

Lakes Highway District Meeting Minutes

May 6, 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 May 6, 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, District Treasurer Howell and District Attorney Weeks. Dan & Deb Peterson attended regarding Emily Estates, Richard Oetting attended regarding the abandonment and vacation hearing, Jamie Smith from the City of Dalton, Donna Montgomery and Doug Wall 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 May 6, 2019 agenda as presented with Commissioner Fountain seconding the motion which carried unanimously.

Commissioner Montgomery moved to approve the April 1, 2019 regular 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 35818 through 35912 in the amount of \$ 309,369.22 and the direct deposit dated April 5, 2019 in the amount of \$37,532.50, the direct deposit dated April 19, 2019 in the amount of \$40,955.38 and the direct deposit dated May 6, 2019 in the amount of \$41,319.90 for a total of \$429,177.00. 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 was Emily Estates Access. Director Shanley stated this is a four (4) lot minor subdivision located on Chilco Road. The District has previously submitted a comment letter to the County, however, was asked by the developer to re-assess the approach locations. Commissioners Montgomery and Fountain indicated that they visited the site and approach in question. Chairman Twete stood by his opinion that compliance with the 330-foot spacing between approaches was necessary. Upon further deliberations, Commissioner Montgomery moved to deny the request for a variance to the Highway District requirements for approaches with Commissioner Twete seconding the motion. Commissioner Fountain stated she was opposed. Motion carried.

Item 7b was the Trip Generation Letter for the Zone Change request on Bunco Road. Director Shanley reviewed the Trip Generation letter and recommendations provided by Welch Comer that address commercial development and the associated access to Parcel No. 53N03W-33-0160. Director Shanley concurred with recommendations for the proposed gas station and rental cabins to include a left turn lane on Bunco Road and recommended the Board condition their approval of the commercial approach that the left turn lane is

constructed in conformance with District Standards. After deliberations, Commissioner Fountain moved to approve the commercial approach contingent upon the left-hand turn lane installed into the proposed development. Commissioner Montgomery seconded the motion which carried unanimously.

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

Item 8b was Highway District Banking. Director Shanley addressed the Board explaining Idaho Independent Bank has merged with First Interstate Bank therefore, closing the Hayden Branch of IIB. Discussion followed regarding the District's bank accounts and after deliberations, Commissioner Fountain moved to table this item to a later date with Commissioner Montgomery seconding the motion which carried unanimously.

Item 8a was the public hearing for the abandonment and vacation of a portion of Viewer Report #113.

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 Lot 2, Block 1 Cruze Estates recorded in Book J, Pages 029 and 029A, Kootenai County, Idaho as petitioned by Richard Oetting. I now declare the public hearing open.

Director Shanley presented the memorandum prepared outlining the procedures of the abandonment and vacation process.

Mr. Oetting addressed the Board explaining his request for abandonment and vacation.

There being 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 Richard E. Oetting 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.

District Clerk Flagg called the roll; Commissioner Twete aye, Commissioner Montgomery aye and Commissioner Fountain aye. Chairman Twete stated the motion has passed.

Chairman Twete asked about any fees. After conferring with legal counsel, Commissioner Fountain restated the motion as I move to grant the abandonment and vacation as requested waiving the fees for right-of-way, except for legal fees and costs incurred for hearing. Commissioner Montgomery seconded the motion which carried unanimously.

Item 8c was the Special Events Application for the Life Awareness Run/Relay Race. Director Shanley presented the course route along with the narrative to the Board for review.

After deliberations, Commissioner Montgomery moved to approve the Life Awareness Run as proposed authorized the Chairman or Vice Chairman to sign the application. Commissioner Fountain clarified the changes discussed, certified flaggers, flagger ahead signs and to move back race associated equipment off of Ramsey and Diagonal Road and seconded the motion which carried unanimously.

Item 8d is a Variance Request on Clarkview Place. Director Shanley presented the request for a nineteen (19) foot variance to the front yard setback on Lot 44 of Hayden Lake Honeysuckle Hills Building Sites. After deliberations, Commissioner Fountain moved to authorize District staff to submit a letter of comment to the County stating the District had no objection to the variance request. Commissioner Montgomery seconded the motion which carried unanimously.

Item 8e is the Cayuga Ranch 2nd Addition Plat Review. Director Shanley presented the four (4) lot minor subdivision located on Remington Road to the Board for discussion. After deliberations, Commissioner Montgomery moved to authorize District staff to submit a letter of comment to the County outlining item numbers 1-3 of Director Shanley's review. The motion also included authorization for the Chairman or Vice Chairman to sign the Mylars. Commissioner Fountain seconded the motion which carried unanimously.

