

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 November 6, 2017, 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. Drew Dittman of Lake City Engineering attended regarding Brunner Estates, Merle Van Houten of Verdis attended regarding Mountain Air Resort, Scott Jordan of the City of Dalton Gardens attended regarding the surplus equipment, Dennis Damon attended regarding a speed limit in Bayview, Doug Wall, Donna Montgomery and Ted Bare 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 November 6, 2017 agenda, as presented with Commissioner Fountain seconding the motion which carried unanimously.

Commissioner Montgomery moved to approve the October 16, 2017 meeting minutes as presented with Commissioner Fountain seconding the motion which carried unanimously.

Commissioner Montgomery moved to approve the October 26, 2017 special meeting minutes as presented with Commissioner Fountain seconding the motion which carried unanimously.

After reviewing the Payments Journal, Commissioner Fountain moved to approve the payments journal with bills paid by check numbers 34278 through 34328 in the amount of \$149,283.55, the direct deposit dated October 20, 2017 in the amount of \$24,322.76 and the direct deposit dated November 6, 2017 in the amount of \$29,838.98 for a total of \$203,445.29. 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. Dennis Damon of Bayview addressed the Board regarding the speed limit as Main Street leads into Perimeter Road going passed the Post Office in Bayview. Mr. Damon inquired about lowering the speed limit. Director Shanley stated the District would consider additional signage in this area.

Item 9a was the Findings of Fact, for the 5<sup>th</sup> & Lakeside vacation and abandonment request. Director Shanley presented the Findings of Fact and Special Warranty Deed to the Board that were prepared by Attorney Weeks. Commissioner Fountain had a concern regarding item #11 in the Findings, therefore, after deliberations, Commissioner Montgomery moved to table this item to further consult with legal counsel. Commissioner Fountain clarified the review was of item #11 in the Findings and paragraph 4 of the warranty deed and seconded the motion which carried unanimously.

As Drew Dittman of Lake City Engineering was in the audience regarding Brunner Estates, Chairman Twete moved to item 9g, the Brunner Estates Road Construction Plans. Director Shanley reviewed the road construction plans submitted to the District and presented his

comments for this fifteen (15) lot major subdivision located on the northeast corner of Weir and Brunner Roads. After deliberations, Commissioner Montgomery moved to approve the construction plans and authorized District staff to submit a letter of comment to the project engineer outlining item numbers 1-6 of Director Shanley's review. Commissioner Fountain seconded the motion which carried unanimously.

Chairman Twete moved to item 9b and stated this was the time and place for the public hearing to hear testimony why the property may still be useful to the District and the sale should not be made for one (1) 1994 Caterpillar 140G Grader (PIN# 72V17140) and one (1) 1991 Ford (Tractor) Truck (VIN# 1FDZY90XXMVA20908) and stated that the public hearing is now open. At this time the Board will take testimony from the public and staff. Please proceed to the podium and state your name and address for the record. Only testimony pertaining to the surplus equipment will be accepted.

There being no public comment, Chairman Twete asked Director Shanley if he had anything to add or had received any written testimony. Director Shanley stated the District received communication from the City of Dalton Gardens requesting to purchase the Caterpillar 140G Grader if the Board deems that there is no public input indicating that the District would not want to release the piece of equipment that the City of Dalton Gardens would like to acquire.

Chairman Twete asked if there was any further testimony. Director Shanley outlined what equipment the City of Dalton would like to purchase and added that the public hearing was advertised per Idaho Code.

Chairman Twete asked if there had been any other interest in the vehicles. Director Shanley indicated that there had not been and said that the way that the resolution reads it allows the District to set a pre-determined price that the Board sets, which may be obtained through the Kelly Blue Book, or some other value that the Board sets, on the remaining piece of equipment and if more than one entity would like to purchase the truck, a name would be drawn out of a hat as ITD has done in the past.

There being no further public testimony and no additional testimony by District staff, Chairman Twete stated that the public hearing in the matter before the Board was now closed.

Chairman Twete asked the other Commissioners if there was any further discussion at this time.

Commissioner Montgomery stated, "Mr. Chairman, since there were no objections raised in the public testimony of said hearing, I find it is in the public's interest to declare the following equipment as surplus: one (1) 1994 Caterpillar 140G Grader (PIN# 72V17140) and one (1) 1991 Ford (Tractor) Truck (VIN# 1FDZY90XXMVA20908) and offer the surplus equipment for sale or exchange based on the VIN/PIN #'s previously stated at the opening of the public hearing. Commissioner Fountain seconded the motion which carried unanimously.

