system is out of compliance with state law. If maximum day demands were to occur for more than one day in a row, the system would likely run out of water. The system is out of compliance with groundwater redundancy. If a single well goes out of service during a period of high demand, the system could run out of water. The system is out of compliance with redundant fire flow capacity. The system cannot meet the required fire flows and fire flow duration even with all pumps in service, let alone with a single pump out of service. Numerous significant deficiencies were identified in the City's most recent Sanitary Survey, including well head deficiencies, chlorination storage and safety deficiencies, well house envelope deficiencies, and the lack of adequate water quality sampling plans. The City has known that these areas would be deficient since 2005 when they completed a study and the Drinking Water Protection Plan. The main hurdle in updating and bringing our water system into compliance is money. The Council decided to do an updated study to see what was needed for the system, which was funded by a Grant through USDA. The updated information from the study showed the cost to fix the water system issues ranged from \$2-5 million dollars, which is out of range for the City to afford. The City was notified this fall that they could qualify for a 44% Grant through the federal American Rescue Plan Act (ARPA). The Council revisited the plan and reduced the water project to what was only necessary to bring the system back into compliance with the law. By obtaining Grants to help with the needed upgrades to our water system, there will be little or no rate increases for the citizens. This is the goal the Council is working towards. One of the requirements is for the City to have the authority to incur debt and this must be done by December. The Council chose to present the information for judicial confirmation to

rule if our project is ordinary and necessary to bring our system in compliance with the law and have the authority to incur debt. If approved, we can apply for Grants. Mayor Loveland reported there has been talk about putting Well #3 back online, this is not feasible. Well #3 has no casing, and the last tests showed the water contains several toxins, such as e coli, arsenic, iocs, and dymo-propane just to name a few. Mayor Loveland passed a glass of water, he drew out of Well #3 earlier today, to the Council for them to smell. The water was murky and smelled strongly of petroleum. It was suggested Well #3 be abandoned. Mayor Loveland reported we are doing what needs to be done to meet end of year deadlines.

Dwight Parish reported the City needs impact fees, and only three (3) people in Albion get legal notices.

Earl Warthen reported the City needs to contact the engineer of the 1992 water system project, and get the plans to know the system.

Councilperson Dallan Doc Carlson reported we as a Council are trying to keep rates from going to two hundred dollars (\$200) or more a month, by looking into obtaining Grant funds.

## **AGENDA BUSINESS ITEMS**

### **AMERICAN LEGION MEETINGS IN THE ALBION CIVIC CENTER – JIM KEMPTON**

Jim Kempton reported to the Council the Albion American Legion Post #124 would like to use the Albion Civic Center for their meetings. Kempton reported the Legion was meeting in the Albion Church of Christ/Grange Building, but it is now being used by the Albion Historical Society for their Museum. The Legion was told they could still meet in the kitchen, but this does not allow enough room for the Legion. Kempton told the Council the Legion would like to put a display on one wall, in the Civic Center, if allowed to use the building. Kempton reported a decision does not need to be made tonight, and he would like to meet with a couple of Council members to discuss this request further. Council President Kevin Lloyd and Councilperson Wayne Winder volunteered to meet with Jim Kempton for further discussion on this issue. No Council decision was made.

### **PUBLIC HEARING – PROPOSED GRANT ACTIVITIES**

Mayor Isaac Loveland opened the Public Hearing and asked those wishing to comment to please come to the podium, and state their name and address for the record. Mayor Loveland reported the Public Hearing is to discuss a Grant for the Water System. Adeanna Jenkins, from Region IV Development, reported she and Brenda Hastreiter work with Cities and Counties to help them obtain funding for Projects such as this. Jenkins reported the Community Development Block Grant (CDBG) program is administered by the Department of Commerce, who have provided over seven million dollars (\$7,000,000) to the State of Idaho. Jenkins reported Region IV Development will be working with the City to help them obtain a Community Block Grant, in the amount of five hundred thousand dollars (\$500,000), to help with the Water System upgrades. Jenkins reported the CDBG program is divided into five (5) categories which are: 1)

Public Facilities, 2) Senior Centers, 3) Economic Development, 4) Imminent Threat, and 5) Public Parks. The City will be applying for a Public Facilities Grant, which covers water and wastewater projects, and no match is required for the Grant funds. Obtaining a Grant is very competitive, only twelve to fifteen (12 – 15) projects are selected each year, and are awarded to communities with the greatest need. The Grants help communities with low to moderate incomes dealing with health and safety issues, which the City qualifies for. Applications are received annually, and are due November 18<sup>th</sup> this year. We are working with the City to meet this deadline. All applications are reviewed by the Department of Commerce, and are ranked using a scoring system. Applications are also ranked through a Governor's Board. It is possible to receive up to one thousand (1,000) points on an application. Additional information may be required, and if so, this is due by March 3<sup>rd</sup>. Projects are ranked again, and reviewed in April, and recommended by the Governor. The higher scoring projects receive the funding. If the project is approved, funding will be rewarded in July. A second Public Hearing will be held to outline the project. This is a requirement when receiving federal funding. Councilperson Wayne Winder asked if the funding is awarded in July, how soon does the City have to spend the funds, if we are not ready to start on the water project by July.

