

1. 4.12.2022 Agenda

Documents:

[2022-04-12 URA AGENDA.PDF](#)

2. 4.12.2022 Packet

Documents:

[4.12.2022 URA PACKET.PDF](#)

**URBAN RENEWAL AGENCY BOARD
MEETING AGENDA**

**Tuesday, April 12, 2022 – 12:00 p.m.
City of Lewiston – City Hall Conference Room
1134 “F” Street, Lewiston, Idaho**

AS A MATTER OF GOVERNMENTAL TRANSPARENCY, THIS MEETING MAY BE RECORDED, STREAMED LIVE AND/OR ACCESSED AT A LATER TIME. NOTE THAT THIS MAY INCLUDE VIDEO AND AUDIO OF ALL PERSONS PRESENT IN THE ROOM.

Due to COVID-19 and Governor Little’s Stage 4 Order (issued May 11, 2021), the number of people allowed to attend this meeting in-person will be based upon room capacity for 6-foot physical distancing. Seating will be available on a first-come, first-served basis. All others who wish to observe this meeting may watch and listen to the livestream on their own device(s) by visiting the City of Lewiston’s Facebook page or the City’s website at cityoflewiston.org. Persons attending this meeting are strongly encouraged to wear a face covering.

I. CALL TO ORDER

II. CITIZEN COMMENTS – An opportunity for citizens to address the Agency. Citizens are asked to limit their time to three (3) minutes each. Comments and questions may be made by:

- ✓ Attending in-person
- ✓ Emailing comments and questions prior to the start of the meeting to lvontersch@cityoflewiston.org or dortiz@cityoflewiston.org
- ✓ Mailing written comments prior to the start of the meeting to Laura Von Tersch, PO Box 617, Lewiston ID 83501
- ✓ Calling 208-746-1318 x 7265 and leave a message. Your comments will then be forwarded to the Urban Renewal Agency Board.

III. CONSENT AGENDA (ACTION ITEM)

A. Approval of Minutes, March 15, 2022

IV. DISCUSSION WITH MAYOR JOHNSON, HOW URA FITS INTO HIS ADMINISTRATION

V. AMENDMENT OF BYLAWS (ACTION ITEM)

VI. ADOPTION OF RESOLUTION 2022-01 SIGNATURES ON OFFICIAL DOCUMENTS (ACTION ITEM)

VII. UNFINISHED AND NEW BUSINESS

- A. Board Member Comments**
- B. Staff Comments**

The City of Lewiston is committed to providing access and reasonable accommodation in its services, programs, and activities and encourages persons with disabilities to participate. If you anticipate needing any type of accommodation or have questions about the physical access provided at this meeting, please contact the meeting coordinator at least forty-eight (48) hours in advance of the meeting at 208-746-1318.

X. ADJOURN

The City of Lewiston is committed to providing access and reasonable accommodation in its services, programs, and activities and encourages persons with disabilities to participate. If you anticipate needing any type of accommodation or have questions about the physical access provided at this meeting, please contact the meeting coordinator at least forty-eight (48) hours in advance of the meeting at 208-746-1318.

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March 15, 2022

THE URBAN RENEWAL AGENCY BOARD OF THE CITY OF LEWISTON, IDAHO, met in a special meeting Tuesday, March 15, 2022, at Lewiston City Hall. Interim Chair JoAnne Cole-Hansen called the meeting to order at 12:00 p.m.

I. CALL TO ORDER

BOARD MEMBERS PRESENT: JoAnn Cole-Hansen; Don Beck; Dan Marsh; A.L. "Butch" Alford; Joe Anderson; Rick Tousley;

BOARD MEMBERS EXCUSED: None

STAFF MEMBERS PRESENT: Laura Von Tersch, Community Development Director; Jennifer Douglass, URA Attorney; Aaron Butler; IT; Dawn Aliverti, Presnell Gage

II. CITIZEN COMMENTS

None.

III. CONSENT AGENDA (ACTION ITEMS)

A. Approval of Minutes, February 8, 2022

B. Approval of Invoice JBD, \$1,230

C. Approval of Invoice Elam and Burke \$157.50

Board members Alford and Beck moved and seconded, respectively the approval of the consent agenda. The motion carried 6-0.

