

Plummer City Council Meeting  
September 9, 2015

The Emergency Council Meeting was called to order at 6:02 p.m. by Mayor Bringman.

Present: Jack Bringman, Mayor  
Tim Stockdale, Councilman  
Leticia Kennar, Councilman  
Bill Weems, Councilman

Absent: Brad Hampton, Councilman

Also Present: Sara Gauthier; City Clerk, Paul Sifford; Public Works Superintendent, Andrew Doman; City Counselor, Terry Allen; City Administrator, Leonard Johnson; City Crew Member, Julie Miller, Doug Colley, Debra Ivey, Gloria Cuthbert.

**Electric Discussion:** Terry Allen talked about the pole project that him and Tim Farrell have been talking and trying to figure out what happened. Paul and Terry have talked to a couple of people prior to this happening. Terry and Paul have been trying to call people but this 30 day notice it is really hard to find people in that time frame. Terry talked about the meeting minutes that we have from previous council meetings starting from March 2015. Terry, Jack and Tim Stockdale had a conference call with Doug Elliot. The resolution the whole thing he thinks from is the whole escrow thing. The City Counselor and City Administrator both received emails. Tim and Terry talked to Doug Elliot and he is willing to come here tomorrow night September 10, 2015. Kennar stated that in the study in May we received a revised study recommendation which is on page 36. Developing a contingency plan should have been done. There was a list giving to the City of implementation that needed to be done. When we start looking at this plan that we paid \$100,000 for and she doesn't see anything been implemented. The \$750,000 plan that we are going to borrow from our reserve why can't. City Counselor stated that KEC is one of the vendors that is pre-authorized for payment prior to council meeting. We have to get the deals with the poles taken care of. The engineers came down one day and without Kootenai being our engineers we would almost have to re-bid this project. Why was this meeting not done last week or 2 weeks ago instead of 7 days prior to it be termination date. Paul stated that he did have common wealth down here he got some mixed feelings from City Counselor through the City Administrator that they shouldn't be on the property since they are terminating their contract. Paul stated he is waiting for a direction to go. Jack, Tim and Paul all went and met with KEC. Kennar stated that we need to put the money in the escrow account and get the project going. We had do a resolution to pull the funds from the LGIP account. The day of the council meeting the City Attorney received an email stating they wanted more money. Upon Idaho Code we have to have invoices in order to pay a vendor for services. If they need some money to get started just let us know and we can get something going. Weems stated that he asked Doug Elliot to come to our Council Meeting on September 10, 2015. Sifford stated that as the Public Works Superintendent we had a 15 hour power outage and we can't do this without Kootenai Electric. We have to do what we have to do keep Kootenai with us. Under Kootenai's agreement this is perfectly fine, but if they terminate us in 7 days we will have to re-bid us. Allen stated that Paul, himself and Sara have called all over the place to find people to replace Kootenai Electric. The escrow made it is that, but when we did the sewer plant we did the same thing but he wasn't sure what we called it. Wells Fargo stated that if we decided to not pay them the bank will pay them as a default. Johnson asked if we have never paid kec, bounced a check or default them. Allen stated that in the agreement if we take the scope that we have always paid the bill and it's outside the bill because it's more and a lot of people do this because it's a project and they are bidding the deal for us and retrieving the contractor's for us and signing for it. If we don't want to do it then KEC would probably get the legal fees. The dead poles cannot be pulled out by the City Crew because it is under contract. Kootenai Electric hired a municipal attorney and had them calling City Counselor telling him what to do. They were telling him that we needed to make an escrow account so that they could pull from without us and it would be contingent on our termination. Mayor Bringman stated that we discussed the issue of the escrow account and them just pulling from the escrow account without submitting any invoices to us prior to the motion being made. Tim Farrell

made a comment that we should get the bank account set up and see what we need to get started on the project. We need to replace 107 power poles but the \$750,000 isn't going to replace all the poles because they have found code violations and other work that have been done already. We can put it into an account with provisions that way we can get started. We had an underground fault and they had both their crews out so we had to wait and we didn't even know that it was there. Sifford stated to Weems and Kennar that Doug Elliot will tell you that Plummer has a reputation for the person prior to him has raked them over the last several years. He has a good buddy at Avista that are still a little burned with the way they were treated with the City. Sifford stated that there are too many people dealing with us so he is asking that we get just a few people. Sifford also stated that the Council needs to have questions to ask Doug Elliot and a plan to go with. The Council made the decision for Tim Farrell to do the negating and he has been doing it until the last letter. Johnson asked what happens if they pull out tomorrow night. We have a few people that can help with outages and with pulling fuses. Kennar stated we needed to look at this optimistically and get this handle. If they pull out we would need to have Mayor Bringman to call and emergency to reallocate the funds to buy equipment and hire people then we won't be able to fix the issues. Weems asked Doug Elliot if we had a chance to revise our deal with them and there is still hope. Allen stated that Wells Fargo can get something sent out to Kootenai Electric by Friday. Weems also stated that Doug Elliot stated they would like to buy Lovell Valley from us. Weems also asked Tim Farrell if he would be willing to go to the State Office to negotiate with them and see if they would be interested in buying Heyburn State Park Power from us. Weems would like to appoint Tim Farrell to go and negotiate. Sifford stated he heard that a year ago that the Board of Directors at Kootenai Electric was told to cut the City of Plummer off. The Selder addition was done we figure was done in about 1983 and the transformer was placed right in the middle of everyone's yards and the lines spider off and we have no right a ways. The agreement states that Kootenai Electric is suppose to come here twice a year and come up with a plan for work that needs to be done. Mayor Bringman stated that we can't make a decision tonight until we see what Mr. Elliot has to say tomorrow night.

The Special Council Meeting was adjourned at 6:44p.m.

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Jack Bringman, Mayor

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Sara Gauthier, City Clerk