

Lakes Highway District Meeting Minutes

June 17, 2019

Page 1

The regular scheduled meeting of the Lakes Highway District Board of Commissioners was called to order by Chairman Twete at 5:30 p.m. on June 17, 2019, at the District Office, 11341 N. Ramsey Road, Hayden, Idaho 83835. Those in attendance were Commissioners Twete, Montgomery and Fountain, Director Shanley and District Clerk Flagg. Rick Gittel & Joe Dobson attended regarding Hudlow Road Access, Dan and Debora Peterson attended regarding Emily Estates and Donna Montgomery observed.

Chairman Twete called the meeting to order and led the Pledge of Allegiance.

Commissioner Montgomery moved to approve the June 17, 2019 agenda as presented with Commissioner Fountain seconding the motion which carried unanimously.

Commissioner Montgomery moved to approve the June 3, 2019 regular meeting minutes as presented with Commissioner Fountain seconding the motion which carried unanimously.

Chairman Twete asked if any Board member has a conflict of interest with any item on the agenda or has anyone had any oral or written communication with an applicant or anyone opposing an application or has anyone visited a site that is on the agenda for Board consideration tonight. Commissioner Montgomery stated he had not, and Commissioner Fountain stated she drove by 4888 Hudlow Road. Chairman Twete asked Commissioner Fountain if she had had any oral or written communication and Commissioner Fountain stated no.

After reviewing the Payments Journal and Financial Worksheet, Commissioner Fountain moved to approve the payments journal with bills paid by check numbers 35980 through 36035 in the amount of \$170,239.39 and the direct deposit dated June 5, 2019 in the amount of \$41,704.44, for a total of \$211,943.83. Commissioner Montgomery seconded the motion which carried unanimously.

Chairman Twete asked if there was any public comment related to an item that was not on the agenda.

Item 7a was Emily Estates. Director Shanley indicated to the Board that Mr. & Mrs. Peterson were in the audience regarding the approach spacing on Chilco Road for Emily Estates. Discussion followed regarding approach locations. Commissioner Montgomery requested a site visit. Attorney Weeks stated that a motion would need to be made to table and continue with a site visit with the site visit to involve no discussion other than to just view the premises. Commissioner Montgomery so moved with Commissioner Fountain seconding the motion which carried unanimously.

Item 8a was the Hudlow Road Variance Request. Director Shanley addressed the Board regarding a request received by the District for a variance to approach spacing off of Hudlow Road for access to Chip Estates. Joe Dobson and Rick Gittel addressed the Board outlining their request to move the access easement for Chip Estates to the western boundary line of Mr. Gittel's parcel. Discussion followed with Commissioner Fountain asking if a picture she had indicated what Mr. Dobson was talking about and Mr. Dobson confirmed that it was. Director Shanley asked for a clarification regarding Commissioner Fountain showing Mr. Dobson something on her phone and asked Commissioner Fountain to let the Board know what it was. Commissioner

Fountain said when she drove by, she looked and didn't know if it was a road or driveway. Director Shanley requested a copy of the picture for the record. At this time Attorney Weeks asked Commissioner Fountain if she did a site visit. Commissioner Fountain stated she drove out there because she wanted to see where it was. Attorney Weeks stated that was a site visit. Commissioner Fountain stated she just drives by items that are on the agenda. Attorney Weeks stated that she should not if you are in a quasi-judicial setting where you are going to be making decisions that require a board to do a site visit and that is one of the things you should not do under case law. Commissioner Fountain stated she just wanted to be informed. Further discussion followed regarding District staff reviewing the approach location. As this was a discussion item only, no motion was made.

Item 8b was the Access Management Ordinance. Director Shanley presented this ordinance to the Board for discussion and review. After deliberations, Commissioner Montgomery moved to approve Ordinance 2019-02 regarding Access Management to include the spelling corrections. Commissioner Twete seconded the motion which carried unanimously.

At this time, Commissioner Montgomery asked to re-visit item 7a. Upon clarification of which approach was requested to be used, Commissioner Montgomery moved to allow the variance of 310 feet due to the hardship of gas lines being located where the driveway could be relocated. Commissioner Fountain seconded the motion which carried unanimously. Commissioner Montgomery moved to cancel the site visit to Emily Estates with Commissioner Fountain seconding the motion which carried unanimously.