IV. PUBLIC HEARING ANNUAL REPORT 2021

Interim Chair Cole-Hansen opened the public hearing. There being no public comments Interim Chair Cole-Hansen closed the public hearing.

V. POTENTIAL COLLABORATION WITH SJRMC AND THE HOUSING COMPANY (DISCUSSION)

Taylor Rudd with Saint Joseph Regional Medical Center stated they are considering developing housing on Purdy field, utilizing the former school, Jess Apartments or Thompson Apartments.

Staff Laura Von Tersch discussed the opportunities the URA could be involved with for this project. With the main goal to increase affordable housing and SJMC would be able to have housing for recruitment.

Board member Dan Marsh stated he was protective over the 400-thousand-dollar budget for blight because there are a lot of other needs in this area too. He is not opposed to the project but is cautious.

Mr. Rudd stated that the removal of the Jess Apartments might be around two million, but there could be an option of land donation under the school and father Purdy field.

Interim Chair Cole-Hansen prefers the removal of the blighted building before building new on a field.

VI. PRESENTATION OF ANNUAL AUDIT FY 2021 (PRESNELL GAGE, ACTION ITEM)

Dawn Aliverti with Presnell Gage introduced herself and board members introduced themselves too.

Ms. Aliverti presented the audit; they have issued a clean report and qualified opinions.

Board member Joe Anderson asked about the interest rate on the bond and the final payment date.

Board members Marsh and Alford moved and seconded, respectively the adoption of the annual audit FY 2021. The motion carried 6-0.

VII. ADOPTION OF ANNUAL REPORT (ACTION ITEM)

Board members Alford and Beck moved and seconded, respectively the adoption of the 2021 annual report. The motion carried 6-0.

VIII. BY-LAWS (DISCUSSION ITEM)

Board members and staff discussed the suggested changes to existing by-laws.

Jennifer Douglas, URA Attorney recommended not amending by-laws to limit officers to at large members. Legal advice is the best practice, but practical issues might override legal concerns.

Board member Anderson and Commissioner Tousley moved and seconded, respectively to table By-Laws discussion to the next meeting. The motion carried 6-0.

IX. UNFINISHED AND NEW BUSINESS

A. Board Member Comments

Commissioner Tousley asked board member Marsh if he wanted to stay on the board. Mr. Marsh stated yes and he would get an application submitted.

Interim Chair Cole-Hansen asked if inviting Mayor Johnson to the next URA meeting, to see how URA fits into city goals and if he sees the URA as a tool to benefit the public. Include "charter" why we exist.

B. Staff Comments

Staff Von Tersch stated it would be practical to have two parties/two members of the board that can sign checks.

X. ADJOURN

There being no more business to come before the Board, Interim Chair Cole-Hansen adjourned the meeting at approximately 1:07 p.m.

RESPECTFULLY SUBMITTED,

ATTEST:

DAWN M. ORTIZ,
RECORDING SECRETARY

URBAN RENEWAL AGENCY CHAIR

Approved this _____ day of _____, 2022.

Memo



To: URBAN RENEWAL AGENCY
From: LAURA VON TERSCH, COMMUNITY DEVELOPMENT
DIRECTOR *LV*
Date: APRIL 12, 2022
Re: AMENDMENT TO BYLAWS

The Agency Bylaws require amendment to reflect the elimination of the “Administrative Services Director” at the City. A general review has been conducted. A number of changes are recommended to reflect pandemic meeting protocols and the real division of responsibilities between the Secretary and Administrator. “Administrator” is not now included in the Bylaws nor are the Administrator’s duties enumerated. The changes are as follows:

Article 3, eliminate “Administrative Services Director” as a member and replace it with a third member at large from the community. This change will provide additional flexibility with the election of officers and maintain an odd number of board members.

Article 3, eliminate reference to “Administrative Services Director” as the permanent Secretary of the Agency.

Article 4, replace references to participation by “telephone” and “telephonically” with “electronic” and “electronically”. This change allows for broader use of available technology such as Zoom, Google Meets and Go To Meeting.