Commissioner Fountain moved to adopt Resolution 2017-07 "Surplus Equipment for Exchange or Sale" with Commissioner Montgomery seconding the motion. District Clerk Flagg then called the roll and the Commissioners voted as follows: Chairman Twete aye, Commissioner Montgomery aye and Commissioner Fountain aye. Motion carried unanimously.

Item 9c was to set a public hearing to ratify the City of Dalton Gardens Sale Agreement. Director Shanley explained to the Board there would need to be a public hearing to ratify the sales agreement with the City of Dalton Gardens for the purchase of equipment. After deliberations, Commissioner Montgomery moved to set December 4<sup>th</sup>, 2017 at 5:45 p.m. or as soon thereafter as possible for the public hearing to ratify the sales agreement with the City of Dalton Gardens for the purchase of surplus equipment. Commissioner Fountain seconded the motion which carried unanimously.

Item 9d was Conditional Use Permit CUP17-0010 located on Dodd Road. Director Shanley stated the applicants are proposing a commercial resort on approximately twenty (20) acres and outlined the mix of recreational uses that are planned for the site. After deliberations, Commissioner Fountain moved to authorize District staff to submit a letter of comment to the County stating the District has no comments regarding the CUP on Dodd Road. Commissioner Montgomery seconded the motion which carried unanimously.

Item 9e was Resolution 2017-08, Parking on Public Highways. Director Shanley presented this resolution to the Board explaining the resolution updates our current resolution that references the County Ordinance. After deliberations, Commissioner Fountain moved to adopt Resolution 2017-08 establishing regulations for parking on public highways with Commissioner Montgomery seconding the motion which carried unanimously.

For item 9f, Director Shanley presented the Professional Services Agreements from Welch Comer for monument work for the 2018 construction projects and explained the scope of each agreement. After deliberations, Commissioner Montgomery moved to accept the Professional Services Agreements from Welch Comer for monument work for the 2018 construction projects and authorized the Chairman or Vice Chairman to sign the agreements. Commissioner Fountain seconded the motion which carried unanimously.

Item 9h was the 2019 LHRIP application. Director Shanley discussed with the Board the opportunity to submit for grant funds for the BNSF/Ramsey Road grade separation project and requested authorization to submit the application to LHTAC. After deliberations, Commissioner Fountain moved to authorize District staff submit the 2019 LHRIP grant application for the BNSF/Ramsey Road Grade Separation Project and authorized the Chairman or Vice Chairman to sign the application. Commissioner Montgomery seconded the motion which carried unanimously.

Item 9i was the 2020 LHSIP application. Director Shanley discussed with the Board the opportunity to submit for grant funds for the BNSF/Ramsey Road grade separation project and requested authorization to submit the application to LHTAC. After deliberations, Commissioner Fountain moved to authorize District staff submit the 2020 LHSIP grant application for the BNSF/Ramsey Road Grade Separation Project and authorized the Chairman or Vice Chairman to sign the application. Commissioner Montgomery seconded the motion which carried unanimously.

Item 9j was the Ramsey Road/BNSF Consultant Agreement from David Evans and Associates. Director Shanley presented the agreement to the Board and reviewed the scope of services. After deliberations, Commissioner Montgomery moved to accept the Professional Services Agreement

with David Evans & Associates and authorize the Chairman or Vice Chairman to sign the agreement. Commissioner Fountain seconded the motion which carried unanimously.

Item 9k was discussion regarding health insurance. Commissioner Fountain stated she would like the District to research and collect information regarding the health insurance to try to make it more affordable. She stated she would like to see comparatives to other entities. After deliberations, Commissioner Fountain moved to direct staff to collect information regarding health insurance and get comparatives to other governing agencies, like ITD, City of Hayden, NIC, get cost and the benefit packages to bring back to the Board. Commissioner Montgomery seconded the motion which carried unanimously.

Under the Engineer/Director's Report, item 10a was the notice of Director's relocation. As this was a discussion item only, no motion was made.

At this time, Chairman Twete asked for a motion to enter into executive session under Idaho Code §74-206 (b). Commissioner Fountain moved to enter into executive session at 6:21p.m. under Idaho Code §74-206 (b) to discuss employee benefits. Commissioner Montgomery seconded the motion. District Clerk Flagg called the roll with the Commissioners voting as follows: Chairman Twete aye, Commissioner Montgomery aye and Commissioner Fountain aye.

Upon reconvening to regular session and there being no further business, Commissioner Montgomery moved to adjourn at 6:41 p.m. with Commissioner Fountain seconding the motion which carried unanimously.

Respectfully Submitted:

*Bonny A. Flagg*

Bonny A. Flagg  
District Clerk, Board Secretary

Approved:

*Rodney A. Twete*

Rodney A. Twete  
Chairman