

## LAKES HIGHWAY DISTRICT MINUTES

August 31, 2020

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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 August 31, 2020 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, District Treasurer Howell and District Attorney Weeks. Will and Barb Neal attended regarding the public hearing, David Pearson attended regarding See Forever Estates and Donna Montgomery observed.

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

Chairman Twete asked if any Board member has a conflict of interest with any item on the agenda? Commissioner Twete no, Commissioner Montgomery no and Commissioner Fountain no. Has anyone had any oral or written communication with an applicant, or anyone opposing an application? Commissioner Twete no, Commissioner Montgomery no and Commissioner Fountain no. Has anyone visited a site that is on the agenda for a Board decision regarding an application related to the site? Commissioner Twete no, Commissioner Montgomery no and Commissioner Fountain no.

Commissioner Montgomery moved to approve the August 31, 2020 agenda as presented with Commissioner Fountain seconding the motion which carried unanimously.

Commissioner Montgomery moved to approve the July 20, 2020 regular meeting minutes as presented with Commissioner Fountain seconding the motion which carried unanimously.

Commissioner Montgomery moved to approve the July 29, 2020 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 37658 through 37751 in the amount of \$825,495.02, the direct deposit dated August 5, 2020 in the amount of \$43,288.07 and the direct deposit dated August 20, 2020 in the amount of \$37,617.06 for a total of \$906,400.15. Commissioner Montgomery seconded the motion which carried unanimously.

At this time, Chairman Twete asked if there was any public comment. Will Neal addressed the Board regarding the Mokins Bay road project and Director Shanley stated that this should be addressed during the budget hearing.

**Item 9a Zone Change Request ZON20-0006.** Director Shanley presented this zone change request to the Board for review. The request is located on Old Hwy 95 and the applicant is requesting the parcel be changed from Rural/Industrial to Commercial. After deliberations, Commissioner Fountain moved to authorize District staff to submit a letter of comment to the County stating the District has no objections to the zone change request. Commissioner Montgomery seconded the motion which carried unanimously.

**Item 9b was the Independence Pines Plat Review.** Director Shanley presented this two (2) lot minor subdivision located on Perimeter Road 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 1-5 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 9c was Knoche's Korner's Plat Review.** Director Shanley presented this two (2) lot minor subdivision located on Remington 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 1-5 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.

As it was not yet time for the budget hearing, Chairman Twete moved to Item 9e.

**Item 9e was the Plat Review of See Forever Estates.** Director Shanley presented this three (3) lot minor subdivision located on E. Hayden Lake 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 1-5 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 9d was the 2020-2021 Budget Hearing.** Chairman Twete stated this was the time and place for the 2020-2021 budget hearing and declared the hearing open for any public comments.

Mr. Will Neal addressed the Board regarding the Mokins Bay BST Project and asked if this project was included in the 2020-2021 budget. He stated that they are very much in support of the project as it will greatly reduce the amount of dust and sediment going into Hayden Lake. Director Shanley stated the project is included in the 2020-20201 budget and scheduled for this coming construction season.

Director Shanley stated the public hearing was advertised in accordance with Idaho Statutes and the District had not received any written comments regarding the budget. Director Shanley then reviewed the proposed 2020-2021 budget with the Board and Resolution 2020-05 reserving the 2020-2021 foregone amount.

Chairman Twete asked for any further public comment. Seeing none, Chairman Twete declared the public hearing closed at 5:52 p.m.

The Board proceeded to deliberations and upon conclusion, the following motion was made.

Commissioner Fountain moved to approve and adopt the FY2020-2021 Lakes Highway District budget as presented which includes the new construction roll and a zero percent property tax levy increase, authorized the Chairman or Vice Chairman to sign the Dollar

Certification and authorized District staff to submit the FY 2020-2021 budget to the Coeur d'Alene Press for advertisement. The motion also included adoption of Resolution 2020-05 reserving the 2020-2021 foregone amount. Commissioner Montgomery seconded the motion. District Clerk Flagg then called the roll as follows: Commissioner Twete aye, Commissioner Montgomery aye and Commissioner Fountain aye. The motion carried unanimously.

**Item 9f are the Construction Plans for Pulaski Road located in Hoodoo Valley Fifth Addition.** Director Shanley presented the construction plans to the Board for Pulaski Road located in Hoodoo Valley Fifth Addition for review. Director Shanley also discussed the developer's request to submit a bond in the amount of 150% for the construction of Pulaski Road. After deliberations, Commissioner Montgomery moved to approve the construction plans submitted for Pulaski Road located in Hoodoo Valley Fifth Addition dated July 24, 2020 and accept the bond amount in exchange for signing the final plat. Commissioner Fountain seconded the motion which carried unanimously.

