A Special Meeting of the City Council of the City of Lava Hot Springs, Idaho will be held by teleconference on Tuesday, March 31, 2020 at 6:30 p.m. To participate or listen to the meeting, please call (408) 638-0968, meeting ID# 405371646. Depending on your telephone service plan, long distance charges may apply.

Present: Jon Thomson, Mayor  
Randy Benglan, Councilperson  
Rickey Frandsen, Councilperson – Joined meeting 6:44 p.m.  
Lisa Guthrie, Councilperson  
Brian Hinz, Councilperson  
Canda Dimick, City Clerk  
Amantha Sierra, Office Assistance

Excused: 

Guests: None

Mayor Thomson welcomes everybody and called the meeting to order at 6:40 p.m.

Resolution 2020-1 declaring a Local Disaster Emergency due to the 2019 novel coronavirus (COVID-19) and extending the declaration executed by Mayor Jon Thomson beyond seven (7) days - ACTION ITEM: Mayor Thomson introduced the declaration he declared. Gary Cooper, City Attorney confirmed it does not need to be read out loud. Need to be published and record with the County Clerk. It does not need to be published in the Idaho State Journal, should contact them and let them know if it passed or not. Should post it in a public location, if there is a public location opened. The City can put a copy in the water bills. Discussion of all documents that will be included in the water bills followed. Councilperson Hinz made a motion to adopt Resolution 2020-1. Councilperson Benglan seconded the motion. All voted aye, unanimous. Aye – Lisa Guthrie, Aye - Randy Benglan, Aye – Brian Hinz, Aye- Ricky Frandsen.

RESOLUTION 2020-1
A RESOLUTION OF THE CITY OF LAVA HOT SPRINGS DECLARING A LOCAL DISASTER EMERGENCY AND EXTENDING THE DECLARATION BEYOND SEVEN (7) DAYS, IN ACCORDANCE WITH IDAHO CODE § 46-1011; FINDING AN EMERGENCY EXISTS PURSUANT TO IDAHO CODE § 67-2808(1); GIVING
GUIDANCE AND GRANTING CERTAIN AUTHORITY TO RESPOND TO THE LOCAL DISASTER EMERGENCY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the health and safety of all citizens of the City of Lava Hot Springs is of the utmost importance;
WHEREAS, the 2019 novel coronavirus (COVID-19) has been identified as a respiratory disease which can result in serious illness or death that can spread from person to person, particularly those that are in close contact with each other and/or those that come into contact with objects and surfaces that have the virus on it;
WHEREAS, the World Health Organization has declared the outbreak of COVID-19 to be a pandemic;
WHEREAS, the Secretary of Health and Human Services (HHS) declared a public health emergency on January 31, 2020, under section 319 of the Public Health Service Act (42 U.S.C. 247d), in response to COVID-19;
WHEREAS, the President of the United States, by the authority vested in him by the Constitution and the laws of the United States of America, including sections 201 and 301 of the National Emergencies Act (50 U.S.C. 1601 et seq.) and consistent with section 1135 of the Social Security Act (SSA), as amended (42 U.S.C. 1320b-5), did find and proclaim that the COVID-19 outbreak in the United States constitutes a national emergency, beginning March 1, 2020;
WHEREAS, on March 16, 2020, the Bannock County Commissioners, under Idaho Code 46-1011, passed Resolution No. 2020-25 implementing an Emergency Declaration for COVID-19;
WHEREAS, while the County’s March 16 emergency declaration covers each city therein, it is recommended that emergency declarations be made by each city on an individual basis to will allow cities to access additional state and federal relief packages related to the COVID-19 situation;
WHEREAS, the Governor of the State of Idaho, pursuant to Section 46-1008 of the Idaho Code, has found and declared on March 25, 2020, that a state of emergency described in Section 46-1008, Idaho Code, exists in the State of Idaho;
WHEREAS, on March 25, 2020, the Director of the Idaho Department of Health and Welfare issued an Order directing all individuals living in the State of Idaho to self-isolate at their place of residence which is in effect through April 15, 2020, or until it is extended, rescinded, superseded, or amended in writing by the Director;
WHEREAS, the Lava Hot Springs Foundation has closed its facilities effective March 20, 2020 until further notice in an effort to prevent the spread of the COVID-19 virus;
WHEREAS, cases of COVID-19 have been confirmed in the State of Idaho, and the threat of the further spread of COVID-19 is imminent in the State of Idaho, in Bannock County and in the City of Lava Hot Springs;
WHEREAS, pursuant to Idaho Code § 46-1011 the Mayor of the City of Lava Hot Springs, Idaho declared a local disaster emergency on the 26th day March, 2020 due to the threat of Covid-19;
WHEREAS, said declaration sets forth legal and factual considerations in support of such declaration,
WHEREAS, the City Council of the City of Lava Hot Springs, Idaho recognizes the imminent threat of widespread and severe harm to the health of residents and visitors to the City of Lava Hot Springs, Idaho as addressed by the Centers for Disease Control and by actions of the federal, state, county and city governments,
WHEREAS, a local disaster emergency declaration is necessary to activate the response and recovery aspects of any applicable local or intergovernmental disaster emergency plans and to authorize the furnishing of aid and assistance;
WHEREAS, the emergency referenced herein exists because the contagious nature and potentially serious consequences of the COVID-19 virus for residents and visitors to the City of Lava Hot Springs, Idaho and requires state emergency assistance to supplement local efforts to protect life, health and property;
WHEREAS, Idaho Code § 67-2808 authorizes the Council of the City of Lava Hot Springs, Idaho to declare an emergency and that the public interest and necessity may demand the immediate expenditure of public money without compliance with formal bidding procedures; and
WHEREAS, an emergency declaration must be given prompt and general publicity and shall be filed promptly with the Bannock County Recorder. RESOLUTION 2020-1 - PAGE 3
NOW THEREFORE, the City Council of the City of Lava Hot Springs, Idaho does hereby declare as follows:

