MINUTES OF THE REGULAR COUNCIL MEETING HELD 5/28/2019

Mayor Ryan Smathers

6:00 p.m.

Pledge of Allegiance

Council Members: Jennifer Dunaway, Mark Swayne, Don Gardner, Shannon Schrader, Josh Tilley and Sean Simmons

Staff: City Administrator-Rick E. Laam, Treasurer-Donna Wilson, Building Official-Toddy Perry, Public Works Supervisor-Shane Miller, Water/Wastewater Supervisor-Michael Martin, Police Chief-Jeff Wilson and Assistant Fire Chief-Keith Brink

Absent: Clerk-Janet R. Montambo and Fire Chief-Jon Hoyt

Guests: Mike Hardin, Chris St. Germaine, Tim Short

Media: Elizabeth Morgan

AMENDMENT TO AGENDA

Councilmember Schrader made a MOTION to amend the agenda and add the Additional Bills as presented and the Payroll ending May 25, 2019. Councilmember Simmons seconded the motion and it passed with a roll call vote resulting in all ayes.

MINUTES

Councilmember Schrader made a MOTION to approve the Regular Council Meeting Minutes as written May 14, 2019. Councilmember Tilley seconded the motion and it passed with a roll call votes resulting in all ayes.

BILLS AND CLAIMS

Councilmember Simmons made a MOTION to approve the regular bills and the additional bills as presented and the Payroll ending May 25, 2019. Councilmember Swayne seconded the motion and it passed with a roll call vote resulting in all ayes.

City of Orofino Regular Council Meeting held 5/28/2019
PETITIONS, APPLICATION, APPEALS AND COMMUNICATIONS

Pickle Ball-Lupe' Sims-Ms. Sims was not in attendance of the meeting.

Efficient Public Collaboration (EPC) Charter and Operating Guidelines Forest Plan Revision Recommendation for the Great Burn-Administrator Laam indicated the City of Orofino received an invitation to join EPC to help assist other entity’s in making recommendations for the Forest Plan Revision. After Council discussion it was noted the city would not participate or be part of the Public Collaboration Group, but will continue to stay updated of EPC’s future recommendations.

FAA approval Letter for Phase I - Airport Project - Administrator Laam reported three bids were received for the Orofino Municipal Airport 2019 Pavement Rehabilitation Project, which involves the sealcoating of the runway, taxiway, apron areas and the approach road coming into the airport. The following is a recap of the bids including the Engineer’s Estimate:

<table>
<thead>
<tr>
<th>2019 Pavement Rehabilitation Project</th>
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<tbody>
<tr>
<td>Contractor</td>
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<tr>
<td>Boswell Asphalt, Inc.</td>
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<tr>
<td>C.R. Contracting</td>
</tr>
<tr>
<td>Maxwell Asphalt, Inc.</td>
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<tr>
<td>Engineer’s Estimate</td>
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</tbody>
</table>

After review of the bids, TD&H Engineering, Inc. recommends Boswell Asphalt as the low qualified and most responsive bidder for the Orofino Municipal Airport 2019 Pavement Rehabilitation Project Phase I. Councilmember Simmons made a MOTION to accept the bid from Boswell Asphalt in the amount of $149,865. Councilmember Gardner seconded the motion and it passed with a roll call vote resulting in all ayes.

Brotnov Architect Agreement for OBC Expansion - Councilmember Dunaway made a MOTION to enter into an agreement with Jerald W. Brotnov, Architect for the design of the Orofino Business Center Expansion Project. Councilmember Swayne seconded the motion and it passed with a roll call vote resulting in all ayes.

DEPARTMENTAL REPORTS

Administrator - Administrator Laam reported that Phase I of the Airport Improvement project has been approved by FAA. The first phase is the Rehabilitation of the runway, taxiway, apron area and the approach road. Phase 2 improvements consists of the removal of all trees on the north and south sides of the airport. This work is tentatively scheduled for late June. The new cardlock system is installed but is not in working order as of yet. Mascott Equipment still needs to calibrate and program the system which operates off a satellite system. Laam thanked Michael Martin and
Jim Thornton for all their hard work and expertise in assisting with the installation of the new avgas distribution and card lock system. Laam expects the system will be up and running by Friday. In other news, Laam reported last week he and all the department heads attended the PRIMA training in Moscow. October will be his last PRIMA training session and will no longer be a Board Member. Laam has been involved with PRIMA since 1992. It was noted ICRMP has another update for the Personnel Policy Manual. Updates in the Family Medical Leave Act (FMLA) have taken place. Laam will make these changes in the city’s manual and provide a new copy to the Council and staff.

Treasurer - Treasurer Wilson submitted a copy of the Clearwater County Tax Recap Report for Council review.

Building Official - Building Official Perry reported to the Council a notice was placed in the Clearwater Tribune regarding weed removal. Perry stated there are several properties in violation of the city’s weed ordinance. Perry will post these properties tomorrow for mitigation purposes.

Public Works - Public Works Supervisor Miller reported he will be one man down due to Craig Marvin being out for medical reasons. It was noted the 2019 Dodge Pickup was delivered today. Miller will be taking the vehicle to Spokane Titan Truck for the bed replacement.

Police - Police Chief Wilson wanted to thank city staff for the help in installing the evidence storage building over the week-end.

Water/Wastewater - Water/Wastewater Supervisor Martin reported to the Council they are doing routine maintenance and assisting where they can to help out with the other departments.

Fire - Assistant Fire Chief Brink reported that there was no news to report on.

