

## LAKES HIGHWAY DISTRICT MINUTES

September 19, 2022

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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 September 19, 2022 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, Deputy Clerk Blaine and District Attorney Weeks. Nick Snyder of Kootenai County, Rand Wichman with Kootenai Properties, Mike Henley and Ryan Fobes of Idaho Forest Group, Randy Smith, Gary W. Creagle, Ryan Smith and Curt Carney attended regarding the validation request, Cherlyn and Scott Johnson and Troy Hahn attended regarding public comment 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.

**Item 3** – Commissioner Montgomery moved to approve the September 19, 2022 agenda as presented with Commissioner Fountain seconding the motion which carried unanimously.

**Item 4** - Commissioner Montgomery moved to approve the August 29, 2022 regular minutes as presented with Commissioner Fountain seconding the motion which carried unanimously.

**Item 5** - After reviewing the payments journal and financial worksheet, Commissioner Fountain moved to approve the payments journal with bills paid by check numbers 39678 through 39754 in the amount of \$1,669,691.77, the direct deposit dated August 5, 2022 in the amount of \$45,512.86 and the direct deposit dated August 19, 2022 in the amount of \$44,940.64 for a total of \$1,760,145.27. Commissioner Montgomery seconded the motion which carried unanimously.

**Item 6 – Public Comment** – Chairman Twete asked if there was any public comment. Cherlyn Johnson addressed the Board regarding their upcoming appeal. Attorney Weeks stated that in lieu of their upcoming appeal, it is inappropriate, and the Board should not take testimony prior to their appeal.

### **Old Business**

**Item 7a – Hoodoo Valley South 4<sup>th</sup> Addition.** Director Shanley indicated that the applicant requested this morning that the item be tabled. Commissioner Montgomery moved to table this item with Commissioner Diane Fountain seconding the motion which carried unanimously.

**Item 8 – Current Business**

As it was not yet the time to begin the public hearing, Chairman Twete moved to item 8b.

**Item 8b – Administrative Appeal – Lazar Gate Encroachment.** Director Shanley indicated that the applicant requested this item be tabled after the Board Packets and Agenda was prepared. Commissioner Fountain moved to table this item with Commissioner Montgomery seconding the motion which carried unanimously.

**Item 8c – Chilco Road Turn Lane Plans.** Director Shanley presented turn lane plans for Chilco Road in connection with Lone Mountain Estates Additions 8, 9, 10 & 11 to the Board for review. Commissioner Montgomery moved to accept the turn lane plans presented by Welch Comer for Chilco Road turn lanes with Commissioner Fountain seconding the motion which carried unanimously.

**Item 8d – Boss Tracts Plat Review.** Director Shanley presented this two (2) lot minor subdivision located on Hester Road off of Brunner Road to the Board for review. After deliberations, Commissioner Fountain moved to authorize District staff to submit a comment letter to the County outlining item numbers 1-4 of Director Shanley’s review. Commissioner Montgomery seconded the motion which carried unanimously. It was clarified that the motion also included approval and acceptance of the right-of-way dedication that shall be shown on the final mylars.

**Item 8e – Levi Flats Plat Review.** Director Shanley presented this two (2) lot minor subdivision located on Smoke Tree Avenue off of Ramsey 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 1-4 of Director Shanley’s review. Commissioner Montgomery seconded the motion which carried unanimously.

**Item 8f – King Estates Plat Review.** Director Shanley presented this four (4) lot minor subdivision located off of Howard Road to the Board for review. After deliberations, Commissioner Montgomery 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 item numbers 1-6 of Director Shanley’s review. Commissioner Fountain seconded the motion which carried unanimously.

**Item 8g – Harris Estates Plat Review.** Director Shanley presented this four (4) lot minor subdivision located off of Howard Road to the Board for review. After deliberations, Commissioner Fountain 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 item numbers 1-5 of Director Shanley’s review. Commissioner Montgomery seconded the motion which carried unanimously.

**Item 8h – North Hayden Storage CUP.** Director Shanley presented a conditional use permit request to the Board for a mini storage and rental warehouse located adjacent to Old Hwy 95. After deliberations, Commissioner Montgomery moved to authorize District staff to

submit a letter of comment to the County. Commissioner Fountain seconded the motion, which carried unanimously.

**Item 8a – Public Hearing – Right-of-Way Validation – Spokane Valley Commercial Orchards.**

Chairman Twete stated this is the designated time and place set for the public hearing on the petition to validate Fifth Avenue located in Spokane Valley Commercial Orchards, lying in Sections 7 & 8, Township 52 North, Range 3 West, Boise Meridian, Kootenai County, Idaho as petitioned by Kootenai County Parks and Waterways. I now declare the public hearing open. Only testimony pertaining to this petition will be accepted.

Director Shanley presented the staff report to the Board for review and discussed the information outlined in the report. Director Shanley stated that all notifications were completed as required by Idaho Statute. Clerk Flagg informed the Board of public comments. District Attorney Weeks explained the 1975 abandonments which were done after Lakes Highway District was formed.

Nick Snyder of Kootenai County Parks and Waterways addressed the Board outlining his request for validation.