Article 4, require the Chair and one Board member to be physically present to conduct a meeting. This change is less restrictive than the current language that requires a quorum of the members to be physically present. During the worst of the pandemic the City allowed public meetings to be conducted with one board member physically present, and a sufficient number present by phone or computer to meet quorum requirements. The board can choose any number of members to be physically present, but it needs to be at least one.

Article 5, add “Secretary” to the list of elected officers. Eliminate reference to “Administrative Services Director” as the permanent Secretary.

Memo



Article 5, reduce the list of the Secretary's responsibilities to attestation of documents. In a separate document it will be recommended that the Secretary co-sign all checks and contracts with the Chair.

Article 5, add a new section "Administrator". Reassign the former Secretary duties 1-6 and 8 to the Administrator. It would be improper to have a community member responsible for maintaining the Agency's documents, publishing meeting notice requirements and other statutorially mandated duties.

Article 9, add reference to this latest amendment.

Attestation, remove reference to "Secretary" since this position is currently vacant. It is best practices to require two signatures on official documents. The Board could choose to insert a generic term such as "Board Member" or "Attorney" if that is acceptable to our attorney.

DRAFT SUGGESTIONS FOR DISCUSSION

BYLAWS OF
THE URBAN RENEWAL AGENCY
OF THE CITY OF LEWISTON, IDAHO

ARTICLE 1
PUBLIC CORPORATION

The Urban Renewal Agency of the City of Lewiston, Idaho (Agency), is an independent public body, corporate and politic created pursuant to Title 50 Chapter 20 Idaho Code (the Act) and Resolution 99-75 of the City of Lewiston passed on October 18, 1999. These Bylaws are subject to any limitation contained herein.

ARTICLE 2
NON LIABILITY OF COMMISSIONERS

The private property of the commissioners shall be exempt from execution or other liability from any debts of the Agency and no commissioners shall be liable or responsible for any debts or liabilities of the Agency.

ARTICLE 3
COMMISSIONERS

Section A. General Powers. The business and affairs of the Agency shall be managed by the board of commissioners which shall exercise all of the powers of the Agency.

Section B. Compensation. Commissioners shall serve without compensation but commissioners shall be entitled to out-of-pocket costs and compensation for their services for projects carried out by the agency.

Section C. Membership. The Agency membership shall consist of representation as follows:

1. An elected official from the Lewiston City Council;
2. An elected official from the Nez Perce County Commission;
3. An elected official from the Port of Lewiston;
4. An official from Valley Vision;
- ~~5. Lewiston Administrative Services Director;~~
6. ~~Two~~ **Three** at large members from the community.

~~With the exception of the Administrative Service director, who shall be a member of the commission by virtue of his/her title, and~~ ~~the~~ at large members of the commission who shall be appointed by the Lewiston City Council, the remaining members shall be nominated by their respective bodies and appointed by the Lewiston City Council.

An elected official may designate an alternate who may participate as a voting member if qualified as an elected official identified in C 1, 2 & 3 above and so identified by the elected body as an appointed alternate.

Section D. Term of Office. Members of respective governing bodies shall hold office only during their respective terms of office. The representative of Valley Vision and the at large members shall serve terms of four years and may be reappointed.

ARTICLE 4 MEETINGS OF THE COMMISSIONERS

Section A. Regular Meetings. Regular meetings of the commissioners shall be scheduled on a monthly basis with notice as required by state law at the Lewiston City Hall, 1134 'F' Street, Lewiston, Idaho, for the purpose of transacting such business as may come before the board at such meetings.

Section B. Special Meetings. A special meeting of the board of commissioners may be called at any time by the Chairperson or by any two commissioners by giving written notice to the Secretary specifying the time, date, place and purpose of such meeting. Upon receipt of such notice the Secretary shall cause written notice of such time, date, place and purpose of such meeting to be given to each commissioner of the Agency as hereafter provided in this Article 4.

Section C. Notice of Special Meetings. Notice of special meetings of the Agency shall be as required by the Idaho Open Meeting Law, Idaho Code 74-201 et seq.

Section D. Waiver of Notice. Any commissioner may waive, in writing, any notice of a meeting required to be given by these Bylaws. The attendance of a commissioner at any meeting shall constitute waiver of notice of such meeting for the express purpose of objecting to the transaction of any business on the ground that the meeting has not been lawfully called or convened.

