

## Lakes Highway District Meeting Minutes

August 26, 2019

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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 26, 2019 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 Treasurer Howell. Georgina & Ray Clemo and Bryan Petersen attended regarding load limits, Steven Kjergaard, Kootenai County Airport Director attended regarding the abandonment and vacation hearing 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. Has anyone had any oral or written communication with an applicant, or anyone opposing an application or has anyone visited a site that is on the agenda for Board consideration tonight? All Commissioners indicated no.

**Item 3** - Commissioner Montgomery moved to approve the August 26, 2019 agenda as presented with Commissioner Fountain seconding the motion which carried unanimously.

**Item 4** - Commissioner Montgomery moved to approve the August 5, 2019 regular meeting 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 36160 through 36216 in the amount of \$1,656,199.73 and the direct deposit dated August 20, 2019 in the amount of \$44,377.19 for a total of \$1,700,576.92, noting that payables include the 2019 paving projects, the new sweeper truck and the chip seal projects. Commissioner Montgomery seconded the motion which carried unanimously.

**Item 6** - At this time, Chairman Twete asked if there was any public comment. Georgina Clemo and Bryan Petersen both addressed the Board regarding the weight restrictions that have been placed on Weir and Remington Roads.

**Item 8a was the Hoodoo Valley Fourth Addition Plat Review.** Director Shanley presented his review of this four (4) lot minor subdivision located on Remington Road to the Board for review. After deliberations, Commissioner Montgomery moved to authorize District staff to submit a letter of comment of 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 8b was the Hoodoo Valley Fifth Addition Plat Review.** Director Shanley presented his review of this four (4) lot minor subdivision located on Ramsey 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 items number 1-4 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 8c was the 2019-2020 Budget Hearing.** Chairman Twete stated this was the time and place for the 2019-2020 budget hearing and declared the hearing open for any public comments.

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 2019-2020 budget with the Board.

After review, Chairman Twete asked for any further public comment and seeing none, stated the public hearing was now closed.

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

Commissioner Fountain moved to approve and adopt the FY2019-2020 Lakes Highway District budget as presented which includes the new construction roll and a zero percent property tax levy increase. The motion also included authorization for the Chairman or Vice Chairman to sign the Dollar Certification and authorized District staff to submit the FY 2019-2020 budget to the Coeur d'Alene Press for advertisement. 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 8d was the public hearing for the abandonment and vacation of right-of-way within the CDA Airport Southeast plat.**

Chairman Twete stated this was the time and place set for the public hearing on the petition to abandon and vacate a portion of right-of-way located in the Plat of Coeur d'Alene, Airport Southeast, recorded in Book F of Plats, Pages 332 332A , Records of Kootenai County, Idaho as petitioned by the Kootenai County Board of Commissioners and declare the public hearing open.

Director Shanley presented the staff report outlining the procedures of the abandonment and vacation process along with the analysis and findings. He also stated that the certified notices were mailed in accordance with Idaho Code and the public hearing was noticed in accordance with Idaho Code.

Chairman Twete asked if there was any public testimony from the audience and if so, please proceed to the podium, state your name and address for the record. Only testimony pertaining to this petition will be accepted.

Steven Kjergaard, Kootenai County Airport Director addressed the Board explaining the reasoning behind the County's request.

Chairman Twete asked for any written comments. There being none and with no further public testimony, Chairman Twete stated the public hearing is now closed.

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

Commissioner Fountain stated I find it in the public interest to abandon and vacate the subject right-of-way and find that the requirements of I.C. §40-203 are met. I move to grant the abandonment and vacation as requested subject to this condition precedent with title to be vested as provided in Idaho Code §50-311 to Kootenai County and authorize the Chairman or Vice Chairman to sign the Order to Vacate on behalf of the District. Commissioner Montgomery seconded the motion which carried unanimously.

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

District Clerk Flagg called the roll; Commissioner Twete aye, Commissioner Montgomery aye and Commissioner Fountain aye. Motion carried unanimously.

**Item 8e was the public hearing for the abandonment and vacation of right-of-way located in Hayden Lake Cottage Tracts.**

Chairman Twete stated this was the time and place set for the public hearing on the petition to abandon and vacate a portion of right-of-way located in the Plat of Hayden Lake Cottage Tracts, recorded in Book C, Page 068 Records of Kootenai County, Idaho as petitioned by Joimarie Simpson and declared the public hearing open.

Director Shanley presented the memorandum prepared outlining the procedures of the abandonment and vacation process and the findings and analysis. He also stated that the certified notices were mailed in accordance with Idaho Code and the public hearing was noticed in accordance with Idaho Code.

Chairman Twete asked if there was any public testimony from the audience and if so, please proceed to the podium, state your name and address for the record. Only testimony pertaining to this petition will be accepted.

As there was no public testimony, Chairman Twete asked for any written comments. There being none and with no further public testimony, Chairman Twete stated the public hearing is now closed.

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

Commissioner Montgomery moved to recess the public hearing on the right-of-way located in the Hayden Lake Cottage Tracts to the September 16, 2019 meeting in order to consult legal counsel. Commissioner Fountain seconded the motion which carried unanimously.

**Item 8f was consideration to purchase a crack seal machine.** Director Shanley presented a quote obtained through the District's Sourcewell account to the Board for review and discussed the associated benefits of purchasing a crack seal machine. After deliberations, Commissioner Fountain moved to approve the purchase of a crack seal machine from Sourcewell in the amount of \$75,496.46 with Commissioner Montgomery seconding the motion which carried unanimously.

**Item 8g was the commercial approach for PSP Enterprises on Old Hwy 95.** Director Shanley presented this request for a commercial approach located on Old Hwy 95 to the Board for review. After deliberations, Commissioner Montgomery moved to approve the approach permit for PSP Enterprises on Old Hwy 95 with Commissioner Fountain seconding the motion which carried unanimously.

**Item 8h was the Findings-of-Fact, Conclusions of Law and Decision for Schaeffer (Viewer Report #113).** Director Shanley presented the Findings-of-Fact to the Board for review for a portion of Viewer Report #113, Travis Road. After deliberations, Commissioner Fountain moved to accept the Findings-of-Fact, Conclusions of Law and Decision for a portion of Viewer Report #113 and authorized the Chairman or Vice Chairman to sign the Findings. Commissioner Montgomery seconded the motion which carried unanimously.

**Item 8i was to re-schedule the recessed public hearing on Hayden Lake Cottage Tracts.** Director Shanley addressed the Board and stated as this was a discussion item only, no motion was made.

Commissioner Fountain gave Director Shanley pictures of dead trees on the E. Hayden Lake Road and inquired about removing them. Director Shanley stated he would have staff look into this.

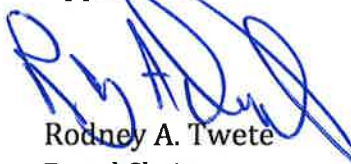
There being no further business, Commissioner Montgomery moved to adjourn at 6:26 p.m. with Commissioner Fountain seconding the motion which carried unanimously.

Respectfully Submitted



Bonny A. Flagg  
District Clerk/Board Secretary

Approved



Rodney A. Twete  
Board Chairman