District Attorney Weeks read the public comment forms which were in no particular order and the Board heard public testimony. Ryan Smith, Mike Henley, Randy Smith, Rand Wichman and Curt Carney all testified as opposed to the validation request.

Chairman Twete asked Mr. Snyder if he had any rebuttal testimony. Mr. Snyder addressed the property owners concerns regarding increased traffic if the road was validated as public right-of-way. Randy Smith and Nick Snyder each rebutted again at this time.

Chairman Twete closed the public hearing.

At this time, Commissioner Montgomery moved to table this item for further information with Commissioner Fountain seconding the motion. Clerk Flagg clarified the public hearing would be continued at the October 3, 2022 board meeting. All Commissioners agreed.

**Item 8i – Associated Highway District Standards Turn Lane Addendum.** Director Shanley presented a turn lane addendum for the Associated Highway District Standards to the Board for consideration. After deliberations, Commissioner Montgomery moved to adopt the Associated Highway District Standard turn lane addendum with Commissioner Fountain seconding the motion which carried unanimously.

**Item 8j – De-Icer Quote.** Director Shanley presented a quote submitted by GMCO for winter de-icer product. After deliberations, Commissioner Fountain moved to authorized and accept GMCO Corporation quote for \$180.25 per ton for fiscal year 2023 with Commissioner Montgomery seconding the motion which carried unanimously.

**Item 8k – Salt Quote.** Director Shanley presented a salt quote submitted by Compass Materials. After deliberations, Commissioner Montgomery moved to accept the salt quote from Compass Minerals for fiscal year 2023 with Commissioner Fountain seconding the motion which carried unanimously.

**Item 8l – City of Hayden MOU, Building Transfer Exhibit A.** Director Shanley presented Exhibit A to the MOU with the City of Hayden in regard to the Ramsey Facilities Transfer agreement. After deliberations, Commissioner Montgomery moved to enter into the MOU agreement with the City of Hayden with exhibit A to keep radio operation at its current location with Commissioner Fountain seconding the motion which carried unanimously.

**Item 8m – Traffic Counter Purchases.** Director Shanley discussed purchasing new traffic counters for the District. After deliberations, Commissioner Fountain moved to authorize staff to purchase the traffic counters from Coral Sales Company for \$5700.00 with Commissioner Montgomery seconding the motion which carried unanimously.

**Item 8n – Request for Proposals – Audit Services.** Director Shanley discussed with the Board advertising for request for proposals for future audit services. After deliberations, Commissioner Fountain moved to approve the Request for Proposals for audit services as presented with Commissioner Montgomery seconding the motion which carried unanimously.

**Item 8o – Garwood Facility – AllWest Geotech Evaluation Agreement.** Director Shanley presented the Geotech Evaluation Agreement from AllWest to the Board for review for the Garwood facility. After deliberations, Commissioner Montgomery moved to enter into the Evaluation Agreement with AllWest Geotech for \$6,000.00 for the Geotech evaluation of the Garwood site with Commissioner Fountain seconding the motion which carried unanimously.

**Item 8p – 950 Loader Purchase.** Director Shanley presented a quote from Western States for a new loader. After deliberations, Commissioner Fountain moved to approve the purchase of the 950 loader from Western States in the amount of \$261,841.29 with Commissioner Montgomery seconding the motion which carried unanimously.

**Item 8q – Kenworth Truck Purchases.** Director Shanley presented pricing information regarding the purchase of new Kenworth trucks for the District. After deliberations, Commissioner Fountain moved to move forward with the purchase of two (2) Kenworth Trucks at \$350,839.00 each with Commissioner Montgomery seconding the motion which carried unanimously.

**Item 8r – City of Hayden MOU to Acquire R/W for Ramsey Road Project.** Director Shanley presented an MOU between the District and the City of Hayden to allow the City to acquire right-of-way on behalf of Lakes Highway District on the northeast corner of Lancaster Road and Ramsey Road for the Ramsey Road Project. After deliberations, Commissioner Montgomery moved to enter to MOU with the City of Hayden as the right-of-way agent for the Northeast corner of Ramey Road and Lancaster Road with Commissioner Fountain seconding the motion which carried unanimously.

**Item 8s - Budget Hearing.** Director Shanley discussed with the Board the Districts L2 form and published proposed budget with the Board. After deliberations, Commissioner Fountain moved to authorize the staff to advertise in the Coeur d'Alene Press to address the public notice amendment and budget to be held on October 3, 2022 at 5:45 or soon thereafter with Commissioner Montgomery seconding the motion which carried unanimously.

**Item 9 - Executive Session.** Commissioner Montgomery moved to enter into executive session at 7:02 p.m. under Idaho Code §74-206 (1) (b), (c) & (f). Commissioner Fountain seconded the motion. Clerk Flagg called the roll as follows: Commissioner Twete aye, Commissioner Montgomery aye and Commissioner Fountain aye. Motion carried unanimously.

Upon reconvening to regular session at 7:52 p.m., and there being no further business, Chairman Twete adjourned the meeting at 7:52 p.m.

Respectfully Submitted:

*Bonny A. Flagg*

Bonny A. Flagg  
District Clerk/Board Secretary

Approved:



Rodney A. Twete  
Chairman