Section E. Resolutions. Resolutions adopted by the Agency in connection with the exercise of any of its powers hereunder, or under the Act, shall be signed by the Chairperson or Vice-Chairperson and attested by the Secretary ~~or Assistant Secretary,~~ provided that the person who attests shall not be the same person as the person who signs.

Section F. Alternate. The designated Agency elected official members may, in their absence, appoint an alternate to represent them at the Agency meetings. Said alternate must meet the eligibility requirements described in Article 3, Section C of the member being represented and will participate as a voting member.

Section G. Quorum. A quorum for the transaction of business shall consist of a majority of four (4) members of the commission.

Section H. Participation by Telephone ~~Electronically.~~ URA Board members may participate ~~telephonically~~ electronically in Board meetings and possess the same authority as members who are physically present at the meeting, provided that all of the following conditions are met:

1. ~~At least one~~ quorum of the Board members ~~are~~ is physically present when the Chair calls the meeting to order and ~~remains~~ physically present throughout the meeting;
2. The Chair or designee is physically present at the meeting;
3. Board members, attending in person and ~~telephonically~~ eletronically, and persons in attendance at the Board meeting can hear any and all comments made at the meeting; and,
4. The participation, motions and votes of the member(s) attending ~~telephonically~~ electronically are recorded in the minutes of the meeting. ~~Telephonic~~ Electronic participation shall be limited to those unique ~~and personal~~ situations that prevent physical attendance at a meeting and will not be used as the primary method of meeting attendance.

ARTICLE 5 OFFICERS

Section A. Number and Qualifications. The officers of the Agency shall be a Chairperson, a Vice-Chairperson, and a Secretary and such other officers as may be determined by the Agency from time to time to perform such duties as may be designated by the Agency.

Section B. Election and Term of Office. The Chairperson, ~~and~~ Vice-Chairperson and secretary shall be elected annually by the Agency at the first regular annual meeting of the Agency. Each officer shall hold office until his successor shall have been elected. Any vacancy in any office shall be filled by the Agency by election for the unexpired portion of the term. ~~The Lewiston Administrative Services Director shall be the permanent Secretary of the Agency.~~

Section C. Chairperson. The Chairperson:

1. Shall be the principal executive officer of the Agency and, unless otherwise determined by the members of the Agency, shall preside at all meetings of the Agency.
2. May execute any resolutions adopted by the Agency and any documents, certificates, deeds, mortgages, deeds of trust, notes, bonds, contracts or other instruments authorized by the Agency.
3. Shall in general perform all duties incident to the office of the Chairperson and such other duties as may be prescribed by the Agency from time to time.

Section D. Vice-Chairperson. In the absence of the Chairperson or, in the event of the Chairperson's inability or refusal to act, the Vice-Chairperson shall perform the duties of the Chairperson, and when acting shall have all the powers of and be subject to all of the restrictions of the Chairperson. The Vice-Chairperson shall also perform such other duties as from time to time may be prescribed by the Agency.

Section E. Secretary. The Secretary:

1. May attest any resolutions adopted by the Agency and any documents, certificates, deeds, mortgages, deeds of trust, notes, bonds, contracts or other instruments authorized by the Agency to be attested, except in cases in which the attestation thereof shall be expressly delegated by the Agency, or by the Bylaws of the Agency, to some other officer or agent of the Agency, or shall be required by law to be otherwise made.

Section F. Administrator. The Administrator:

1. Shall keep the minutes of the meetings of the Agency in one or more books kept for that purpose.
2. Shall see that all notices are duly given in accordance with these Bylaws and as required by law.
3. Shall be custodian of the corporate records and of the seal of the Agency, and may affix the seal of the Agency to resolutions, documents, certificates, deeds, mortgages, deeds of trust, notes, bonds, contracts and other instruments, the execution of which on behalf of the Agency under its seal is duly authorized in accordance with the provisions of these Bylaws.
4. Shall keep a register of the names and post office addresses of all commissioners.
5. Shall coordinate with the City of Lewiston to keep general charge of the books of the Agency.
6. Shall keep on file at all times a complete copy of the Ordinance of the Municipality creating the Agency and the Bylaws of the Agency, containing all amendments thereto (all of which shall be open to the inspection of the members of the Agency at any time and to the public).
- ~~8. May attest any resolutions adopted by the Agency and any documents, certificate, deeds, mortgages, deeds of trust, notes, bonds, contracts or other instruments authorized by the Agency to be attested, except in cases in which the attestation thereof shall be expressly delegated by the Agency, or by the Bylaws of the Agency, to some other officer or agent of the Agency, or shall be required by law to be otherwise made.~~
7. Shall in general, perform all duties incident to the Secretary and such other duties as, from time to time, may be assigned to the Secretary Administrator by the Agency.