Adeanna Jenkins reported they will get a schedule, from the Engineers, for the project. The City will not lose the funding, even if the project is not ready to start in July. Jenkins asked Jeff McCurdy, who was on the phone, if he had anything to add to which McCurdy said he had nothing to add, everything has been covered. Jenkins thanked the Council for their time.

Mayor Isaac Loveland thanked Adeanna Jenkins for her presentation, and closed the Public Hearing.

#### FAIR HOUSING RESOLUTION NO. 2022-04

City Attorney Kerry McMurray read Resolution No. 2022-04 to the Council. The summary of the Resolution states: SAID FAIR HOUSING PROGRAM will at a minimum include: 1) publicizing this resolution; 2) posting applicable fair housing information in prominent public areas; 3) providing fair housing information to the public; 4) preparing fair housing assessment; and 5) declaring April as Fair Housing Month.

Upon motion made by Woodrow, seconded by Winder, and unanimously carried, with the following vote: Lloyd-aye, Carlson-aye, Winder-aye, and Woodrow-aye, the Council moved to approve and adopt Resolution No. 2022-04 as presented.

#### SIGN AND SUBMIT RESOLUTION NO. 2022-05

City Attorney Kerry McMurray presented Resolution No. 2022-05 A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF ALBION, IDAHO, AUTHORIZING THE MAYOR TO SIGN AND SUBMIT AN APPLICATION FOR AN IDAHO COMMUNITY BLOCK GRANT TO PARTIALLY FUND IMPROVEMENTS TO THE CITY'S MUNICIPAL WATER S YSTEM to the Council for approval.

Upon motion made by Lloyd, seconded by Carlson, and unanimously carried, with the following vote: Lloyd-aye, Carlson-aye, Winder-aye, and Woodrow-aye, the Council moved to approve and adopt Resolution No. 2022-05 as presented.

## CITIZEN PARTICIPATION PLAN

Mayor Isaac Loveland reported as part of the Idaho Community Development Block Grant (ICDBG) program, the Council needs to adopt the Citizen Participation Plan. The Citizen Participation Plan states the City will provide for and encourage citizen participation, hold a minimum of two (2) public hearings, each at a different stage of the program, for the purpose of obtaining citizens' views, The first public hearing shall include a description of the proposed project, scope of work, budget, schedule, location, and beneficiaries. The second public hearing on the status of funded activities and accomplishments to date; a general description of remaining work and a general description of changes made to the CDBG project scope of work, budget, schedule, location, or beneficiaries. A public hearing shall also be held in the event CDBG project activities are added, deleted, or substantially changed from the application. Provide reasonable and timely access to local meetings, information and records pertaining to the local government's proposed and actual use of CDBG funds. Public hearings shall be conducted at times and locations convenient to local citizens. Public hearings shall be advertised in a local newspaper no less than seven (7) twenty-four (24) hour days prior to the hearing date. A copy of the publication and /or affidavit of publication shall be submitted to the department. Citizens shall also be notified they will be given the opportunity to comment orally or in writing at a minimum of five (5) days prior to and at the hearing. Special accommodations shall be available for persons with disabilities who may wish to comment within the period. Public hearings shall be conducted in a manner to meet the needs of non-English speaking residents where a significant number of non-English speaking residents can be expected to participate. Local citizen participation records which shall be made available to the state and local citizens shall include: A copy of the public notice and/or affidavit of publication which describes proposed or actual activities, scope of work, location, budget, schedule, objectives, and beneficiaries. Notices shall also contain the accessibility clause for persons with disabilities. Grantees must provide the address, telephone number, and times for submitting complaints and grievances, and provide timely written answers to written complaints and grievances within fifteen (15) working days where practicable.

Upon motion made by Lloyd, seconded by Woodrow, and unanimously carried, with the following vote: Lloyd-aye, Carlson-aye, Winder-aye, and Woodrow-aye, the Council moved to approve and adopt the Citizen Participation Plan as presented, and also approved Mayor Loveland signing the Citizen Participation Plan.

## SELECTION OF PROJECT ADMINISTRATION SERVICES

Mayor Isaac Loveland reported as part of the Idaho Community Development Block Grant (ICDBG) program, the Council needs to make a selection for Project Administration Services.

City Clerk Mary Yeaman reported the City sent out three (3) Request for Proposals (RFP), with two (2) responding they were too busy to work with the City.

Mayor Isaac Loveland reported the one (1) Proposal received is from Region IV Development.

Adeanna Jenkins, from Region IV Development, reported as part of the Administration Services Region IV Development will help find funding, help with applications, attend meetings, work with engineers and contractors, and will maintain files.