Item 8c was Hoodoo Valley 3rd Addition Plat Review. Director Shanley presented his review of this four (4) lot minor subdivision located on Remington Road. After deliberations, Commissioner Montgomery moved to authorize District staff to submit a letter of comment to the County outlining item numbers 1-5 of Director Shanley's review. The motion also included authorization for the Chairman or Vice Chairman to sign the Mylars when presented. Commissioner Fountain asked for a clarification of whether or not there would be a road development agreement. Commissioner Montgomery stated he would add the road development agreement to his motion. Commissioner Fountain seconded the motion which carried unanimously.

Item 8d was Riffle Meadows Plat Review. Director Shanley presented his review of this two (2) lot minor subdivision located on Remington Road. After deliberations, Commissioner Montgomery moved to authorize District staff to submit a letter of comment to the County outlining item numbers 1-5 of Director Shanley's review. The motion also included authorization for the Chairman or Vice Chairman to sign the Mylars when presented. Commissioner Fountain seconded the motion which carried unanimously.

Item 8e was Fantasy Acres Plat Review. Director Shanley presented his review of this two (2) lot minor subdivision located off of Atlas Road on Fantasy Loop. After deliberations, Commissioner Fountain moved to authorize District staff to submit a letter to the County outlining item numbers 1-5 of Director Shanley's review. The motion also included authorization for the Chairman or Vice Chairman to sign the Mylars when presented. Commissioner Montgomery seconded the motion which carried unanimously.

Item 8f was a proposed E. Hayden Lake Road Subdivision. Director Shanley discussed with the Board a proposed subdivision located on E. Hayden Lake Road northeast of Dodd Road which

may include the possibility of right-of-way donation for future curve improvements adjacent to the subdivision. As this was a discussion item only, no motion was made.

Item 8g was to set a public hearing for an abandonment and vacation request made by Kootenai County. Director Shanley discussed the County's request for abandonment and vacation of rights-of-way located in the plat of Coeur d'Alene Airport Southeast located on the north side of Miles Avenue. After deliberations, Commissioner Montgomery moved to set August 26, 2019 at 6:00 p.m. or as soon thereafter as possible, for the public hearing to consider the abandonment and vacation request of Kootenai County for rights-of-way located in Coeur d'Alene Airport Southeast. Commissioner Fountain seconded the motion which carried unanimously.

Item 8h was to set a public hearing for an abandonment and vacation request for a portion of right-of-way located in Hayden Lake Cottage Tracts. Director Shanley presented this request to the Board and after deliberations, Commissioner Montgomery moved to set August 26, 2019 at 6:15 p.m. or as soon thereafter as possible for the public hearing to consider the abandonment and vacation request for a portion of right-of-way located in Hayden Lake Cottage Tracts. Commissioner Fountain seconded the motion which carried unanimously.

Item 8i was the Appraisal Contract Proposal for the BNSF/Ramsey Road Railroad Crossing. Director Shanley presented a proposal submitted by Columbia Valuation Group, Inc. to provide appraisals on the necessary parcels for the BNSF Railroad Crossing Project on Ramsey Road. After deliberations, Commissioner Fountain moved to approve the appraisal contract proposal for the BNSF Ramsey Road Railroad Crossing for Columbia Valuation Group for a contract price \$26,750.00 with Commissioner Montgomery seconding the motion which carried unanimously.

Item 10a was to enter into executive session. Commissioner Montgomery moved to enter into executive session at 6:47 p.m. under Idaho Code §74-206 (1) (b), (c) and (f). Commissioner Fountain seconded the motion. District Clerk Flagg then called roll with voting as follows: Commissioner Twete aye, Commissioner Montgomery aye and Commissioner Fountain aye.

Upon reconvening to regular session at 7:29 p.m. and there being no further business, Commissioner Montgomery moved to adjourn at 7:30 p.m. with Commissioner Fountain seconding the motion which carried unanimously.

Respectfully Submitted:

Bonny A. Flagg

Bonny A. Flagg
District Clerk, Board Secretary

Approved:

Rodney A. Twete

Rodney A. Twete
Chairman