

LAKES HIGHWAY DISTRICT MINUTES

October 2, 2023

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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 October 2, 2023 at the District Office, 11341 N. Ramsey Road, Hayden, Idaho 83835. Those in attendance were Commissioners Twete, Adams and Montgomery Director Shanley, District Clerk Hendry and Attorney Weeks. Shawn Metts of HMH presented. Tiffanie Esp of ATS, Inc. and Michael Mailhot attended regarding the Public Hearing. 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 Adams no and Commissioner Montgomery no. Has anyone had any oral or written communication with an applicant, or anyone opposing an application? Commissioner Twete no, Commissioner Adams no and Commissioner Montgomery 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 Adams no Commissioner Montgomery no.

Item 3 – Commissioner Montgomery moved to approve the October 2, 2023 agenda as presented with Commissioner Adams seconding the motion which carried unanimously.

Item 4 – Public Comment – Chairman Twete asked if there was any public comment. There was none.

Item 5 – Commissioner Adams moved to approve October 2, 2023 Consent Agenda as presented with Commissioner Montgomery seconding the motion which carried unanimously.

Old Business

Item 6a – LHTAC Grant (KEY No. 23284) – E. Hayden Lake Road. Director Shanley discussed with the Board the preliminary design package which included (5) of the (6) sites in the original grant application and asked the Board to give direction on the project grant moving forward due to the funding shortfall to re-build the E. Hayden Lake Road. Shawn Metts of HMH presented. After deliberations, Commissioner Adams moved to proceed with the (5) sites as presented with enhancement to the Rimrock site for additional widening as discussed. Commissioner Montgomery seconded the motion, which carried unanimously.

Item 6b – ICRMP 2024 Renewal. Director Shanley re-visited the 2024 ICRMP renewal which is accordance with the Approved FY2023-2024 budget and notified the Board that the premium has been paid in full.

Current Business

Item 7a – Public hearing for the abandonment and vacation of a portion of Viewer Report Road No. 55, Nelson Road in Section 18, Township 52 North, Range 4 West.

Chairman Twete stated this was the time and place set for the public hearing on the petition to abandon and vacate a portion of Viewer's Report Road No. 55, Nelson Road in Section 18, Township 52 North, Range 4 West, Boise Meridian, Kootenai County, Idaho along their western boundary, which is approximately Station 10 to Station 12 of the Viewer's Report as

petitioned by Michael and Stephanie Mailhot. At this time, Chairman Twete appointed Attorney Susan Weeks as the hearing officer to conduct the public hearing.

Attorney Weeks presented the staff report to the Board for review and discussion. Director Shanley stated he had received written testimony from Richard Oetting which is included in the Commissioners' packets. The certified Notice of Public Hearing was mailed and advertised in accordance with Idaho Code and the Highway District did receive the return certified mailing receipts.

Commissioner Adams asked for clarification as to the reasoning for the petitioner's request. Attorney Weeks provided information from the petition.

Tiffanie Espe of ATS, Inc. and Michael Mailhot each addressed the Board explaining his/her request for abandonment and vacation.

Attorney Weeks read the letter from Richard E. Oetting, entered into the public record as Exhibit "A".

Following public testimony, Attorney Weeks closed the public hearing and turned the matter over to Chairman Twete to initiate deliberations.

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

Commissioner Adams made a motion to table this request in order to provide the petitioner additional time to contact the surrounding property owners and to reconvene the Public Hearing at the November 20, 2023 Board Meeting. Commissioner Montgomery seconded the motion which carried unanimously.

Item 7b – Set Public Hearing for Validation/Vacation & Abandonment - Doty. Director Shanley presented a petition from Benjamin and Jude Doty to validate a portion of right-of-way located in Section 17, Township 53 North, Range 3 West. From the intersection of Hindman Street and Reminton Road continuing East on the section line for approximately 0.8 miles. After deliberations, Commissioner Montgomery moved to set the public hearing on December 18, 2023 at 5:45 p.m. or as soon thereafter as possible. Commissioner Adams seconded the motion which carried unanimously.

Item 7c – Set Public Hearing for Validation/Vacation & Abandonment – Miguel. Director Shanley presented a petition from Robert and Melissa Miguel to validate a portion of right-of-way located on Pinehurst Street in Section 17, Township 52 North, Range 4 West. After deliberations, Commissioner Montgomery moved to set the public hearing on December 4, 2023 at 5:45 p.m. or as soon thereafter as possible. Commissioner Adams seconded the motion which carried unanimously.

Item 7d – Falcone Ranch Plat Review. Director Shanley presented this two (2) lot minor subdivision located off Sylvan Road in Athol to the Board for review. After deliberations, Commissioner Adams moved to approve and accept the dedications that shall be shown on the final plat and authorized District Staff to submit a letter of comment to the County outlining numbers 1 through 4 of Director Shanley’s review. Commissioner Montgomery seconded the motion which carried unanimously.

Item 7e – Old 95 Zone Change Request. Director Shanley presented this zone change request to the Board which consists of approximately 5.81 acres on Old Highway 95. The applicant is requesting zoning be changed from Rural to Light Industrial. After deliberations, Commissioner Adams moved to authorize District Staff to submit a letter of comment determining that Director Shanley’s review concluded this change would not adversely impact the District. Commissioner Montgomery seconded the motion which carried unanimously.

Commissioner Montgomery moved to enter into executive session at 6:37 p.m. under Idaho Code §40-1309(2). Commissioner Adams seconded the motion. District Clerk Hendry called the roll as follows: Commissioner Twete aye, Commissioner Montgomery aye and Commissioner Adams aye. Motion carried unanimously.

Commissioner reconvened regular session at 7:20 p.m.

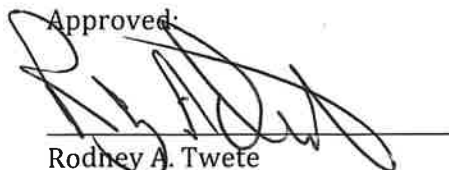
Item 9 – Executive session motions: Upon deliberations Commissioner Adams moved to authorize staff to move forward with those items discussed during Executive Session. Commissioner Montgomery seconded the motion which carried unanimously.

As there was no further business, Chairman Twete adjourned the meeting at 7:21 p.m.

Respectfully Submitted:



Aliesha Hendry
District Clerk

Approved: 

Rodney A. Twete
Chairman