Item 8f is the Cayuga Ranch 3rd Addition Plat Review. Director Shanley presented the four (4) lot minor subdivision located on Remington Road to the Board for discussion. After deliberations, Commissioner Montgomery moved to rescind his previous motion on item 8e, Cayuga Ranch 2nd Addition and table this item. Commissioner Fountain seconded the motion which carried unanimously. Commissioner Fountain then moved to table item 8f for further consideration. Commissioner Montgomery seconded the motion which carried unanimously.

Item 8g is the Noxious Weed Control Agreement. Director Shanley presented an agreement with Panhandle Spray Service for the District's 2019 spray season to the Board for review. After deliberations, Commissioner Montgomery moved to accept the weed spray contract with Panhandle Spray Service for noxious weed control for 2019 with Commissioner Fountain seconding the motion which carried unanimously.

Item 8h is the ITD State & Local Agreement for the SH53 Project. Director Shanley reviewed the agreement and the construction plans with the Board for the US95, JCT SH-53 Garwood Road, UPRR Bridge and Frontage Road Project. After deliberations, Commissioner Montgomery moved to approve the cooperative agreement for the future frontage roads created by the UP Bridge/US 95 and Garwood Bridge/US 95 projects. The motion also included authorization for the Board to sign the agreement. Commissioner Fountain seconded the motion which carried unanimously.

Item 8i is Ordinance 2019-02 for the Use of Public Rights-of-Way. Director Shanley presented this ordinance prepared by Attorney Weeks, governing the use of the public rights-of-way to the Board for review. After deliberations, Commissioner Fountain moved to table this item with Commissioner Montgomery seconding the motion which carried unanimously.

Item 8j is Resolution 2019-03 Fox Hollow Road Acceptance. Director Shanley addressed the Board stating Winray Drive and Blue Jay Loop located in Phase I of Fox Hollow are built to standards and the developer is requesting they be accepted for maintenance by the District. After deliberations, Commissioner Fountain moved to adopt Resolution 2019-03 accepting Winray Drive and Blue Jay Loop located in Phase I of Fox Hollow Subdivision into the District's maintenance jurisdiction. Commissioner Montgomery seconded the motion. Clerk Flagg called roll with voting as follows: Commissioner Twete aye, Commissioner Montgomery aye and Commissioner Fountain aye. Motion carried unanimously.

Item 8k is the Ramsey Road BNSF Project Design Report Review. Director Shanley presented this report to the Board for review which outlines and summarizes the project description, milestones, public involvement, environmental commitments, changes to the charter report and project cost. After deliberations, Commissioner Montgomery moved to approve the David Evans & Assoc. Design Study Report on the Ramsey Road BNSF Railroad Crossing Project with Commissioner Fountain seconding the motion which carried unanimously.

Item 8l is the 2019 Pavement Marking Award Consideration. Director Shanley presented the results of the pavement marking bids. After review and deliberations, Commissioner Montgomery moved to accept Stripe Rite's bid in the amount of \$133, 360.36 for the 2019 striping with Commissioner Fountain seconding the motion which carried unanimously.

Item 8m is the Agenda Review. Director Shanley stated the Commissioner Fountain had inquired about holding any executive sessions at the beginning of the meeting prior to the start of the regular meeting. As this was a discussion item only, no motion was made.

Commissioner Fountain moved to enter into executive session at 6:39 p.m. under Idaho Code §74-206 (1) (b) to discuss employee wages. Commissioner Montgomery seconded the motion. District Clerk Flagg called the roll with the Commissioners voting as follows: Commissioner Twete aye, Commissioner Montgomery aye and Commissioner Fountain aye. Motion carried unanimously.

Upon reconvening to regular session at 6:58 p.m., Commissioner Montgomery moved to authorize Director Shanley to make the raises accordingly as discussed in executive session. Commissioner Fountain seconded the motion which carried unanimously.

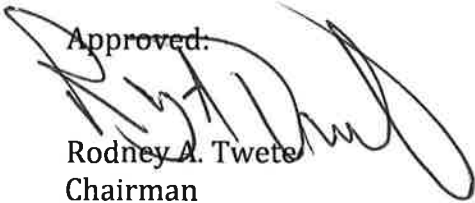
There being no further business, Commissioner Fountain moved to adjourn at 6:59 p.m. with Commissioner Montgomery seconding the motion which carried unanimously.

Respectfully Submitted:

Bonny A. Flagg

Bonny A. Flagg
District Clerk/Board Secretary

Approved:


Rodney A. Twete
Chairman