

Lakes Highway District Meeting Minutes

January 20, 2020

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 January 20, 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 and District Attorney Weeks. Suzanne Brunner, Sally Brunner, Tom Brunner, Michael Brunner, Connie Brunner, Francis Brunner, Attorney John Whelan, Rob Stratton and Dale Broadsword all attended regarding the public hearings, Donna Montgomery, Jared Cooksey and Laurin Scarcello 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 January 20, 2020 agenda as presented with Commissioner Fountain seconding the motion which carried unanimously.

Commissioner Montgomery moved to approve the December 16, 2019 regular meeting minutes as presented with Commissioner Fountain seconding the motion which carried unanimously.

Commissioner Montgomery moved to approve the December 19, 2019 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 37153 through 37233 in the amount of \$226,564.52, the direct deposit dated December 20, 2019 in the amount of \$36,104.18, the direct deposit dated January 6, 2020 in the amount of \$45,175.73 and the direct deposit dated January 20, 2020 in the amount of \$54,811.76 for a total of \$362,656.19. Commissioner Montgomery seconded the motion which carried unanimously.

At this time, Chairman Twete asked if there was any public comment. Francis Brunner addressed the Board regarding the status of Weir Road. Director Shanley stated that this item is an agenda item and would be addressed further down the agenda.

Laurin Scarcello addressed the Board and stated the District is doing a great job plowing. He also commented on Viewer Report #167, Downs Road and again, Director Shanley stated this item will be addressed as an agenda item.

Item 8a was to reconvene the public hearing to consider the validation of Viewer Report #167, Downs Road.

Chairman Twete stated this is the time and place set to reconvene the public hearing on the validation of Viewer Report #167, Downs Road. At this time Chairman Twete addressed the audience regarding any public comment and asked for all public comment forms which had not yet been be turned in to the Board to be turned in now as the public hearing convenes.

Director Shanley presented the staff report to the Board for review and discussed the information outlined in the report.

District Attorney Weeks read the public comment forms which were in no particular order and the Board heard public testimony. At the end of the public comment, Attorney Weeks gave the written comment forms to Clerk Flagg to enter into the record.

As there was no more public comment, Chairman Twete closed the public hearing.

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

Commissioner Montgomery stated I find it is not in the public interest to validate Viewer Report #167, known as Downs Road lying in Sections 35 & 36 Township 53 North, Range 4 and Section 1, Township 52 North, Range 4 West Boise Meridian, Kootenai County, Idaho as a public right-of-way per Idaho Code §40-203 (1) (a). Commissioner Fountain seconded the motion which carried unanimously.

Chairman Twete asked for any further discussion by the Board and there being none, Chairman Twete stated the motion has passed.

District Clerk Flagg called the roll as follows: Commissioner Twete aye, Commissioner Montgomery aye and Commissioner Fountain aye.

Item 8b was to reconvene the public hearing to consider the validation of Viewer Report #176, Springs Road.

Chairman Twete stated this is the time and place set to reconvene the public hearing on the validation of Viewer Report #176, Springs Road.

Attorney Weeks addressed the Board regarding the procedure to re-open the public hearing and the ability to address validation in segments.

Chairman Twete asked if there had been any written testimony presented to the District or verbal communication in this matter.

Attorney Weeks stated we would need a motion to re-open the public hearing in order to take into consideration the additional written testimony.

Commissioner Fountain made a motion to reopen the public hearing for the validation of Viewer Report #176, Springs Road. Commissioner Montgomery seconded the motion which carried unanimously.

Director Shanley discussed with the Board the additional written testimony the District received, and the Board heard public testimony. Upon all public testimony being heard, Chairman Twete closed the public hearing.

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

Commissioner Fountain stated I find it is not in the public interest to validate Viewer Report #176, known as Springs Road for portions of rights-of-way located in Sections 21 & 28 and 22, 25, 26 & 27, Township 52N, Range 4 West, Boise Meridian, Kootenai County, Idaho as a public right-of-way per Idaho Code §40-203 (1) (a) and validate the portions located in Sections 23 & 24, 25 & 26. Commissioner Fountain clarified the Idaho Code Section as §40-203 (1) (a) and that the portion of right-of-way located in sections 23 & 24 and 25 & 26 would be validated and not validate any right-of-way located west of Ramsey Road. Commissioner Montgomery seconded the motion which carried unanimously.

Chairman Twete asked for any further discussion by the Board and there being none, Chairman Twete stated the motion has passed.

District Clerk Flagg called the roll as follows: Commissioner Twete aye, Commissioner Montgomery aye and Commissioner Fountain aye.

Item 9a was the Conditional Use Permit application for Poe Asphalt Paving, Inc.

Director Shanley presented the request for a conditional use permit by Poe Asphalt Paving, Inc. located off of Hwy 95 approximately two (2) miles south of Bunco Road. Commissioner Montgomery recused himself from this item as he works for Poe Asphalt on occasion. After deliberations, Commissioner Fountain moved to authorize District staff to submit a letter of comment to the County outlining item numbers 1-2 of Director Shanley's review. Commissioner Twete seconded the motion. Motion carried.

Item 9b is the Armel Place Plat Review. Director Shanley presented this three (3) lot minor subdivision located on Garwood 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 his review. The motion also included authorization for the Chairman or Vice Chairman to sign the Mylars. Commissioner Montgomery seconded the motion which carried unanimously.

Item 9c is the Hiatt Estates Road Development Agreement Addendum. Director Shanley addressed the Board stating the developer of Hiatt Estates is requesting Addendum No. 5 to the original Road Development Agreement extending the due date an additional five (5) years to December 29, 2024. After deliberations, Commissioner Fountain moved to approve Addendum #5 for Hiatt Estates with the due date extended an additional five (5) years to December 29, 2024 with Commissioner Montgomery seconding the motion which carried unanimously.

Item 9d was the Remington/Weir Road Geo-Tech Report. Director Shanley presented the report to the Board for review and discussed recommendations outlined by the report. After deliberations, Commissioner Montgomery moved to approve the Geotech engineering evaluation for Remington and Weir Roads. Commissioner Fountain confirmed that the load limits remain until those roads are overlaid. Commissioner Montgomery confirmed. Commissioner Fountain seconded the motion which carried unanimously.

Item 9e was the 2019-2020 State of Roads Report. Director Shanley presented the State of the Roads Report for 2019-2020 to the Board for review. After deliberations, Commissioner Fountain moved to approve the 2019-2020 State of the Roads Report and post the report to the website with Commissioner Montgomery seconding the motion which carried unanimously.

Item 9f was the 2020-2024 C.I.P. List. Director Shanley presented the proposed 2020-2024 C.I.P. list to the Board for review. After discussion and deliberations, Commissioner Montgomery moved to accept the CIP list for years 2020-2024 with Commissioner Fountain seconding the motion which carried unanimously.

Chairman Twete addressed the Board under Commissioner comment. He stated there has been a couple things come up where Commissioners have been talking to crew members. Any concerns or thoughts need to be brought up to the Director and he will address those concerns accordingly as the Board addresses policy through board meetings.

There being no further business, Commissioner Montgomery moved to adjourn at 6:49 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
Chairman