

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 1, 2018, at the District Office, 11341 N. Ramsey Road, Hayden, Idaho 83835. Those in attendance were Commissioners Twete, Montgomery and Fountain, Director Shanley and District Clerk Flagg. Angela Comstock of JUB Engineers attended regarding the utility public hearing, Wade Holecek of the City of Hayden, Alan Soderling and Dick Panabaker attended regarding the surplus trucks, Donna Montgomery, Chris Kraft and Carol and Dan Malcolm 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 October 1, 2018 agenda as presented with Commissioner Fountain seconding the motion which carried unanimously.

Commissioner Montgomery moved to approve the September 17, 2018 meeting minutes as presented. Commissioner Fountain seconded the motion which carried unanimously.

After reviewing the Payments Journal, Commissioner Fountain moved to approve the payments journal with bills paid by check numbers 35256 through 35302 in the amount of \$798,159.88, and the direct deposit dated September 20, 2018 in the amount of \$29,834.80 for a total of \$827,994.68 and noted that there were two big payables for the 2018 construction projects. 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 7a is review of the July 16<sup>th</sup>, 2018 meeting minutes.** Director Shanley presented the revisions to the Board as requested by Commissioner Fountain and asked for guidance on how to proceed. Commissioner Fountain discussed the changes she would like to see in the signed, approved minutes of July 16, 2018. Commissioner Fountain felt, certain items were to be deleted per her original motion. Commissioner Twete's and Montgomery's understanding of the original motion did not include deletion of the recorded statements. Commissioner Twete then clarified with Clerk Flagg that the proposed deletions were recorded statements. After deliberations, Commissioner Twete moved to leave the minutes as signed and approved. Director Shanley asked for clarification if Commissioner Twete's motion included deletion of Commissioner Fountains statements per her request. Commissioner Twete confirmed that the requested deletions were to remain in the minutes as written. Commissioner Montgomery seconded the motion acknowledging the clarification. Commissioners Twete and Montgomery voted aye with Commissioner Fountain voting nay. Motion carried.

**Item 7b is to consider the purchase of a Radar Speed Trailer.** Director Shanley presented information regarding the purchase of a radar speed trailer to the Board for consideration. After deliberations, Commissioner Montgomery moved to direct staff to purchase the Traffic Safety Speed Sign along with the Foxfire. Director Shanley asked for clarification if that included the speed detector and data collector. Commissioner Montgomery said it did. Commissioner Twete seconded the motion which carried unanimously.

**Item 8a are Surplus Trucks T119 and T122 Transfer to City of Hayden.** Director Shanley discussed with the Board the City of Hayden's interest in two (2) of the District's surplus trucks. Wade Holecek addressed the Board and discussed the City's need for the two (2) trucks and asked the Board if they would consider gifting the trucks to the City. Commissioner Twete stated he would be in favor of gifting the trucks to the City of Hayden. After deliberations, Commissioner Montgomery moved to set the public hearing for November 19, 2018 to consider whether the public would support the transfer and gifting the two (2) trucks to the City of Hayden at 5:45 or as soon thereafter as possible. Clerk Flagg clarified that the hearing would be to ratify the agreement and Commissioner Montgomery stated it was. Commissioner Fountain seconded the motion which carried unanimously.

**Item 8b is the Utility Hearing for the E. Hayden Lake Road Guardrail Project.**

Chairman Twete stated: The utility hearing will be held in accordance with Idaho Code Section §40-312 (3) generally following the guidelines in the Idaho Transportation Department Guide for Utility Management. The hearing is an opportunity for a utility to present objections to possible relocation or adjustments to utility facilities to accommodate the installation of guardrail at four (4) locations along E. Hayden Lake Road for project Key Number 19906. Utilities have been notified that a utility hearing will be held during today's regular Commissioner's meeting.

Chairman Twete advised: The hearing will be conducted in compliance with the following rules of procedure: Before persons testify at public hearings, they are to fill out the sign-up sheet available. If you desire, you may note objection or approval on the form provided. If you wish to comment during the public hearing, please come to the podium and state your name, utility representing and address. Please limit comments to no more than five (5) minutes. Testimony shall directly address the subject at hand and shall not be personally derogatory nor shall it be personally directed at any individual, organization or business. Commissioners may ask questions of persons who testify. If they do so, it will be only for the purpose of clarifying information. Once the public hearing portion of this meeting is closed, there will be no further opportunity for public input on the proposal. The Commissioners will then discuss among themselves the testimony they have heard and what, if anything, they may propose as a result of this hearing.

Chairman Twete stated I now open the public hearing to accept testimony.

Director Shanley gave a general description of the federally funded project which is three projects under an umbrella of one grant in order for an economy of scale pricing.

Chairman Twete stated as there was no public comment the public hearing is now closed.

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

Commissioner Montgomery moved to require all utilities relocate, if required, to accommodate the installation of guardrails on E. Hayden Lake Road for Key No. 19906 with Commissioner Fountain seconding the motion which carried unanimously.

**Item 8c is a Zone Change Request on English Point Road in conjunction with Item 8d the plat review for Lambert Addition.** Director Shanley presented a request for a zone change from agricultural to restricted residential on a five (5) acre parcel located at 3969 E. English Point

Road. He also presented the minor plat review on the same parcel. After deliberations, Commissioner Fountain moved to submit a letter of comment to the county on the Lambert minor subdivision and zone change stating we have no objections to the zone change and address items 2-5 pertaining to the subdivision with Commissioner Montgomery seconding the motion which carried unanimously. Director Shanley confirmed the motion included authorization for the Chairman or Vice Chairman to sign the Mylar. Commissioner Fountain confirmed as did Commissioner Montgomery.

**Item 8e is the Zone Change Request off of Nash Road in Spirit Lake.** Director Shanley explained to the Board that Kootenai County is in the process of assigning a new zoning classification to a parcel of land de-annexed by the City of Spirit Lake. Director Shanley stated the surrounding roads are not adequate to accommodate the additional traffic that may be generated from the proposed new zoning and recommended opposing the new zoning classification. After deliberations, Commissioner Fountain moved have staff submit a letter of comment to the County stating the District is opposed to the zone change request with Commissioner Montgomery seconding the motion which carried unanimously.

**Item 8f is the Harper's Tracts Plat Review.** This is a two(2) lot minor subdivision located on the northeast corner of Brunner Road and Warren Road. Director Shanley presented his review to the Board and after deliberations, Commissioner Fountain moved to authorize staff to submit a letter of comment to the County on Harper's Tracts subdivision addressing item #1 in the District's comment letter and authorize the Chairman or Vice Chairman to sign the Mylar. Commissioner Montgomery seconded the motion which carried unanimously.

**Item 8g is the Findings-of-Fact for the Howard Road Viewer Report Validation.** Director Shanley stated that we haven't received legal review and offered the Board to consider tabling this item. After deliberations, Commissioner Fountain moved to table this item until legal review is complete. Commissioner Montgomery seconded the motion which carried unanimously.

There being no further business, Commissioner Fountain moved to adjourn at 6:02 p.m. with Commissioner Montgomery seconding the motion which carried unanimously.

Respectfully Submitted:



Bonny A. Flagg  
District Clerk/Board Secretary

Approved:



Rodney A. Twete  
Board Chairman