1. For purposes of implementing Idaho Code § 46-1011, a local disaster emergency exists and is hereby declared in the City of Lava Hot Springs, Idaho. The nature of the local disaster emergency is the occurrence and imminent threat to public health and safety arising from the COVID-19 virus;

   a. The plans and procedures of any relevant emergency operations plans of the City of Lava Hot Springs and Bannock County are to be implemented; and

   b. Aid and assistance of any relevant emergency operations plans of the City of Lava Hot Springs and Bannock County is authorized to be furnished.

2. For purposes of implementing Idaho Code § 67-2808(1), a local disaster emergency exists and in the public interest and necessity is hereby declared in the City of Lava Hot Springs, Idaho to authorize the immediate expenditure of public money to secure materials, equipment and services from public and private entities to provide emergency disaster relief and assistance to persons threatened, injured and victimized by the COVID-19 virus.

   a. The nature of the local disaster emergency is the occurrence and imminent threat to public health and safety arising from the COVID-19 virus; and

   b. The City of Lava Hot Springs is authorized to expend any sum required to manage this emergency without compliance with formal bidding procedures.

3. The Mayor of the City of Lava Hot Springs shall have authority to reduce and/or waive City fees if doing so is a necessary response to the local disaster emergency declared herein.

4. City departments are directed to utilize City resources and do everything reasonably necessary to assist affected citizens and entities in an effort to respond to and recover from the COVID-19 virus.

5. City departments should follow the recommendations of the Idaho Department of Health and Welfare and that of Southeastern Public Health by modifying, limiting, postponing or cancelling all City-sponsored events that meet the following criteria:

   a. All public meetings which are deemed essential for government function shall be done telephonically while this Declaration is in effect in a way that allows the public to attend the meeting by phone or other telecommunication method.
while complying with all requirements of the Open Meetings Law with the exception of the requirement to provide an in-person venue to attend the meeting;

b. All public meetings and events which are deemed not essential for government function shall be cancelled or postponed while this Declaration is in effect unless the meeting or event is expected to involve ten (10) or fewer people and can be conducted while observing safe social distancing of six (6) feet or more; and

c. It shall be considered good cause for postponing or cancelling any public meeting if it is expected to draw audiences or participants from communities, states or countries with confirmed community spread of COVID-19 and/or because it is unlikely that participants could practice social distancing of six (6) feet or more and/or the events primary audience includes or may expose high-risk populations, including persons over the age of sixty (60) years and people with underlying chronic medical conditions, such as heart or lung disease or diabetes regardless of the number of expected attendees. That this Local Disaster Emergency shall continue until the Centers for Disease Control and the Governor of the state of Idaho sound an end to the emergency and the City Council expressly authorizes the discontinuance of such Declaration; and