Upon motion made by Carlson, seconded by Winder, and unanimously carried, with the following vote: Lloyd-aye, Carlson-aye, Winder-aye, and Woodrow-aye, the Council moved to approve and accept the Proposal for Project Administration Services received from Region IV Development.

Mayor Isaac Loveland thanked Adeanna Jenkins and Brenda Hastreiter, from Region IV Development, for attending tonight's Council Meeting.

#### **KELLER ASSOCIATES ENGINEERING CONTRACT RENEWAL**

Mayor Isaac Loveland reported Keller Associates Engineering Contract needs to be renewed. Mayor Loveland presented Task Order No. 008 for General Engineering Services FY2023, with an effective date 10/01/2022 for Council approval.

Upon motion made by Winder, seconded by Lloyd, and unanimously carried, with the following vote: Lloyd-aye, Carlson-aye, Winder-aye, and Woodrow-aye, the Council moved to approve Task Order No. 008 for General Engineering Services FY2023, with an effective date 10/01/2022 as presented, and also approved Mayor Loveland signing the Contract renewal.

#### **INFORMATION FROM CITY OFFICIALS**

Councilperson Brad Woodrow reported to the Council he received a complaint about loose dogs chasing livestock through a property/yard where children were playing. Woodrow asked if the City could put up Signs requiring dogs to be on a leash. Mayor Isaac Loveland asked Maintenance Director David Hageman to order four (4) Signs to be posted around town.

Council President Kevin Lloyd asked if the Park Sprinkler System has been completed, to which Mayor Loveland reported Yes, it is done, and Maintenance Director David Hageman has reseeded the grass.

Mayor Isaac Loveland reported the next court date for the Judicial Confirmation is December 6<sup>th</sup> at 9:00 am.

Mayor Isaac Loveland reported he is grateful for the time and effort Mary Lynne Bristol puts into printing the Albion Valley Newsletter. She does this as a service to the community.

Mayor Isaac Loveland reported he and the Council will work on better communication with the residents of the City.

PRESENTATION OF BILLS

Mayor and Council Salaries *	1700.00
Salary – Clerk *	3024.00
Linda Hutchison – Clerk-Treasurer *	2871.00
Deric Bell – Deputy Clerk *	959.62
David Hageman – Maintenance Director *	8030.00
PERSI – Employer Remittance (10/16-10/31/22) *	1289.09
DL Evans Bank – EFTPS 941 Employer Remittance (Oct. 22) *	2092.42
PERSI – Employer Remittance (11/01-11/15/22) *	1102.62
Raft River Electric – Water Tank-45.13/Service Work-1345.48 *	1390.61
SelectHealth – Insurance (Dec. 22) *	3398.00
Catmull Plumbing - Park Hydrant/Meter Repair *	3881.43
Norco – Cylinder Rent *	13.02
Gem State Dairy Supply - Chlorine *	571.36
MSBT Law – Judicial Confirmation/Court Hearing/Mileage *	4850.40
Ace Hardware – Maintenance Supplies	224.30
ATC Communications – Phone/Internet/L. Station/Wells/Cameras	247.14
Becky Schow – Christmas Windows	240.00
Bonneville Power Administration – Transmission/Power (Oct.22)	13,633.00
Cassia Co Tax Collector- Taxes	144.00
Catmull Plumbing – Bury Meter/Winterize Bathrooms	552.48
Creekside Store – Maintenance Fuel (Nov. 22)	248.29
ETS – Email Licenses	28.50
Ferguson Waterworks – Portable Pump/Batteries/Meters	1925.19
Four Seasons Burley – Sprinkler System Final Pmnt.	20400.00
J’s Mobile Garage – Plow Truck/Chevy Truck/Backhoe Battery	258.24
Keller Associates – Monthly Fee	250.00
Keller Associates – Judicial Confirmation Support	3985.00
Kerry McMurray – Legal Services (Nov. 22)	2397.00
Lamont Young – Back-Up Operator Fee (Nov. 22)	300.00
MSBT Law – Judicial Confirmation	767.00
Magic Valley Labs – Water Test	22.00
Norco – Cylinder Rent	12.60
Post Master – Stamps	720.00
Raft River Electric – Water Tank-45.13/ Service work – 325.00	370.13
Road Work Ahead Const. Supply – Signs	96.84
Tru Green – Park Lawn Service	225.00
UAMPS – General A&G Expenses	50.68
VISA - #4703 M. Yeaman Nov. 22 Stmt. (Office Supplies)	419.78
VISA - #6721 D. Hageman Nov. 22 Stmt. (Car Washes)	40.00
Western Waste Services – Dumpster	<u>78.97</u>
TOTAL	\$82,809.71

## **COUNCIL ADJOURNS**

There being no further business brought before the Council, motion to adjourn was made by Lloyd, seconded by Woodrow, and unanimously carried, with the following vote: Lloyd--aye, Carlson-aye, Winder-aye, and Woodrow-aye. Adjournment was at 9:14 pm.

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Isaac Loveland, Mayor

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Mary Yeaman, City Clerk-Treasurer