ARTICLE 6
RULES OF ORDER

Section A. Agenda. The agenda of each regular and special meeting shall be established by the Chair of the Agency in consultation with Agency staff.

Section B. Conduct of the Meeting. The Chair shall be responsible for opening the meeting, confirming the agenda, entertaining discussion on each agenda item, accepting motions and seconds to authorize any action of the Agency to be taken in the meeting and adjourning the meeting.

Section C. Motions. The action to be taken by the Agency shall be confirmed by a vote on a motion to act or not act. The Chair is the arbiter of the course of the discussion and can determine that it is time to consider the motion before the Agency. Because of the statutory requirements of the Agency, roll call votes may be required, otherwise motions are to be voted on by voice vote.

ARTICLE 7 FINANCIAL TRANSACTIONS

Section A. Contracts. Except as otherwise provided in these Bylaws, the Agency may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument in the name and on behalf of the Agency, and such authority may be general or confined to specific instances.

Section B. Checks, Drafts, etc. All checks, drafts or other orders for payment of monies, and all notes, bonds, or other evidences of indebtedness issued in the name of the Agency shall be signed by such officer or officers, agent or agents, employee or employees of the Agency and in such manner as shall from time to time be determined by resolution of the Agency.

Section C. Deposits. All funds of the Agency may be deposited from time to time to the credit of the Agency in such banks or other financial institutions as the Agency may select.

Section D. Fiscal Year. The fiscal year of the Agency shall begin on the first day of October of each and every year and shall end on the last day of September of the following calendar year.

ARTICLE 8 MISCELLANEOUS

Section A. Rules and Regulations. The Agency shall have the power to make and adopt such rules and regulations not inconsistent with law, or these Bylaws, as it may deem desirable for the management of the business and affairs of the Agency.

Section B. Accounting System and Reports. The Agency shall cause to be established and maintained, in accordance with generally accepted principles of accounting, an appropriate accounting system.

ARTICLE 9 AMENDMENTS

These Bylaws may be altered, amended or repealed by the affirmative vote of a majority of the commissioners then in office, at any regular or special meeting, provided

the notice of such meeting shall have contained a copy of the proposed alteration, amendment or repeal.

The foregoing Bylaws were adopted by motion of the board of commissioners on the 14th day of March, 2006, and amended by motion of the board of commissioners on April 12, 2022.

JoAnn Cole-Hansen, Chair

Attest: _____

RESOLUTION NO. 2022-01

A RESOLUTION OF THE CITY OF LEWISTON URBAN RENEWAL AGENCY
ESTABLISHING WHO IS AUTHORIZED TO ENDORSE CHECKS, OTHER PAYMENTS OF
MONIES, CONTRACTS, AGREEMENTS, RESOLUTIONS AND OTHER OFFICIAL
DOCUMENTS

WHEREAS, The City of Lewiston Urban Renewal Agency (“Agency”) receives tax revenues;

WHEREAS, where, such tax revenues are commonly referred to as increment, and are used to administer the agency and fund projects as provided for in Idaho law; and

WHEREAS, in the course of conducting its business the Agency pays invoices, and further enters into contracts and agreements; and

WHEREAS, in accordance with Agency’s Bylaws, specifically Article 7, Financial Transactions, Section B Checks, Drafts, the person, or persons authorized to sign checks, drafts, or other payments of monies shall be established by Resolution of the Agency; and

WHEREAS, historically the Agency required all checks, drafts, payment of monies, contracts and resolutions to be signed by the Agency Chairperson and Secretary; and

WHEREAS, the Agency’s Bylaws, specifically Article 5 Officers, Section B Election and Term of Office states the Lewiston Administrative Services Director shall be the permanent Secretary of the Agency; and

WHEREAS, the City of Lewiston has eliminated the Administrative Services Director position;

THEREFOR SO BE IT RESOLVED, that on an interim basis and prior to appointment of a Vice Chairperson, all checks, drafts, payment of monies, contracts and resolutions shall be signed by the Chairperson, pending any amendments to Agency Bylaws.

