

Lakes Highway District Meeting Minutes

January 21, 2019

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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 January 21, 2019, at the District Office, 11341 N. Ramsey Road, Hayden, Idaho 83835. Those in attendance were Commissioners Twete, Montgomery and Fountain, Director Shanley, District Clerk Flagg and District Attorney Weeks. Attorney John Magnuson and Chan Karupiah attended regarding the abandonment & vacation on 5th & Lakeside in Bayview, Megan O'Dowd, Steve Cook, Casey Morrisoe, Jon Mueller and Jeff Voeller attended regarding the Prairie School, Chad Oakland attended regarding Cayuga Ranch, Matt Gillis of Welch Comer and Joey Sprague of ITD attended regarding the shared use path and Donna Montgomery, Sue Damon, Ted Bare, Dennis Damon, Karen Filan, Cynthia Post, Jackie Lloyd, George Grandy, Doug Wall, M. Compton, Laurin Scarcello, Francis Brunner, Darlene Bare, John Beutler, Janet Almeida, Ray Almeida and Will Stafford observed.

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

Chairman Twete asked if any Board member had a conflict of interest with any item on the agenda. Commissioners Twete, Montgomery and Fountain indicated no conflicts of interest.

Commissioner Montgomery moved to approve the January 21, 2019 agenda as presented with Commissioner Fountain seconding the motion which carried unanimously.

Commissioner Montgomery moved to approve the December 17, 2018 regular meeting minutes as presented with Commissioner Fountain seconding the motion which carried unanimously.

Commissioner Montgomery moved to approve the December 20, 2018 special meeting minutes as presented with Commissioner Fountain seconding the motion which carried unanimously.

After reviewing the Payments Journal and Financial Worksheet, Commissioner Fountain moved to approve the payments journal with bills paid by check numbers 35552 through 35639 in the amount of \$261,313.40, the direct deposit dated December 20, 2018 in the amount of \$36,234.24, the direct deposit dated January 4, 2019 in the amount of \$45,745.29 and the direct deposit dated January 21, 2019 in the amount of \$39,712.37 for a total of \$383,005.30, noting that check #35551 was voided due to a printer error. 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 8a under Old Business, was the Prairie School Access Concept. Director Shanley discussed with the Board the proposed intersection of Moselle Drive and Prairie Avenue as submitted to the District by the Coeur d'Alene School District. Jeff Voeller of the Coeur d'Alene School District presented the revised intersection proposal of Prairie Avenue and Moselle Drive to the Board for discussion. Following deliberations, Commissioner

Montgomery moved to accept the concept as presented and have staff work with legal counsel to make this happen. Commissioner Twete seconded the motion. Commissioners Twete and Montgomery voted aye with Commissioner Fountain opposed. Motion carried.

Item 8b is the Abandonment & Vacation Request for 5th & Lakeside in Bayview. Director Shanley informed the Board Chan Karupiah has reached the one (1) year time limit for obtaining the liquor license for the Buttonhook Inn in Bayview. At this time, Attorney John Magnuson addressed the Board. After deliberations and consideration of Attorney Weeks' recommendations, Commissioner Montgomery moved to grant an extension to incorporate verbiage suggested by Attorney Weeks to insure this comes to a conclusion by means of the Alcohol Beverage Control Board's ruling on the issue, with Commissioner Fountain seconding the motion which carried unanimously.

Item 8c is Cayuga Ranch Right-of-Way Dedication. Director Shanley explained to the Board the developers of this minor subdivision are requesting the Board re-consider some of the requirements outlined in the District's comment letter to the County. After deliberations, Commissioner Fountain moved to deny the request to eliminate the Board's comment for right-of-way between lots 3 and 4 as originally stated. Commissioner Fountain also moved to add a contingency that the lots would have restricted access prohibiting further subdivision given access limitations related to district standard approach spacing. Director Shanley asked for clarification that approaches would be restricted access approaches and that the approaches should be shown on the face of the plat. Commissioner Fountain indicated Director Shanley's clarification was correct and was included in her motion. Commissioner Montgomery seconded the motion. All Commissioners voted aye, and the motion carried unanimously.

Item 9a was the US 95 shared use path. Director Shanley acknowledged Matt Gillis of Welch Comer and Joey Sprague of ITD and presented exhibits provided by Welch Comer for ITD, for the shared use path on the east side of US95 from Garwood Road to Hwy 54 and explained the path would potentially cross three (3) Highway District roadways. Matt Gillis of Welch Comer addressed the Board explaining the locations and intentions of each crossing. After deliberations, Commissioner Montgomery moved to accept the proposal for the path to be located in the location closest to the Pope and Abbott Road intersection with Commissioner Fountain seconding the motion which carried unanimously. In regard to the Bunco Road crossing, Commissioner Fountain moved to accept the concept at the intersection of Bunco and Pope Roads with Commissioner Montgomery seconding the motion with carried unanimously. After discussion regarding the Parks Road concept, no motion was made as the Board requested the concept presented be revised to provide a safer crossing.

Item 9b was to set a public hearing for an abandonment and vacation request. Director Shanley presented a petition to abandon and vacate a portion of Travis Road created by Viewer Report #113 and located north of Sturgeon Road. After deliberations, Commissioner Fountain moved to set April 1, 2019 at 5:45 p.m., or as soon thereafter as possible for the public hearing to consider the abandonment and vacation of a portion of Travis Road #113. Commissioner Montgomery seconded the motion which carried unanimously.