EXECUTIVE SESSION

At 6:33 p.m., Councilmember Dunaway made a MOTION to go into executive session pursuant to Idaho Code 74-206 Subsection 1 (b) to consider the evaluation, dismissal or disciplining of or to hear complaints or charges brought against a public officer, employee, staff member or individual agent or public-school student. The motion included a Roll Call Vote. Councilmember Simmons seconded the motion and it passed with a roll call vote resulting in all ayes.

ADJOURNMENT

At 8:00 p.m., Councilmember Dunaway made a MOTION to adjourn. Councilmember Tilley seconded the motion and it passed unanimously.

ATTEST: Janet R. Montambo, City Clerk
Ryan Smathers, Mayor

City of Orofino Regular Council Meeting held 5/28/2019
IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CLEARWATER

State of Idaho
Plaintiff,

vs.

STEPHANIE CHARLENE SELDON
Defendant.

Case No. CR18-19-0343
No Contact Order I.C. 18-920 - I.C.R 46.2

[Original] [Amended]
DR# ______________

Law enforcement agency: ____________________________
Expires at 11:59 p.m. on 5/16/2020
or upon dismissal of this case, whichever occurs first

Defendant's Identifiers:

Protected Person(s) Identifiers:
Brian MacArthur 06/01/1973
Name (First, Middle, Last) Date of Birth (optional)

TO THE DEFENDANT: You have been charged with or convicted of the following crime(s):

Count | Statute | Charge Description
---|---|---
1 | 18-918(4) (M) | Domestic Battery or Assault Enhancement-In The Presence of a Child

Relationship to protected person(s), if any: Children in common; previously lived together

This COURT, having personal and subject matter jurisdiction, finds that a no contact order is appropriate and HEREBY ORDERS THAT, with regard to the protected person(s) named above, YOU must not engage in any of the following conduct:

Do not contact or attempt to contact, either personally or through another person, the protected person(s) named above in any manner, including: 1) do not communicate in person or in writing or through any electronic means, including telephone, email, text, through social networking, or facsimile 2) do not harass, stalk, threaten, use, attempt to use or threaten use of physical force, engage in any other conduct that would place the protected person(s) in reasonable fear of bodily injury 3) do not knowingly remain within 300 feet of the protected person(s). However, you may attend court proceedings involving you and the protected person(s), and you may communicate through attorneys about legal issues involving you and the protected person. 4) do not go within and/or knowingly remain within 300 feet of the following address(es):

Protected person's home: 645 Riverside Ave. and Chinook Ln #14

Protected person's workplace: Any contracting job site at which Mr. MacArthur is working

Protected person's school: ____________________________

[05] [ ] THERE ARE NO EXCEPTIONS TO THE ABOVE ORDER AS TO PROTECTED PERSON A.

[ ] THERE ARE EXCEPTIONS TO THE ORDER ABOVE AS FOLLOWS:

No Contact Order I.C. 18-920 - I.C.R 46.2
☐ to contact by telephone between ___ ___M. and ___ ___M.
for the following purposes: ____________________________

☐ to participate in court ordered mediation

☐ to provide for the exchange of children between the protected person and defendant through:

☐ to retrieve personal necessities from the residence/protected address one time through:

☐ to respond to emergencies involving your natural or adopted children

☐ other: __________________________________________

☐ IF THIS ORDER REQUIRES YOU TO LEAVE A RESIDENCE SHARED WITH THE PROTECTED PERSON, you may contact a law enforcement officer who may make arrangements to accompany you to the residence to remove items and tools necessary for employment and personal belongings. The officer may determine what constitutes necessary personal belongings.

Yes ☑ No [ ] Defendant appeared or had actual notice of this hearing and the opportunity to participate.

If NO, then upon service, Defendant is notified of the right to request a hearing before a judge on this Order. The request must be filed within 7 days of service. To request a hearing you must contact the clerk of the court at (address) 150 Michigan Ave Orofino ID 83544 (phone) (208)476-5596. The court must hold a hearing within 14 days of the filing of the request and must provide notice of the hearing to the protected person and the parties.

A violation of this order is a separate crime under Idaho Code § 18-920, for which no bail will be set until you appear before a judge. The maximum penalty for a violation of this Order is one year in jail and/or up to a $1000 fine. However, if the violation is a third offense, the violation is a felony, which is punishable by imprisonment in the state prison for up to five years and/or up to a $5000 fine. If any other Civil Protection Order or Criminal No Contact Order is in place, you must abide by the terms in the most restrictive order. Dismissal of any other order will not result in a dismissal of this Order. ONLY A JUDGE CAN MODIFY THIS NO CONTACT ORDER.

The court clerk must immediately send a copy of this Order to the Sheriff’s Office in the county in which this Order was originally issued for entry into record systems.

IT IS SO ORDERED.

Dated: ________________________________

Magistrate Judge

WARNINGS: As a result of this Order, it may be unlawful for you to purchase or possess a firearm, including a rifle, pistol, or revolver, or ammunition pursuant to federal law under 18 U.S.C. § 922(g)(8). If you have any questions whether these laws make it illegal for you to possess or purchase a firearm, you should consult an attorney.

This Order is valid and entitled to enforcement in each jurisdiction throughout the 50 states of the United States, the District of Columbia, all tribal lands, and all U.S. territories, commonwealths, and possessions and shall be enforced as if it were an order of that jurisdiction (18 U.S.C. § 2265).

☑ File ☑ Sheriff’s Office ☑ Prosecutor ☑ Defense Attorney
☐ Protected person(s) ☑ Protected person(s) via prosecuting attorney