**Item 9g are the Construction Plans for Archer Road located in Hoodoo Valley Sixth Addition.** Director Shanley presented the construction plans to the Board for Archer Road located in Hoodoo Valley Sixth Addition for review. Director Shanley also discussed the developer's request to submit a bond in the amount of 150% for the construction of Archer Road. After deliberations, Commissioner Fountain moved to approve the construction plans submitted for Archer Road located in Hoodoo Valley Sixth Addition dated July 24, 2020 and accept the bond amount in exchange for signing the final plat. Commissioner Montgomery seconded the motion which carried unanimously.

**Item 9h are the Construction Plans for Tappen Lane located in Oneida Addition.** Director Shanley presented the construction plans to the Board for Tappen Lane located in Oneida Addition for review. After deliberations, Commissioner Fountain moved to approve the construction plans for Tappen Lane located in Oneida Addition dated July 17, 2020, paving half width for a twenty eight (28) foot road section the entire frontage of the subdivision (to southern boundary) with Commissioner Montgomery seconding the motion which carried unanimously.

**Item 9i are the Construction Plans for Pinewood Estates.** Director Shanley presented the construction plans for Pinewood Estates located on Chilco Road to the Board for review. After deliberations, Commissioner Fountain moved to approve the construction plans for Pinewood Estates dated August 25, 2020. The motion also included allowing staff to accept a bond in the amount of 150% of the improvement costs with Commissioner Montgomery seconding the motion which carried unanimously.

**Item 9j was the Audit Engagement Letter from Magnuson McHugh & Company.** Director Shanley presented the audit engagement letter from Magnuson McHugh & Company for the fiscal year 2019-2020 to the Board for review. After deliberations, Commissioner Fountain moved to approve the Audit Engagement letter from Magnuson McHugh for Fiscal Year 2019-2020 not to exceed \$7,500 and authorize the Chairman or Vice Chairman to sign the agreement. Commissioner Montgomery seconded the motion which carried unanimously.

**Item 9k was Resolution 2020-06 Lone Mountain Estates 4<sup>th</sup> Addition Road Acceptance.** Director Shanley presented this resolution to the Board stating the Developer has requested the District accept the roads located in Lone Mountain Estates 4<sup>th</sup> Addition into the District's maintenance jurisdiction. After deliberations, Commissioner Montgomery moved to adopt Resolution 2020-06 accepting the roads located in Lone Mountain Estates 4<sup>th</sup> Addition into the District's maintenance jurisdiction contingent upon District approval of the punch list items being completed to District satisfaction. The motion also included authorization for the Chairman or Vice Chairman to sign the resolution. Commissioner Fountain seconded the motion which carried unanimously.

**Item 9l was the Replat of Lot 3 Chicken Hill Estates Plat Review.** Director Shanley presented this replat located on Strahorn Road to the Board for review. After deliberations, Commissioner Fountain moved to authorize District staff to submit a letter of comment to the County stating the District had no objections to the replat and authorized the Chairman or Vice Chairman to sign the Mylars when presented. Commissioner Montgomery seconded the motion which carried unanimously.

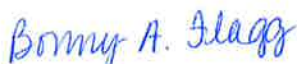
Commissioner Montgomery moved to enter into executive session at 6:21 p.m. under Idaho Code §74-206(1) (f). Commissioner Fountain seconded the motion. Clerk Flagg called the roll with voting as follows: Commissioner Twete aye, Commissioner Montgomery aye and Commissioner Fountain aye. Motion carried unanimously.

Upon reconvening to regular session at 6:54 p.m., Commissioner Fountain moved to direct legal staff and District staff to proceed with litigation against Spectrum/Charter Communications for removal and relocation of utilities in conjunction with the Ramsey Road Chilco to Scarcello Project. Commissioner Montgomery seconded the motion which carried unanimously.

Commissioner Fountain moved to disperse the Veba Account as discussed in executive session to the heirs of the deceased employee. Commissioner Montgomery seconded the motion which carried unanimously.

There being no further business, Commissioner Montgomery moved to adjourn at 6:58 p.m. with Commissioner Fountain seconding the motion which carried unanimously.

Respectfully Submitted:



Bonny A. Flagg  
District Clerk/Board Secretary

Approved:



Rodney A. Twete  
Chairman