Item 9c was the plat review for Fox Run subdivision. Director Shanley presented this two (2) lot subdivision located on Foxborough Court to the Board for review. After deliberations, Commissioner Montgomery moved to authorize District staff to submit a letter of comment to the County outlining item numbers 1-3 of Director Shanley's review. 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 9d was the Wilderness Ranch 1st Addition plat review. Director Shanley presented this four (4) lot minor subdivision located on the north side of Chilco Road to the Board for review. After deliberations, Commissioner Fountain moved to authorize District staff to submit a letter of comment to the County outlining item numbers 1-3 of Director Shanley's review and authorize the Chairman or Vice Chairman to sign the Mylars when presented. Commissioner Montgomery seconded the motion which carried unanimously.

Item 9e was approval of the 2019 road construction plans and authorization to place a call for bids. Director Shanley presented the design engineering plans and specifications for the upcoming proposed construction projects to include Bunco Road from Pope to Nunn, Hayden View Drive and Lookout Drive. Director Shanley requested the Board consider approval of the engineering design plans and specifications and authorization to place a call for bids. After deliberations, Commissioner Montgomery moved to approve the engineered construction plans and authorize District staff to place a Call for Bids for the 2019 Construction Projects with Commissioner Fountain seconding the motion which carried unanimously.

Item 9f was the 2019 Idaho Association of Highway Districts annual dues and assessments. Director Shanley presented the Board with an invoice from IAHD totaling \$5,700 for the 2019 dues and assessments. After deliberations, Commissioner Fountain moved to approve and authorize payment of the invoice from IAHD in the amount of \$5,700 for the 2019 dues and assessments. Commissioner Montgomery seconded the motion which carried unanimously.

Item 9g was the 2019 legal assistance program. Director Shanley discussed with the Board the legal assistance program offered by David Wynkoop for members of the Idaho Association of Highway Districts. After deliberations, Commissioner Fountain moved to decline the 2019 legal assistance program with Commissioner Montgomery seconding the motion which carried unanimously.

Item 9h was the vac truck Source Well piggyback offer. Director Shanley presented a piggyback offer the District obtained through SourceWell for a vac truck. After deliberations, Commissioner Fountain moved to authorize District staff to move forward with the purchase of the 2019 dual engine Peterbilt with 5.7-liter gas to include the additional change option listed for a total price after trade in of \$328,627.00. Commissioner Montgomery seconded the motion which carried unanimously.

Item 9i was to Set a Public Hearing for Surplus Equipment. Director Shanley discussed with the Board surplus the 2007 vac truck as it is no longer useful in the maintenance operations of the District. After deliberations, Commissioner Montgomery moved to adopt Resolution 2019-01 declaring the listed equipment, MI460 as surplus with the public hearing

to be held March 4, 2019 at 5:45 p.m. or as soon thereafter as possible. The motion also included authorization for the Board to sign the resolution. Commissioner Fountain seconded the motion which carried unanimously.

Item 9j was the 2019 BST Projects. Director Shanley discussed the 2019 BST Projects with the Board and requested that the CIP list be revised to Mokins Bay, Sage Creek and McCoy Road for 2019 and Willadsen and Fish Creek being scheduled for 2020 to even out the work load between the two (2) years. After deliberations, Commissioner Montgomery moved to BST Mokins Bay, Sage Creek and McCoy Road in 2019 and Willadsen Road and Fish Creek in 2020. Commissioner Fountain seconded the motion which carried unanimously.

Item 9k is the Ramsey Road BNSF Project Transfer Station Access. Director Shanley discussed with the Board the authorization for David Evans & Associates to proceed with the relocation of the Kootenai County Solid Waste approach access based on the proposal submitted. After deliberations, Commissioner Fountain moved to authorize the additional scope of work for the Ramsey Road, Chilco Road to Scarcello Road Project to include the supplemental agreement and authorize the Chairman or Vice Chairman to sign the supplemental agreement. Commissioner Montgomery seconded the motion which carried unanimously.

Item 10a was to move into executive session.

Commissioner Montgomery moved to enter into executive session at 7:20 p.m. under Idaho Code §74-206 (1) (f) to discuss pending litigation. Commissioner Fountain seconded the motion. District Clerk Flagg then called the roll with the Commissioners voting as follows: Commissioner Twete aye, Commissioner Montgomery aye and Commissioner Fountain aye. The motion carried unanimously.

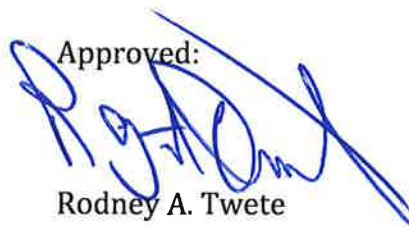
After reconvening to regular session at 7:43 p.m. and there being no further business, Commissioner Fountain moved to adjourn at 7:43 p.m. with Commissioner Montgomery seconding the motion which carried unanimously.

Respectfully Submitted:



Bonny A. Flagg
District Clerk, Board Secretary

Approved:



Rodney A. Twete
Chairman