THEREFOR BE IT FURTHER RESOLVED, upon appointment of a Vice Chairperson, all checks, drafts, payments of monies, contracts and resolutions shall be signed by the Chairperson, and Vice Chairperson, pending any amendments to Agency Bylaws.

Approved this _____ date.

Chairperson
JoAnn Cole-Hansen, Chair

**URBAN RENEWAL AGENCY
FISCAL YEAR 2022
SUMMARY OF ACTIVITY (as of 2/28/22)**

	DATE	East Main (#4)	East Orchards Sewer (#5)	Bryden (#6)		Total
9/30/2021		205,066.42	1,366,919.47	182,038.58	-	1,754,024.47
RECEIPTS:						
Monthly Urban Renewal Collections (Property Tax)	OCT'21-SEPT'22	198,777.01	200,662.93	191,868.40		591,308.34
Reimbursements	OCT'21-SEPT'22					-
City of Lewiston PW Reimbursement						-
Twin River Bank Interest Earned	OCT'21-SEPT'22	103.08	19.01	128.93		251.02
P1FCU Interest Earned						-
EXPENDITURES:						
Banner Bank Paper Stmt Fee	OCT'21		(3.00)			(3.00)
Pmt to Redevelopment Association of Idaho	NOV'21	(625.00)		(625.00)		(1,250.00)
Pmt to Elam & Burke	NOV'21	(418.75)		(418.75)		(837.50)
Pmt to City of Lewiston	NOV'21	(4,524.91)		(4,524.91)		(9,049.82)
Pmt to Douglass Law PLLC	NOV'21	(414.00)		(414.00)		(828.00)
Pmt to City of Lewiston	NOV'21		(8,067.45)			(8,067.45)
Pmt to City of Lewiston	NOV'21		(152,653.81)			(152,653.81)
Banner Bank Paper Stmt Fee	NOV'21		(3.00)			(3.00)
Pmt to City of Lewiston	DEC'21			(68,629.00)		(68,629.00)
Pmt to City of Lewiston	DEC'21	(175,000.00)				(175,000.00)
Pmt to Douglass Law PLLC	DEC'21	(52.50)		(52.50)		(105.00)
Check Reorder	DEC'21	(7.75)		(7.75)		(15.50)
Banner Bank Paper Stmt Fee	DEC'21		(3.00)			(3.00)
Banner Bank Paper Stmt Fee	JAN'22		(3.00)			(3.00)
Deposit Slip Reorder	JAN'22	(9.62)	(8.46)	(12.67)		(30.75)
Pmt to Douglass Law PLLC	FEB'22	(112.50)		(112.50)		(225.00)
Banner Bank Paper Stmt Fee	FEB'22		(3.00)			(3.00)
						-
						-
						-
BALANCE		222,781.48	1,406,856.69	299,238.83	-	1,928,877.00
Restricted & Reserved Funds						
#5 Debt Service Reserve Primary - Banner			(228,518.63)			(228,518.63)
#5 Debt Service Reserve Secondary - Banner			(400,000.00)			(400,000.00)
#5 Capitalized Interest - Banner			-			-
AVAILABLE FUNDS		222,781.48	778,338.06	299,238.83	-	1,300,358.37

	East Main (#4)	East Orchards Sewer (#5)	Bryden (#6)		
Twin River National Bank	222,781.48	200,673.48	299,238.83	-	722,693.79 x
Banner Bank - Public Funds Checking Unrestricted		577,664.58		-	577,664.58 x
Banner Bank - Public Fund Checking Restricted		628,518.63		-	628,518.63 x
				-	-
	222,781.48	1,406,856.69	299,238.83	-	1,928,877.00