7. Pursuant to this Resolution the following steps are expressly authorized in furtherance of the foregoing disaster emergency declaration:

a. The Special Meeting of the City Council of the City of Lava Hot Springs scheduled for Thursday, April 2, 2020 is cancelled.

b. The Regular Meeting of the City Council of the City of Lava Hot Springs scheduled for Thursday, April 9, 2020 will be held by teleconference. Agenda posted will provide the call-in number and passcode information. All future meeting of the City Council of the City of Lava Hot Springs will be held by teleconference up to and including the date of expiration of the Governor’s March 25, 2020 Stay at Home Order, unless extended, rescinded, superseded, or amended.

c. City Hall will have restricted access immediately up to and including the date of the Governor’s March 25, 2020 order. Citizens are asked to utilize phone or email to contact City employees and officials. Citizens are asked to utilize the City’s website, www.lavahotspringscity.com to answer questions, find forms, etc. If a Citizen must visit City Hall, appointments can be arranged during the hours of 9 am to 2 pm, Monday through Friday.

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d. All city owned playgrounds, pavilions and public restroom facilities will be closed until further notice as per Governor Brad Little’s COVID-19 March 25, 2020 Stay At Home Order.

e. City utility bills can be dropped off in the blue box at Lava City Hall, mailed to PO Box 187, Lava Hot Springs, ID 83246 or paid online at www.lavahotspringscity.com. The online payment process does charge a $1.00 per transaction fee plus three (3) percent.

f. City employees will continue to work their regularly scheduled hours except for the public restroom custodians. Public restroom custodians have been laid off until the Governor’s stay at home order has expired. All employees have been advised to stay at home if they are sick; to practice good hygiene and to maintain at least six (6) feet between them when they are at work.

g. City pavilion reservation refunds will be granted for all requests received up to and including the date of the expiration of Governor Brad Little’s March 25, 2020 order.

h. City staff has been authorized to issue burn permits over the phone. Staff will ask the applicant all questions and record their answers. No signature will be required. A hard copy of the permit with the Idaho Department of Environmental Quality (DEQ) “Know Before You Burn” flyer will be mailed or emailed to the applicant. (Ordinance 2017-5)

i. The Annual Easter Egg Hunt scheduled for April 11, 2020 at Buddy Campbell Memorial Park has been cancelled.

j. All Lava Hot Springs Arbor Day events have been cancelled.

k. Authorizing the Mayor, in consultation with the Council President, to establish other administrative policies necessary to protect the public health and safety.

That this Declaration of Local Disaster Emergency (“Declaration”) shall be promptly filed with the Bannock County Recorder’s Office; and That prompt and general publicity shall be given by a press release notifying the public of this Declaration. RESOLUTION 2020-1 - PAGE 6
Approved by the City Council of the City of Lava Hot Springs this 31st day of March, 2020.

____________________________________ Jon D. Thomson, Mayor
Date: ____________________________

ATTEST:
_________________________________ Canda L. Dimick, City Clerk
Date: ____________________________

Newsletter to be mailed out with City utility bills - ACTION ITEM: Mayor Thomson explained newsletter to be sent out with water bills. The newsletter is fairly extensive and I believe it gives all the information currently available to us. Including numbers to call with question, sources of information for small businesses, all of the pertinent phones numbers for any question dealing with the coronavirus. Councilperson Hinz questioned burn permits. The virus is a respiratory issue. Resolution already passed to allow burn permit to be issued. City Clerk, Canda Dimick feels we should follow Bannock County and currently they do not have a ban. Mayor Thomson suggest leaving the resolution as is, it can be amended later as required. Mayor Thomson explained additional postage costs due to the additional pages to be mailed out with the water bill. The additional cost will be to any address that has multiple water bills, no additional cost to a single page water bills. Councilperson Frandsen made a motion to approve the newsletter and additional cost to mail with water bill. Councilperson Hinz seconded the motion to approve. All voted aye, unanimous. Aye – Lisa Guthrie, Aye - Randy Benglan, Aye – Brian Hinz, Aye- Ricky Frandsen.

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

Meeting adjourned at 06:52 p.m.

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Amantha Sierra, Transcriber       Jon Thomson, Mayor

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Canda L. Dimick, City Clerk